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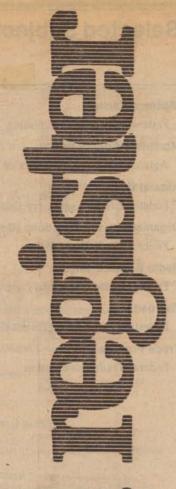
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Presidential Documents

Title 3-

The President

Presidential Determination No. 85-12 of April 10, 1985

Eligibility of Algeria To Make Purchases of Defense Articles Under the Arms Export Control Act

Memorandum for the Honorable George P. Shultz, the Secretary of State

Pursuant to the authority vested in me by Section 3(a)(1) of the Arms Export Control Act, I hereby find that the furnishing of defense articles to the Government of Algeria will strengthen the security of the United States and promote world peace.

You are directed on my behalf to report this finding to the Congress.

This finding shall be published in the Federal Register.

Ronald Reagon

THE WHITE HOUSE, Washington, April 10, 1985.

[FR Doc. 85–10341 Filed 4–25–85; 11:42 am] Billing code 3195–01–M

Presidential Documents

Proclamation 5327 of April 25, 1985

National DES Awareness Week, 1985

By the President of the United States of America

A Proclamation

Between 1941 and 1971, a number of pregnant women in the United States were prescribed DES (diethylstilbestrol) to prevent miscarriage. This powerful synthetic hormone was used not only in problem pregnancies but also in some normal pregnancies. As a result, some three million children were exposed to DES while in the womb.

Many scientists fear that exposure to DES may be linked to some forms of cancer. This fear is enough to call attention to the possible health threats faced by past users of DES and their children. Many of the cancers that may be related to DES can be effectively treated if detected at an early, localized stage. Awareness of the threats posed by past DES use should result in increased attention to regular checkups, the first step to effective detection and treatment.

To increase the public understanding of DES exposure, the Congress of the United States, by Senate Joint Resolution 63, has designated the week of April 21 through April 27, 1985, as "National DES Awareness Week" and authorized and requested the President to issue a proclamation calling for observance of this week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week of April 21 through April 27, 1985, as National DES Awareness Week. I call upon all government agencies and the people of the United States to observe this week with appropriate activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of April, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and ninth.

[FR Doc. 85-10460 Filed 4-25-85; 4:36 pm] Billing code 3195-01-M Ronald Reagan

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Presidential Documents

Proclamation 5328 of April 25, 1985

Older Americans Month, 1985

By the President of the United States of America

A Proclamation

Within recent years, older Americans have achieved economic parity with the rest of our Nation's population. This welcome development has meant a true sense of independence for most older Americans.

The tremendous strides that we as a Nation have made in our standard of living and health care have also meant that each succeeding generation of older Americans is proving to be more vigorous and self-sufficient than were its forebears at comparable ages. This translates into a real increase in independence for our Nation's older people.

In the years ahead, we can enhance our personal independence even further by pursuing lifestyles designed to protect our health; by thoughtful planning for our retirement years; and by maintaining strong and close ties with our families, neighbors, and friends.

Our rich heritage of neighbor assisting neighbor continues to thrive not only in its original form, but also as manifested in the emergence of a variety of private helping organizations at the community level. For those older Americans who need outside support to maintain the independence we cherish, it is reassuring to know that assistance is available through a nationwide network of State and area agencies and also private agencies who devote services to the elderly.

Each of us can enrich the lives of others—and ennoble our own lives—by volunteering in whatever way we can to help older Americans in need of assistance. Age is no barrier to this effort, which should involve families, neighbors, and friends, as we help others continue to realize the dream of independence.

When we—each in our own way—strive to maintain our independence and help others to do the same, we will be fulfilling the theme of this year's Older Americans Month, "Help Yourself to Independence."

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the month of May 1985 as Older Americans Month. I ask public officials at all levels, community agencies, educators, the communications media, and the American people to take this opportunity to honor older Americans and to encourage them to do everything they can to make their health last a lifetime.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of April, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and ninth.

Ronald Reagan

[FR Doc. 85-10461 Filed 4-25-85; 4:37 pm] Billing code 3195-01-M

President districtions

Presidential Documents

Proclamation 5329 of April 25, 1985

Fair Housing Month, 1985

By the President of the United States of America

A Proclamation

1985 marks the seventeenth anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly referred to as the Federal Fair Housing Act. That law declared it to be a national policy to provide, within constitutional limits, for fair housing throughout the United States. In particular, that Act prohibits discrimination in housing on the basis of race, color, religion, sex, or national origin.

Fairness is the foundation of our way of life and reflects the best of our traditional American values. Invidious, discriminatory housing practices undermine the strength and vitality of America and her people. In this seventeenth year since the passage of the Fair Housing Act, let us work together to strengthen enforcement of fair housing laws for all Americans so as to make the idea of nondiscriminatory housing a reality.

The Congress, by Senate Joint Resolution 79, has designated the month of April 1985 as "Fair Housing Month" and authorized and requested the President to issue an appropriate proclamation in observance of this event.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the month of April 1985 as Fair Housing Month, and I invite the Governors of the several States, the chief officials of local governments, and the people of the United States to observe this month with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of April, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and ninth.

Ronald Reagan

[FR Doc. 85-10511 Filed 4-26-85; 11:38 am] Billing code 3195-01-M plants has been added to the Paraguet, by a work as but on the winter

Rules and Regulations

Federal Register Vol. 50, No. 82 Monday, April 29, 1985

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 792

Federal Employees' Health and Counseling Programs; Regulatory Requirements for Alcoholism and Drug Abuse Programs and Services for Federal Civilian Employees

AGENCY: Office of Personnel Management.

ACTION: Final regulation.

SUMMARY: The Office of Personnel Management is amending 5 CFR by adding Part 792, which establishes OPM and agency responsibilities to provide prevention, treatment, and rehabilitation services to Federal civilian employees with alcohol and/or drug problems. Part 792 identifies those elements of the alcohol and drug abuse program that are mandatory and binding upon Federal departments and agencies. As a minimum, agencies are required to: (1) Establish and administer short-term counseling and/or referral programs to assist civilian employees with alcohol and/or drug problems; (2) issue internal program instructions; and (3) submit annual fiscal year reports to OPM on their counseling activities.

EFFECTIVE DATE: May 29, 1985.

FOR FURTHER INFORMATION CONTACT: Ruby Giddings, (202) 632-5558.

SUPPLEMENTARY INFORMATION: OPM published an interim regulation on July 9, 1984 (49 FR 27921) that required Federal departments and agencies to operate, at a minimum, programs to assist their employees who experience work related problems associated with the use of alcohol and/or drugs. The regulation clarified those elements of the alcohol and drug abuse program that are essential to meet the statutory requirements of the public laws. The public comment period ended on

September 9, 1984, OPM received numerous comments from agencies and unions. There were a number of suggestions for specific improvements in the regulation that have been adopted in the final regulation. Specific comments received and related decisions are summarized below.

Comment: One agency recommended that the reference to employees having "alcohol and drug problems" be changed to "alcohol and/or other drug problems" throughout the regulation to consistently convey the idea that a person with either an alcohol problem or a drug problem or a person with both an alcohol and a drug problem may take advantage of the alcoholism and drug abuse programs and services afforded Federal civilian employees.

Response: OPM agrees in part with this suggestion and has adopted in the final regulation the reference to employees having "alcohol and/or drug problems"; therefore, acknowledging that employees may experience these two problems simultaneously. However, the word "other" has not been adopted as OPM feels that the two public laws are separate in authority and the use of the term "other" confuses two different employee problems.

Comment: One agency recommended that in paragraph (a) of § 792.105 the word "officials" be changed to "persons" to reflect the possibility that an agency may contract out for the program and that there may be no "officials" in the agency who are knowledgeable in counseling and referral services.

Response: OPM agrees that the term "officials" may be misleading but the recommended substitution of the word 'persons" is too general. Therefore, OPM has decided to use the term "practitioners" in the final regulation.

Comment: One agency pointed out that the statutory citations should be updated to reflect the recent changes enacted by the Alcohol and Drug Abuse Amendments of 1983 (Pub. L. 98-24). The agency also urged that the statutory requirement contained in the supplementary information portion that encourages agencies to extend, to the extent feasible, these programs and services to the families of alcohol and drug abusers and to employees who have family members who are alcoholic or drug abusers be moved to the body of the regulation.

Response: The final regulation has been revised to reflect the amendments and to incorporate the Federal Government's statutory obligation to the families of alcohol and/or drug abusing employees and to employees who have family members who have an alcohol and/or drug problem in § 792.101 (Statutory requirements).

Comment: One union expressed concern that § 792.102 of the interim regulation, which requires short-term counseling and/or referral, or offers thereof, would be "woefully inadequate" to deal with the serious problems caused by alcohol and/or drug use and recommended that this section be replaced with a requirement for agencies to develop comprehensive programs for the counseling and treatment of these problems.

Response: The regulation is intended to establish only the minimum agency program requirements necessary to assist employees with these problems and does not prohibit agencies from expanding their program activities. Currently, agency programs range from a part-time counselor to units staffed with professional counselors who handle a broad range of employee services. The regulation is intended to provide the basis on which agencies can build their programs according to their particular management and employee needs. This approach also allows agencies the flexibility to provide these services either through internal programs, contractors, or consortia. While the points made are sound, OPM feels that the guidance to implement the regulation will encourage agencies to develop comprehensive, viable programs.

Comment: One agency requested that the regulation contain information on what type of leave would be appropriate for an employee seeking or undergoing treatment.

Response: OPM feels that existing leave regulations and guidance provide agencies with sufficient information and discretion to appropriately administer leave for these purposes. Therefore, emphasis on leave administration in this regulation is not necessary.

Comment: The majority of the comments focused on the content of § 792.105(c). Two agencies found this section to be possibly misleading regarding the responsibilities of the manager/supervisor to identify and refer employees whose use of alcohol and/or drugs negatively affects conduct and/or performance. In particular, concern was expressed that the language implied that managers/supervisors will make referrals for counseling only when they have the knowledge that an employee's use of alcohol and/or drugs may be contributing to a performance or conduct deficiency. Also, several commenters recommended that the use of the term "rate" in the phrase "rate the employee accordingly and initiate an appropriate performance-based or adverse action at that time" be changed to evaluate. Specifically, concerns were expressed that the use of the word "rate" would infer that agency action would be connected to or dependent upon a formal employee rating under the agency's Performance Appraisal System and does not take into consideration action related to employee misconduct.

Response: With respect to the first point, OPM feels that the regulation should be limited to the required responsibility of the supervisor/manager. Anything other than absolute awareness (i.e., suspects or has reason to believe) should be addressed in guidance where examples can be provided. OPM agrees with the second point and this section has been revised

accordingly.

Comment: One agency expressed concern that § 792.105(c) did not establish time limits on when the employee must seek counseling, begin or complete a rehabilitation program, or show improvements. This concern also reflected disappointment that the regulation did not define "rehabilitation," "participation," or . "improvement."

Response: OPM feels that it is not feasible or desirable to establish time limits and define what constitutes "rehabilitation," "participation," or "improvement," as the conditions for rehabilitative treatment vary from individual to individual and must be judged on a case-by-case basis depending on the circumstances. Therefore, this type of information is best described in the implementing

guidance.

Comment: One agency recommended that a section on prevention be added to

the body of the regulation.

Response: While OPM agrees that prevention is an important part of the program and is established by law, it is felt that preventive actions are best handled in the implementing guidance because of the variety of approaches available to agencies to meet this mandate.

Comment: One agency thought that the regulation should clarify the relationship of a management referral of an employee for counseling and a management offer or requirement of a medical examination when an employee asserts that a medical condition is contributing to a conduct or performance problem.

Response: OPM feels that there is no relationship. A medical examination does not apply to a referral to an Employee Counseling Program.

However, if an employee alleges a medical condition, the employee may submit medical documentation or the agency may offer the employee a medical examination.

E.O. 12291, Federal Regulation

OPM has determined that this is not a major rule as defined under section 1(b) of E.O. 12291, Federal Regulation.

Regulatory Flexibility Act

I certify that this regulation will not have significant economic impact on a substantial number of small entities because it only affects Federal employees and their families.

List of Subjects in 5 CFR Part 792

Alcoholism, Drug abuse, Federal employees.

U.S. Office of Personnel Management. Donald J. Devine,

Director.

Accordingly, OPM is adopting the interim regulation as a final regulation with the following changes:

PART 792—FEDERAL EMPLOYEES HEALTH AND COUNSELING PROGRAMS

1. The authority for Part 792 is revised to read as follows:

Subpart B-[Reserved]

Authority: Sec. 201 of Pub. L 91-616, 84 Stat. 1849, as amended and transferred to sec. 520 of the Public Health Services Act by sec. 2(b)[13] of Pub. L. 98-24 (42 U.S.C. 290dd-1) and sec. 413 of Pub. L. 92-255, 86 Stat. 84, as amended and transferred to sec. 525 of the Public Health Service Act by sec. 2(b)[16](A) of Pub. L. 98-24 (42 U.S.C. 290ee-1).

2. Section 792.101 is revised to read as follows:

§ 792.101 Statutory requirements.

Sections 290dd-1 and 290ee-1 of 42 United States Code, provide that the Office of Personnel Management shall be responsible for developing and maintaining, in cooperation with the Secretary of the Department of Health and Human Services, and with other Federal departments and agencies, appropriate prevention, treatment, and rehabilitation programs and services for Federal civilian employees with alcohol and/or drug problems. To the extent feasible, agencies are encouraged to extend services to families of alcohol and/or drug abusing employees and to employees who have family members who have alcohol and/or drug problems. Such programs and services shall make optimal use of existing government facilities, services, and skills.

3. Section 792.102 is revised to read as follows:

§ 792.102 General.

It is the policy of the Federal Government to offer appropriate prevention, treatment, and rehabilitation programs and services for Federal civilian employees with alcohol and/or drug problems. Short-term counseling and/or referral, or offers thereof, shall constitute the appropriate prevention. treatment, and rehabilitation programs and services for alcohol abuse, alcoholism, and/or drug abuse required under 42 U.S.C. 290dd-1(a) and 290ee-1(a). Federal departments and agencies must establish programs to assist employees with these problems in accordance with the legislation cited in § 792.101.

4. Paragraphs (a) through (c) of § 792.105 are revised to read as follows:

§ 792.105 Agency responsibilities.

- (a) Agencies shall establish and administer programs through which practitioners who are knowledgeable in counseling and referral services can offer and provide employees who have alcohol and/or drug problems short-term counseling and/or referrals for long-term counseling or treatment.
- (b) Agencies shall issue internal instructions implementing the requirements of 42 U.S.C. 290dd-1(a) and 290ee-1(a) and this regulation.
- (c) Whenever a manager/supervisor becomes aware that a Federal employee's use of alcohol and/or drugs may be contributing to a performance or conduct deficiency, the manager/ supervisor shall recommend counseling and refer the employee to the agency counseling program. If an employee fails to participate in any rehabilitative program or, having participated, the employee fails to bring conduct or performance up to satisfactory level, the agency shall evaluate the employee accordingly and initiate an appropriate performance-based or adverse action. * * *

[FR Doc. 85-10281 Filed 4-26-85; 8:45 am] BILLING CODE 8325-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 989

Raisins Produced From Grapes Grown in California; Modification of Procedures To Implement a Raisin **Diversion Program**

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This action establishes procedures to give raisin producers a chance to submit diversion applications after the current December 20 deadline date, but only if the producer agrees to remove vines. The additional period for receipt of applications would be available only in those years when the tonnage of approved applications is less than the total tonnage declared eligible for diversion by the Raisin Administrative Committee. Interested producers would have to apply by an announced date not later than May 1 and approved subscribers would have to remove the vines not later than June 1, except that these dates may be extended by 30 days in the 1985 calendar year because of the lateness of the season and the need to maximize producer participation in the 1985 program. The raisin industry is faced with an urgent need to reduce long-term production capacity. This action was recommended unanimously by the Raisin Administrative Committee. The Committee works with the Department in administering the marketing order for California raisins.

EFFECTIVE DATE: April 23, 1985. Comments due: May 29, 1985.

ADDRESS: Comments must be sent in duplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, Room 2069, South Building, Washington, D.C. 20250. Comments should reference the date and page number of this issue of the Federal Register and will be available for public inspection in the office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Frank M. Grasberger, Acting Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447-5053.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA guidelines implementing Executive Order 12291 and Secretary's Memorandum No. 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small

It is found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rulemaking and that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register (5 U.S.C. 553). The Raisin Administrative Committee approved a raisin diversion program for the 1985 crop to foster production cut-backs and assist growers with their current financial difficulties. The raisin industry desires to utilize these sign-up extension procedures for the 1985 program promptly because the current total tonnage represented by applications approved for 1985 is almost 16,000 tons less than the tonnage declared eligible for diversion by the Committee. Since approval of those applications by the Committee, it has received numerous inquiries from producers wishing to remove vines in 1985. To assure success of the diversion program for 1985, maximize producer participation, and achieve the production cut-backs the industry desires, producers desiring to remove vines should be given another opportunity to subscribe. However, time is running short, and these procedures must be implemented promptly to give producers enough time to plan accordingly, including a determination of the portion of the vineyard to be removed. This action has been discussed extensively by the industry and no useful purpose would be served by providing a period for public input, especially in view of the lateness of the season and the need for prompt implementation.

While this action needs to be effective immediately for the 1985 crop diversion program, the amendments are permanent regulations which may be utilized in future crop years. Therefore, it is appropriate to request comments before determining whether to finalize this modification on a permanent basis

for future crop years.

This interim final rule amends § 989.156 of Subpart—Administrative Rules and Regulations (7 CFR 989.102-989.176; 50 FR 3879) by adding a new paragraph (s) to make the raisin diversion program more flexible in the area of producer participation. This subpart is operative pursuant to the marketing agreement and Order No. 989, both as amended (7 CFR Part 989; 50 FR 1830), regulating the handling of raisins produced from grapes grown in

California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

On January 23, 1985, the procedural and operational details of the raisin diversion program were established in § 989.156 pursuant to § 989.56 of the marketing agreement and order program. Section 989.56 was added to the order when it was amended January 8, 1985. The program gives the industry a means of correcting its serious oversupply situation by providing a mechanism whereby producers voluntarily can decrease the quantity of raisin grapes grown for drying into raisins. Under this program, a raisin producer can halt production of raisins, but still have a quantity of reserve raisins (represented by a diversion certificate) to sell to handlers. The tonnage available would be from those reserve raisins previously determined by the Committee to be in excess of projected market needs.

Since implementation, the raisin industry has been striving to assure the success of the 1985 program and programs which may be needed in the future. To maximize opportunities for producer participation, the Committee recommended procedures for additional diversion through vine removal when the total tonnage on approved applications received before December 20 is less than the tonnage declared eligible for diversion by the Committee. The Committee limited diversion under these procedures to vine removal because that method of diversion would reduce production capacity on a more permanent basis than the other methods specified in § 989.156(h). The procedures would provide an additional period for submission of applications, and the tonnage available during the reoffer period would be limited to the difference between the tonnage on originally approved applications and the total tonnage declared eligible for diversion. Producers would have until an announced date not later than May 1 to submit such applications and these would be approved on a first-come, first-

served basis.

The Committee further recommended that less than a total production unit may be approved for diversion during the reoffer period. This will provide an incentive for more producers to participate in the program and promote the use of vine removal which is the most direct and most effective way of accomplishing the diversion program objectives. The determination of the tonnage allowed for acreage removed for less than the total production unit

would be computed by multiplying the tonnage produced and verified on the entire unit by the ratio of the acreage removed divided by the acreage contained in the total production unit. After verification of the tonnage on the production unit has been completed and the application approved, the producer would notify the Committee when vine removal is to occur so the Committee can observe the removal. If the removal is not observed, no diversion certificate would be issued by the Committee.

The Committee received over a thousand applications from Thompson Seedless growers willing to divert their 1985 production. Approximately 60,000 tons of raisins representing about 30,000 acres have been approved for the 1985 diversion program. However, the Committee earlier determined that about 76,000 tons of reserve raisins are in excess of projected market needs. Since the close of the application period the Committee has received numerous calls from producers expressing interest in participating in the 1985 program. The Committee believes that the authority for an additional sign-up period for those producers agreeing to remove vines could increase the level of participation and assure the success of the 1985 program. The reoffer period will increase the opportunity for raisin producers to further reduce the 1985 crop through vine removal.

After consideration of all relevant matter presented, including the information and recommendation submitted by the Committee, and other available information, it is further found that the changes hereinafter set forth will tend to effectuate the declared

List of Subjects in 7 CFR Part 989

Marketing agreements and orders, Grapes, Raisins, and California.

PART 989-[AMENDED]

policy of the act.

Therefore \$ 989.156 is amended by adding and reserving paragraphs (q) and (r) and adding a new paragraph (s) to read as follows:

§ 989.156 Raisin diversion program.

(s) Additional opportunity for vine removal. (1) The Committee may announce a date later than that provided in § 989.156(b), by which producers, who agree to remove the vines on a production unit, or portion thereof may file an application to participate in a raisin diversion program. The announced date shall be no later than May 1, except this date may be extended 30 days for the 1985

calendar year. The diversion certificates will be issued only for the production units or portions thereof from which the vines are removed. The total tonnage available to such applicants shall not exceed the tonnage determined by deducting the tonnage approved for applications received on or before December 20 from the total tonnage announced as eligible by the Committee for diversion. Applications shall be considered and approved on a firstcome, first-serve, basis and shall not be given preference over the tonnage approved for applications received on or before December 20. The vines shall be removed from the production units or portion thereof for which such applications are approved not later than June 1, except this date may be extended 30 days for the 1985 calendar

(2) Producers who agree to remove the vines pursuant to this paragraph shall notify the Committee in advance of the date when such vines will be removed in order to allow a representative of the Committee to observe and verify such vine removal.

(3) The determination of the tonnage allowed for acreage removed for less than a total production unit would be computed by multiplying the previous year's tonnage produced and verified on the entire unit by the ratio of the acreage removed divided by the acreage contained in the total production unit.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 23, 1985.

Thomas R. Clark,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 85-10307 Filed 4-26-85; 8:45 am] BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. 85-033]

Swine, Pork, and Pork Products Imported From Norway

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends the regulations concerning the importation into the United States of swine, pork, and pork products by adding Norway to the list of countries in which hog cholera is not known to exist. It has been determined that hog cholera has now been eradicated from Norway. The

effect of this rule is to relieve certain restrictions on the importation into the United States of swine, pork, and pork products from Norway.

EFFECTIVE DATE: April 29, 1985.

FOR FURTHER INFORMATION CONTACT: Dr. Dan Sheesley, Import-Export Animals and Products Staff, VS, APHIS, USDA, Room 844AAA, Federal Building 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–8170

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR Part 94 (the regulations) regulate the importation into the United States of specified animals and animal products in order to prevent the introduction into the United States of various diseases, including hog cholera.

A document published in the Federal Register on February 27, 1985 [50 FR 7926–7927], proposed to amend §§ 94.9 and 94.10 of the regulations by adding Norway to the lists of countries in which hog cholera is not known to exist. Comments were solicited for a 30-day period ending March 29, 1985. No comments were received. Based on the rationale set forth in the proposal, the regulations are amended as proposed.

The effect of this action is to relieve restrictions on the importation of swine, pork, and pork products from Norway.

Effective Date

This final rule is made effective on the date of publication. The final rule relieves restrictions which have been found to be unnecessary. Accordingly, prompt action should be taken to delete these restrictions.

Executive Order 12291 and Regulatory Flexibility Act

This rule has been reviewed in accordance with Executive Order 12291 and has been classified as not a "major rule." Based on information compiled by the Department, it has been determined that this rule will not result in a significant annual effect on the economy will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will have no significant adverse effects on competition, employment, investment, productivity. innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this rulemaking action, the Office of Management and Budget has waived

its review process required by Executive Order 12291.

It is anticipated that the amount of swine, pork, or pork products imported into the United States from Norway as a result of this action will be less than one percent of the amount of these items imported into the United States annually. Further, the importation of any of these items from Norway is not the primary business activity of any business in the United States.

Under the circumstances explained above, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock and livestock products, Meat and meat products, Milk, Poultry and poultry products, Hog cholera.

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

Accordingly, 9 CFR Part 94 is amended as follows:

1. The authority citations for §§94.9 and 94.10 are revised to read:

Authority: 21 U.S.C. 111, 134a, 134b, 134c, 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 94.9 [Amended]

2. In § 94.9, paragraph (a) is amended by adding "Norway," after "Northern Ireland," both times it appears.

§ 94.10 [Amended]

3. Section 94.10 is amended by adding "Norway," after "Northern Ireland."

Done at Washington, D.C., this 24th day of April 1985.

B.G. Johnson,

Acting Deputy Administrator, Veterinary Services.

[FR Doc. 85–10306 Filed 4–26–85; 8:45 am] BILLING CODE 3410-34-M

FEDERAL RESERVE SYSTEM

12 CFR Part 227

[Reg. AA; Doc. No. R-0006]

Unfair or Deceptive Acts or Practices; Credit Practices

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board is publishing a final rule amending Regulation AA (Unfair or Deceptive Acts or Practices) to implement, as to banks, the Credit Practices Rule adopted by the Federal Trade Commission. The Federal Trade Commission Act requires the Board to adopt a rule, subject to certain exceptions, that is substantially similar to the Commission's rule. This rule prohibits banks from entering into any consumer credit obligation that contains certain prohibited provisions, from pyramiding late charges, or from obligating a cosigner without a required notice. The rule also prohibits the enforcement of any prohibited provisions contained in a consumer credit obligation purchased by a bank.

EFFECTIVE DATE: January 1, 1986.
FOR FURTHER INFORMATION CONTACT:
Steven Zeisel, Senior Attorney or
Richard Garabedian, Staff Attorney,
Division of Consumer and Community
Affairs, Board of Governors of the
Federal Reserve System, Washington,
D.C. 20551, at (202) 452–3867 or (202)
452–3667. Regarding the regulatory
flexibility analysis, contact: Robert
Kurtz, Economist, Division of Research
and Statistics, Board of Governors of the
Federal Reserve System, Washington,
D.C. 20551, at (202) 452–2915.

SUPPLEMENTARY INFORMATION: (1) General. The Board is publishing a final rule to amend Regulation AA (12 CFR Part 227). The rule implements, as to banks, the Credit Practices Rule adopted by the Federal Trade Commission. effective March 1, 1985 (49 FR 7740, March 1, 1984). Under section 18(f)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(1)), the Board must adopt, subject to certain exceptions, regulations substantially similar to those adopted by the Commission under section 18(a)(1)(B) of the Act (15 U.S.C. 57a(a)(1)(B)). The Board must act within 60 days of the effective date of the Commission's rule. This scheme was established by section 202(a) of the Magnuson-Moss Warranty-Federal Trade Commission Improvement Act (15 U.S.C. 57a).

The Board published for public comment, on Novenber 30, 1984 (49 FR 47041), a proposed rule that was substantially similar to the rule adopted by the Commission. The Board solicited public comment on issues believed to be important in assisting the Board in its determination of whether to adopt a substantially similar rule. The Board received 137 comments in response to the proposal, including comments from all the Federal Reserve Banks. About one-half of the commenters addressed the rule as a whole, the majority of

which were in opposition. Many commenters merely requested clarification of the provisions in the rule.

The Board is not required to adopt a rule if it finds that such acts or practices of banks are not unfair or deceptive, or if adoption of similar regulations would seriously conflict with essential monetary and payment systems policies of the Board. In its analysis of each of the rule's provisions, the Board has examined the record established by the Commission, the use of the practices by banks, and the concerns raised by the commenters. In so doing, the Board has concluded that neither statutory exception is applicable. Therefore, the Board is adopting a rule substantially similar to the rule adopted by the Commission. However, in promulgating a substantially similar rule, the Board has modified certain provisions, in light of the comments received, to take into account the needs and characteristics of the banking industry. These modifications are discussed under each particular provision of the rule.

The rule prohibits a bank from including certain creditor remedies in its consumer credit obligations and makes unenforceable such remedies when contained in obligations purchased by a bank. The rule also prohibits an accounting practice regarding late charges, prohibits misrepresentation of cosigner liability, and requires a disclosure to be given to cosigners. The prohibited contractual provisions are the following: (1) A confession of judgment clause; (2) a waiver or limitation of statutory exemption from attachment, execution or other legal process; (3) an assignment of wages; and (4) a non-purchase money security interest in household goods. The prohibited late charge practice prevents the deduction from a timely payment of a late charge applicable to an earlier payment, thus causing the timely payment to be delinquent because of non-payment in full. The cosigner provision prohibits misrepresentation of a cosigner's liability and requires that a notice disclosing the nature of the cosigner's obligation be given to the cosigner, either in a separate document or in the credit obligation.

(2) Scope. The rule applies to all banks and their subsidiaries, except savings banks that are members of the Federal Home Loan Bank System.

(3) Definitions. Consumer. As the definition of consumer makes clear, the rule does not apply to credit extended for the purchase of real property. Dwellings such as mobile homes and houseboats are not considered real property under this definition if they are

deemed to be personal property under state law.

Cosigner. A cosigner includes any person who renders himself or herself personally liable, in any capacity, for the obligation of another person without receiving goods, money, or services. It does not include a person who only pledges collateral for the obligation of another person. Thus, any sole or joint owner of property who merely gives a security interest without personal liability is not a cosigner.

The definition of cosigner has been clarified for open-end accounts. It has been modified from the proposal to exclude any consumer who has the contractual right to draw on an open-end credit obligation, such as a credit card account. This clarification was made in light of concerns raised by the commenters that a bank will not know, at the time that account is opened, whether a consumer will ever draw on the account and therefore not be considered a cosigner.

Household goods. The term "household goods" includes only those items specified in the regulation. Thus, other items of personal property that are not household goods are not subject to the rule's prohibition against taking nonpurchase money security interests. The term does not include such items as fixtures, automobiles, boats. snowmobiles, cameras and camera equipment (including darkroom equipment), pianos, home workshops and the like. As used in the definition of household goods, the term "personal effects" is intended to have its commonly accepted meaning. Items that are clearly personal effects are those which a person would ordinarily carry about on his or her person and possessions of uniquely personal nature, such as family photographs.

(4) Unfair Credit Contract Provisions. The first sentence of § 227.13 makes clear that it is an unfair act or practice for a bank either to enter into a consumer credit obligation containing any of the prohibited provisions or to seek to enforce any of the prohibited provisions contained in a consumer credit obligation purchased by the bank. This is a modification from the proposal which prohibited the purchase of an obligation containing a prohibited provision. The Board believes, in light of the comments received and further analysis, that making such provisions unenforceable will achieve the goals of the rule without imposing undue compliance burdens on banks.

Confession of Judgment. This provision prohibits only confessions of judgment that involve anticipatory waivers of procedural due process in the context of credit obligations. It does not prohibit confessions of judgment executed after an action has been instituted on the underlying obligation or after the consumer's default. The rule also does not prohibit powers of attorney given in a mortgage loan obligation or deed of trust for purposes of foreclosure, and the rule does not prohibit powers of attorney given to expedite the transfer of pledged securities, to expedite the disposal of repossessed collateral, or to allow prompt cancellation of insurance in an insurance premium finance contract.

Waiver of Exemption. This provision prohibits the contractual waiver of a property exemption that is provided to a consumer under state law. However, a waiver is permitted if it relates to property which is specifically given as security in connection with the

obligation.

Assignment of Wages. This provision prohibits the assignment of wages but allows payroll deduction plans, assignments that are revocable by their terms, and assignments of earned wages. Payroll deductions plans are permitted whether revocable or irrevocable.

Blanket Security Interests. This rule prohibits nonpossessory security interests in household goods, as defined in the rule, in nonpurchase money transactions. Because the rule only prohibits certain nonpossessory security interests, it will not affect a consumer's right to pledge or pawn any household goods.

The rule also does not prohibit nonpurchase money security interests in stocks, bonds, and other non-household goods assets. In addition, it does not prevent consumers from borrowing on the equity in their homes. If a purchase money loan is refinanced or consolidated, the household goods collateralizing the prior loan can continue to secure the new loan, even if the new loan is for a larger amount or is in other respects a nonpurchase money loan.

(5) Unfair or Deceptive Practices Involving Cosigners. Section 227.14 (a)(1) prohibits a bank from misrepresenting a cosigner's liability to any person. Section 227.14(b)(1) requires that a disclosure notice be given to the cosigner, prior to becoming obligated, either on a separate document or on the documents evidencing the consumer credit obligation. In either case, the notice must be substantially similar to the specified notice and be clear and conspicuous. In order to be clear and conspicuous, the notice must be distinctive. A notice in the contract might be, for example, in slightly larger

type or set off from the contract language. If the notice is on a separate document, additional information may be placed on the document, such as the bank's identity, the identity of the debt in question, the cosigner's acknowledgment of receipt, the date. and any state notice that is required. The alternative of including the notice in the contract documents-suggested by a number of commenters-was adopted to take into account the needs and characteristics of the banking industry. If the underlying contract is in a foreign language, the notice should be provided in the same language.

A "substantially similar" standard has been adopted to allow banks to modify the notice to take into account, for example, such variations as conflicts with state law, default situations, state notice requirements, and loans in which the bank cannot identify the cosigner. In addition, language may be deleted if it is either inapplicable or inaccurately

reflects the agreement.

In the case of open-end credit obligations, the notice must be given before the cosigner becomes obligated for any fees or transactions on the account. This modification from the proposal, which required the notice to be given before execution, was added in response to the concerns of commenters that the point of execution may be uncertain in open-end obligations that are consummated through the mail. Requiring the notice before any obligation is incurred will provide sufficient protections.

If state law requires that a notice also be given to cosigners, the bank may include both notices in the credit obligation or on a separate document (either on the same side or on opposite sides), until an exemption is granted.

(6) Unfair Late Charges. This rule only prohibits the imposition of a late charge resulting from the failure to pay an earlier late charge. For example, if a consumer makes the January payment 15 days late, but makes the February payment on time and in full, the bank may not cause the latter payment to be considered delinquent by extracting the late charge applicable to the January payment. The rule does not prohibit late charges from being assessed for every period that a payment remains not fully paid. For example, if a consumer fails to make the January payment and then makes the February payment on time, the bank may continue to assess a late charge until the January payment is made; the rule is not intended to permit a consumer to skip a payment and unilaterally extend the term of the loan.

(7) Regulatory Flexibility Analysis.
The Board's Division of Research and
Statistics has prepared a regulatory
flexibility analysis. A copy of the
analysis may be obtained from
Publications Services, Board of
Governors of the Federal Reserve
System, Washington, D.C. 20551, at (202)
452–3245.

List of Subjects in 12 CFR Part 227

Banks, banking, Consumer protection, Credit, Federal Reserve System, Finance.

PART 227-[AMENDED]

Text of Proposed Revision. Pursuant to the authority granted in section 18 of the Federal Trade Commission Act (15 U.S.C. 57a), the Board is amending Regulation AA, 12 CFR Part 227, by redesignating the current provisions as Subpart A and adding a new Subpart B, as follows:

Subpart A—Consumer Complaints

Subpart B-Credit Practices Rule

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- 227.11 Authority, purpose, and scope.
- 227.12 Definitions.
- 227.13 Unfair credit contract provisions.
- 227.14 Unfair or deceptive practices involving cosigners.
- 227.15 Unfair late charges.
- 227.16 State exemptions
- 227.10 State exemptions

Authority: 15 U.S.C. 57a.

Subpart A—Consumer Complaints

Subpart B-Credit Practices Rule

§ 227.11 Authority, purpose, and scope.

- (a) Authority. This subpart is issued by the Board under section 18(f) of the Federal Trade Commission Act, 15 U.S.C. 57a(f) (section 202(a) of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act, Pub. L. 93–637).
- (b) Purpose. Unfair or deceptive acts or practices in or affecting commerce are unlawful under section 5(a)(1) of the Federal Trade Commission Act, 15 U.S.C. 45(a)(1). This subpart defines unfair or deceptive acts or practices of banks in connection with extensions of credit to consumers.
- (c) Scope. This subpart applies to all banks and their subsidiaries, except savings banks that are members of the Federal Home Loan Bank System.

 Compliance is to be enforced by:

(1) The Comptroller of the Currency, in the case of national banks and banks operating under the code of laws for the District of Columbia;

(2) The Board of Governors of the Federal Reserve System, in the case of banks that are members of the Federal Reserve System (other than banks referred to in paragraph (c)(1) of this section); and

(3) The Federal Deposit Insurance Corporation, in the case of banks insured by the Federal Deposit Insurance Corporation (other than banks referred to in paragraphs (c)(1) and (c)(2) of this section).

§ 227.12 Definitions.

For the purposes of this subpart, the following definitions apply:

(a) "Consumer" means a natural person who seeks or acquires goods, services, or money for personal, family, or household use other than for the purchase of real property.

(b)(1) "Cosigner" means a natural person who assumes liability for the obligation of a consumer without receiving goods, services, or money in return for the obligation, or, in the case of an open-end credit obligation, without receiving the contractual right to obtain extensions of credit under the account.

(2) "Cosigner" includes any person whose signature is requested as a condition to granting credit to a consumer, or as a condition for forbearance on collection of a consumer's obligation that is in default. The term does not include a spouse whose signature is required on a credit obligation to perfect a security interest pursuant to state law.

(3) A person who meets the definition in this paragraph is a "cosigner," whether or not the person is designated as such on the credit obligation.

(c) "Earnings" means compensation paid or payable to an individual or for the individual's account for personal services rendered or to be rendered by the individual, whether denominated as wages, salary, commission, bonus, or otherwise, including periodic payments pursuant to a pension, retirement, or disability program.

(d) "Household goods" means clothing, furniture, appliances, linens, china, crockery, kitchenware, and personal effects of the consumer and the consumer's dependents. The term "household goods" does not include:

(1) Works of art;

(2) Electronic entertainment equipment (other than one television and one radio);

(3) Items acquired as antiques; that is, items over one hundred years of age, including such items that have been repaired or renovated without changing their original form or character; and

(4) Jewelry (other than wedding rings).

- (e) "Obligation" means an agreement between a consumer and a creditor.
- (f) "Person" means an individual, corporation, or other business organization.

§ 227.13 Unfair credit contract provisions.

It is an unfair act or practice for a bank to enter into a consumer credit obligation that contains, or to enforce in a consumer credit obligation purchased by the bank, any of the following provisions:

(a) Confession of judgment. A cognovit or confession of judgment (for purposes other than executory process in the State of Louisiana), warrant of attorney, or other waiver of the right of notice and the opportunity to be heard in the event of suit or process thereon.

(b) Waiver of exemption. An executory waiver or a limitation of exemption from attachment, execution, or other process on real or personal property held, owned by, or due to the consumer, unless the waiver applies solely to property subject to a security interest executed in connection with the obligation.

(c) Assignment of wages. An assignment of wages or other earnings unless:

The assignment by its terms is revocable at the will of the debtor;

(2) The assignment is a payroll deduction plan or preauthorized payment plan, commencing at the time of the transaction, in which the consumer authorizes a series of wage deductions as a method of making each payment; or

(3) The assignment applies only to wages or other earnings already earned at the time of the assignment.

(d) Security interest in household goods. A nonpossessory security interest in household goods other than a purchase money security interest.

§ 227.14 Unfair or deceptive practices involving cosigners.

- (a) Pronhibited practices. In connection with the extension of credit to consumers, it is:
- (1) A deceptive act or practice for a bank to misrepresent the nature or extent of cosigner liability to any person; and
- (2) An unfair act or practice for a bank to obligate a cosigner unless the cosigner is informed prior to becoming obligated of the nature of the cosigner's liability.
- (b) Disclosure requirement. (1) A clear and conspicuous disclosure statement shall be given in writing to the cosigner prior to becoming obligated. The disclosure statement shall be

substantially similar to the following statement and shall either be a separate document or included in the documents evidencing the consumer credit obligation.

Notice to Cosigner

You are being asked to guarantee this debt. Think carefully before you do. If the borrower doesn't pay the debt, you will have to. Be sure you can afford to pay if you have to, and that you want to accept this responsibility.

You may have to pay up to the full amount of the debt if the borrower does not pay. You may also have to pay late fees or collection costs, which increase this amount.

The bank can collect this debt from you without first trying to collect from the borrower. The bank can use the same collection methods against you that can be used against the borrower, such as suing you, garnishing your wages, etc. If this debt is ever in default, that fact may become a part of your credit record.

This notice is not the contract that makes you liable for the debt.

- (2) In the case of open-end credit, the disclosure statement shall be given to the cosigner prior to the time that the cosigner becomes obligated for fees or transactions on the account.
- (3) A bank that is in compliance with this paragraph may not be held in violation of paragraph (a)(2) of this section.

§ 227.15 Unfair late charges.

(a) In connection with collecting a debt arising out of an extension of credit to a consumer, it is an unfair act or practice for a bank to levy or collect any delinquency charge on a payment, when the only delinquency is attributable to late fees or delinquency charges assessed on earlier installments, and the payment is otherwise a full payment for the applicable period and is paid on its due date or within an applicable grace period.

(b) For the purposes of this section, "collecting a debt" means any activity, other than the use of judicial process, that is intended to bring about or does bring about repayment of all or part of money due (or alleged to be due) from a consumer.

§ 227.16 State exemptions.

- (a) General rule. (1) An appropriate state agency may apply to the Board for a determination that:
- (i) There is a state requirement or prohibition in effect that applies to any transaction to which a provision of this subpart applies; and
- (ii) The state requirement or prohibition affords a level of protection to consumers that is substantially equivalent to, or greater than, the protection afforded by this subpart.

(2) If the Board makes such a determination, the provision of this subpart will not be in effect in that state to the extent specified by the Board in its determination, for as long as the state administers and enforces the state requirement or prohibition effectively.

(b) Applications. The procedures under which a state agency may apply for an exemption under this section are the same as those set forth in Appendix B to Regulation Z (12 CFR Part 226).

By order of the Board of Governors of the Federal Reserve System, April 23, 1985.

William W. Wiles.

Secretary of the Board.

[FR Doc. 85-10212 Filed 4-26-85; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 93

[Docket No. 24255]

Special Federal Aviation Regulations (SFAR) Temporary Suspension of Subpart L of Part 93

AGENCY: Federal Aviation Administration (FAA), DOT. ACTION: Final rule, request for comments.

SUMMARY: This Special Federal Aviation Regulation (SFAR) temporarily suspends Subpart L of Part 93 of the Federal Aviation Regulations (FAR) in order to conduct an evaluation of the continued need for that rule. Affected operations will be covered by the appropriate provisions of Part 91, General Rules, during the effective period of this SFAR. Should a determination be made that there is a need to retain Subpart L, this SFAR will be appropriately revoked. On the other hand, if revocation of Subpart L is indicated by the evaluation, this SFAR will be extended until general rulemaking actions are initiated and subsequently finalized.

DATES: Effective April 29, 1985. The FAA will receive comments on this SFAR beginning May 29, 1985 through January 29, 1986.

ADDRESSES: Comments on this temporary suspension may be mailed or delivered in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-204), Docket No. 24255, 800 Independence Avenue, S.W., Washington, D.C. 20591. The official docket may be examined in the Rules Docket, Room 916, weekdays, except

Federal holidays, between 8:30 a.m. and 5:00 p.m. Also mail or deliver comments in duplicate to: Director, Federal Aviation Administration, Southwest Region, Attention: Manager, Air Traffic Division, Docket No. 24255, Federal Aviation Administration, P.O. Box 1689, Forth Worth TX 76101. This informal docket may be examined during normal business hours at the office of the Southwest Region Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Mr. Brent A. Fernald, Airspace and Air Traffic Rules Branch, ATO-230, Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Office of the Associate Administrator for Air Traffic, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591; telephone (202) 426-8626.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in this operational evaluation by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions. Communications should identify the regulatory docket number and be submitted in duplicate to the addresses listed above. Commenters wishing the FAA to acknowledge receipt of their comments must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 24255." The postcard will be date/time stamped and returned to the commenter. All comments received between the specified opening and closing dates for comments will be considered before taking action on any further rulemaking. All comments submitted will be available for examination in the Rules Docket, Washington, D.C., and in the office of the Southwest Region Air Traffic Division, Forth Worth, TX, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Background

On October 5, 1982, the FAA's Southwest Region, Air Traffic Division, completed an evaluation of the Airpark-Dallas Airport traffic pattern requirements of Part 93, Subpart L. This evaluation revealed the rule is no longer needed, that similar situations exist at other airports which do not require a special rule, and that the rule serves little useful purpose. However, since the rule has been in effect for over 10 years, the FAA believes it necessary to precede revocation with public comment and an actual evaluation of operations conducted under Part 91. On September 28, 1984, the FAA proposed to issue an SFAR which would temporarily suspend the special air traffic rules and communication requirements at Airpark-Dallas Airport. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Further, in a recent survey of activity at these airports, both the air traffic facility (Addison Airport Traffic Control Tower) and the responsible Flight Standards District Office reported that no significant problems existed that would require the retention of Subpart L.

The Rule

In consideration of the foregoing, the FAA is sufficiently confident that the provisions of Part 91 and the traffic patterns utilized at Airpark-Dallas Airport provide an adequate level of safety with respect to the Addison Airport Traffic Area. Therefore, this SFAR temporarily suspends the special air traffic rules and communication requirements at Airpark-Dallas Airport, Part 93, Subpart L. Operations at this location are temporarily relieved from the requirements to establish and maintain two-way radio communications with the Addison Airport Traffic Control Tower or to execute the prescribed traffic patterns. Affected operations are covered by the appropriate provisions of FAR Part 91, General Operating Rules. However, if during the effective period of this SFAR, safety or efficiency are adversely affected, then the FAA will immediately issue a NOTAM to supersede this SFAR and reinstate Part 93, Subpart L.

Regulatory Flexibility Determination

The FAA has determined that this action: (1) Is not a major rule under Executive Order 12291; (2) is not a significant rule under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures, it is certified that this rule will not have a significant economic impact on a substantial number of small

entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in CFR Part 93

Airport traffic area, Aviation safety, Traffic patterns.

Accordingly, pursuant to the authority delegated to me, the following Special Federal Aviation Regulation is issued effective April 29, 1985 through April 29, 1986, unless extended, superseded, or rescinded, for Airpark-Dallas Airport, Addison, TX.

Special Federal Aviation Regulation No. 48

- 1. Subpart L. Part 93 is suspended.
- This SFAR terminates at 12:01 a.m. local time unless sooner superseded or rescinded.
- 3. In the event the Manager, Addison Airport Traffic Control Tower, or his/ her designee determines that safety or efficiency are adversely affected, the FAA will issue a NOTAM to supersede this SFAR and reinstate Part 93, Subpart
- When a NOTAM has been issued under paragraph 3 of this section, no person may operate in noncompliance with such NOTAM.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)]; (49 U.S.C. 106(g) (Revised, Pub. L. 97–449, January 12, 1983)]; and [14 CFR 11.69)

Issued in Washington, D.C., on April 1, 1985.

Donald D. Engen,

Administrator.

[FR Doc. 85-10137 Filed 4-26-85; 8:45 am] BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 0

Organization

AGENCY: Federal Trade Commission.
ACTION: Final rule.

SUMMARY: This action adds to 16 CFR Part 0 a list of statutes under which individuals may make monetary claims against the Federal Trade Commission and the name and phone number of the Commission's claims officer.

DATE: This rule becomes effective April 29, 1985.

FOR FURTHER INFORMATION CONTACT:

Teresa Hennessy, Office of the General Counsel, telephone (202) 523–3533.

SUPPLEMENTARY INFORMATION:

List of Subjects in 16 CFR Part 0:

Organization and functions (government agencies).

PART 0-[AMENDED]

Title 16 Part 0 of the Code of Federal Regulations is hereby amended as follows:

1. Part 0.5 is added to read as follows:

§ 0.5 Laws authorizing monetary claims.

The Commission is authorized to entertain monetary claims against it under two statutes. The Federal Tort Claims Act (28 U.S.C. 2671-2680) provides that the United States shall be liable for injury or loss of property or personal injury or death caused by the negligent or wrongful acts or omissions of its employees acting within the scope of their employment or office. The Military Personnel and Civilian Employees Claims Act of 1964 (31 U.S.C. 3701, 3721) authorizes the Commission to compensate employees' claims for damage to or loss of personal property incident to their service. The Commission's claims officer for both statutes is Teresa A. Hennessy, telephone (202) 523-3533.

(Sec. 6(g) 38 Stat. 721 (15 U.S.C. 46); 80 Stat. 383, as amended (5 U.S.C. 552))

James O. Miller III,

Chairman.

[FR Doc. 85-10247 Filed 4-26-85; 8:45 am]
BILLING CODE 6750-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 282

[Docket No. RM79-14]

Order of the Director, OPPR of Publication of Incremental Pricing Acquisition Cost Thresholds Under Title II of the NGPA

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order prescribing incremental pricing thresholds.

SUMMARY: The Director of the Office of Pipeline and Producer Regulation is issuing the incremental pricing acquisition cost thresholds prescribed by Title II of the Natural Gas Policy Act and 18 CFR 282.304. The Act requires the Commission to compute and publish the threshold prices before the beginning of each month for which the figures apply. Any cost of natural gas above the applicable threshold is considered to be an incremental gas cost subject to incremental pricing surcharging.

EFFECTIVE DATE: May 1, 1985.

FOR FURTHER INFORMATION CONTACT:

Kenneth A. Williams, Federal Energy Regulatory Commission, 825 N. Capitol Street NE., Washington, D.C. 20426, (202) 357-8500.

Section 203 of the NGPA requires that the Commission compute and make available incremental pricing acquisition cost threshold prices prescribed in Title II before the

beginning of any month for which such

figures apply.

Pursuant to that mandate and pursuant to § 375.307(1) of the Commission's regulations, delegating the publication of such prices to the Director of the Office of Pipeline and Producer Regulation, the incremental pricing acquisition cost threshold prices for the month of May 1985 is issued by the publication of a price table for the

applicable month. The incremental pricing acquisition cost threshold prices for months prior to May 1985 are found in the tables in § 282.304.

List of Subjects in 18 CFR Part 282.

Natural gas.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.

TABLE I.—INCREMENTAL PRICING ACQUISITION COST THRESHOLD PRICES

	Million Co.	1000		KET							AND DE	
APPENDING THE PROPERTY OF THE PARTY OF THE P	Janu- ary	Febru- ary	March	April	May	June	July	August	Sep- tember	Octo- ber	No- vember	De- cemb
TO THE REAL PROPERTY OF THE PARTY OF THE PAR		Calendar	Year 198							d S		1
Incremental Pricing Threshold	\$2.283 3.586 2.359 7.730	\$2.291 3.609 2.367 7.570	\$2.299 3.632 2.375 7.570	\$2.307 3.656 2.383 8.550	\$2.315 3.680 2.391 8.590	\$2.323 3.705 2.399 7.670	\$2.331 3.730 2.407 7.930	\$2.338 3.752 2.414 7.740	\$2.345 3.774 2.421 7.650	\$2,352 3,797 2,428 7,230	\$2,359 3,821 2,436 7,040	\$2.36 3.84 2.44 7.25
	00.5	Calendar	Year 198	5			TEN IS	The de	nerles	673.47	1150	1
Incremental Pricing Threshold	2.373 3.869 2.452 7.170	2.378 3.890 2.457 7.310	2.383 3.911 2.462 7.090	2.388 3.932 2.467 6.920	2.399 3.962 2.478 7.210							

[FR Doc. 85-10240 Filed 4-26-85: 8:45 am] BILLING CODE 6717-01-M

INTERNATIONAL DEVELOPMENT **COOPERATION AGENCY**

Agency for International Development

22 CFR Part 212

Public Information

AGENCY: Agency for International Development, IDCA.

ACTION: Final rule.

SUMMARY: The regulations cited in 22 CFR Chapter II Subpart F and published in 40 FR 7327, dated February 19, 1975, are not correct. The section is therefore being amended to reflect the correct governing regulations.

EFFECTIVE DATE: April 18, 1985.

FOR FURTHER INFORMATION CONTACT:

Nancy D. Frame, Assistant General Counsel for Employee and Public Affairs, Agency for International Development, Washington, D.C. 20523, (202) 632-8218.

PART 212—[AMENDED]

22 CFR Chapter II, § 212.51(b) is being amended by revising the first sentence to read as follows:

§ 212.51 General Policy.

(b) Access for research in the classified foreign policy records in IDCA's or AID's custody will be

governed by the regulations of the Department of State in respect thereto, as set forth in Part 171, Chapter 1 of Title 22 of the Code of Federal Regulations. * * *

Rhea Johnson,

Director, Office of Public Inquiries. [FR Doc. 85-10058 Filed 4-26-85; 8:45 am] BILLING CODE 6116-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD2 85-04]

Special Local Regulations; Kentucky **Derby Festival Steamboat Race**

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for Miles 604.0 to 597.0, Ohio River. The "Kentucky Derby Festival Steamboat Race", an approved marine event, will be held on May 1, 1985 at Louisville, Kentucky. These special local regulations are needed to provide for the safety of life and property on navigable waters during the

EFFECTIVE DATE: These regulations will be effective from 4:00 p.m. on May 1, and terminate at 8:00 p.m. on May 1, 1985.

FOR FURTHER INFORMATION CONTACT:

Lcdr. B.J. Willis, Chief, Boating Technical Branch Second Coast Guard District, 1430 Olive Street, St. Louis, MO 63103.

SUPPLEMENTARY INFORMATION: These special local regulations are issued pursuant to 33 U.S.C. 1233 and 33 CFR 100.35, for the purpose of promoting the safety of life and property on the Ohio River between miles 604.0 and 597.0 during the "Kentucky Derby Festival Steamboat Race", May 1, 1985. This event will consist of two steamboats, a flotilla of press boats and spectator craft which could pose hazards to navigation in the area. Therefore, these special local regulations are deemed necessary for the promotion of safety of life and property in the area during this event. A notice of proposed rule making has not been published for these regulations and they are being made effective less than 60 days from the date of publication. Following normal rule making procedures would have been impracticable. The application to hold the event was not received until April 5, 1985, and there was insufficient time in which to publish proposed rules in advance of the event, or to provide for a delayed effective date. These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. This conclusion follows from the fact that the duration of the regulated area is short. In addition, these regulations are considered to be nonsignificant in accordance with

guidelines set forth in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5–22–80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), it is also certified that these rules will not have a significant economic impact on a substantial number of small entities. This rule is necessary to ensure the protection of life and property in the area during the event.

Drafting Information

The drafters of this regulation are BMCM W.L. Giessman, USCGR, Project Officer, Boating Technical Branch, and LT. R.E. Kilroy, USCG, Project Attorney, Second Coast Guard District Legal Office.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water).

Final Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended by adding a temporary § 100.35–0203 to read as follows:

PART 100-[AMENDED]

§ 100.35-0203 Ohio River, miles 604.0 through 597.0.

(a) Regulated Area: The area between Miles 604.0 and 597.0 Ohio River is designated the regatta area, and may be closed to commercial navigation or mooring between the hours of 4:00 p.m. and 8:00 p.m. (local time) on May 1, 1985.

- (b) Special Local Regulations: Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. Vessels will be operated at a no wake speed to reduce the wake to a minimum and in a manner which will not endanger participants in the event of any other craft. The rules contained in the above two sentences shall not apply to participants in the event or vessels of the patrol, while they are operating in the performance of their assigned duties.
- (1) The Patrol Commander may be reached on Channel 16 (156.8 MHz) when necessary, by the call sign "COAST GUARD PATROL COMMANDER".
- (c) A succession of sharp, short signals by whistle or horn from vessels patrolling the areas under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels so signalled shall stop and

shall comply with the orders of the Patrol Vessel. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(d) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(e) The Patrol Commander may restrict vessel operation within the regatta area to vessels having particular operating characteristics.

(f) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life and property.

(g) This § 100.35–0203 will be effective on May 1, 1985, between the hours of 4:00 p.m. and 8:00 p.m. local time.

(33 U.S.C. 1233; 49 U.S.C. 108; 33 CFR 100.35; 49 CFR 1.46(b))

Dated: April 16, 1985.

B.F. Hollingsworth,

Rear Admiral, U.S. Coast Guard, Commander, Second Coast Guard District.

[FR Doc. 85–10292 Filed 4–26–85; 8:45 am] BILLING CODE 4910–14-M

33 CFR Part 100

[CGD2 85-07]

Special Local Regulations: Tri-State Fair Powerboat Races

AGENCY: Coast Guard, DOT. ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for Miles 237.0 to 328.0, OHIO RIVER. The "Tri-State Fair Powerboat Races", an approved marine event, will be held on June 29 and 30, 1985 at Ironton, Ohio. These special local regulations are needed to provide for the safety of life and property on navigable waters during the event.

be effective from 9:00 a.m. on June 29, and terminate at 5:00 p.m. on June 30,

FOR FURTHER INFORMATION CONTACT:

LCDR. B.J. Willis, Chief, Boating Technical Branch Second Coast Guard District, 1430 Olive St., St. Louis, MO 63103.

SUPPLEMENTARY INFORMATION: These special local regulations are issued pursuant to 33 U.S.C. 1233 and 33 CFR 100.35, for the purpose of promoting the safety of life and property on the Ohio River between miles 327.0 and 328.0 during the "Tri-State Fair Powerboat Races", June 29 and 30, 1985. This event will consist of approximately 60 participants operating Sport E, Modified V, and SST 140 Champ boats, which could pose hazards to navigation in the

area. Therefore, these special local regulations are deemed necessary for the promotion of safety of life and property in the area during this event.

A notice of proposed rule making has not been published for these regulations and they are being made effective less than 60 days from the date of publication. Following normal rule making procedures would have been impracticable. The application to hold the event was not received until March 25, 1985, and there was insufficient time in which to publish proposed rules in advance of the event, or to provide for a delayed effective date. These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. This conclusion follows from the fact that the duration of the regulated area is short. In addition, these regulations are considered to be nonsignificant in accordance with guidelines set forth in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), it is also certified that these rules will not have a significant economic impact on a substantial number of small entities. This rule is necessary to ensure the protection of life and property in the area during the event.

Drafting Information

The drafters of this regulation are BMCM W.L. Giessman, USCGR, Project Officer, Boating Technical Branch, and Lt. R.E. Kilroy, USCG, Project Attorney, Second Coast Guard District Legal Office.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water).

Final Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended by adding a temporary § 100.35–0206 to read as follows:

PART 100-[AMENDED]

§ 100.35-0206 Ohio River, miles 327.0 through 328.0.

(a) Regulated Area: The area between Mile 327.0 and 328.0 Ohio River is designated the regatta area, and may be closed to commercial navigation or mooring between the hours of 9:00 a.m. on June 29, and 5:00 p.m., on June 30, 1985. All times listed are local time.

(b) Special Local Regulations: Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. Vessels will be operated at a no wake speed to reduce the wake to a minimum and in a manner which will not endanger participants in the event or any other craft. The rules contained in the above two sentences shall not apply to participants in the event or vessels of the patrol, while they are operating in the performance of their assigned duties.

(1) The Patrol Commander may be reached on Channel 16 (156.8 MHZ) when necessary, by the call sign "COAST GUARD PATROL

COMMANDER".

(c) A succession of sharp, short signals by whistle or horn from vessels patrilling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels so signalled shall stop and shall comply with the orders of the Patrol Vessel. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(d) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(e) The Patrol Commander may restrict vessel operation within the regatta area to vessels having particular operating characteristics.

(f) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of

life and property.

(g) This § 100.35–0206 will be effective on June 29, and June 30, 1985, between the hours of 9:00 a.m. and 5:00 p.m. (local time) each day.

(33 U.S.C. 1233; 49 U.S.C. 108; 33 CFR 100.35; 49 CFR 1.46(b))

Dated: April 16, 1985. B.F. Hollingsworth,

Rear Admiral, U.S. Coast Guard Commander, Second Coast Guard District.

[FR Doc. 85-10293 Filed 4-26-85; 8:45 am] BILLING CODE 4910-14-M

VETERANS ADMINISTRATION

38 CFR Part 21

Dependents' Education; Time Limits for Processing Claims

AGENCY: Veterans Administration.
ACTION: Final regulation.

SUMMARY: This regulation clarified that the Veterans Administration (VA) considers a claim for dependents' educational assistance to be abandoned if an eligible child either fails to submit requested evidence or fails to report for required counseling (for reasons not beyond his or her control) within 1 year of the date of request for evidence or the date of the scheduled counseling appointment as the case may be. This change also clarifies that claims processing time is no longer considered by the VA in determining the period of eligibility for receiving dependents' educational assistance.

EFFECTIVE DATE: April 3, 1985.

FOR FURTHER INFORMATION CONTACT:

June C. Schaeffer (225), Assistant Director for Policy and Program Administration, Education Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue NW, Washington, D.C. 20420, (202) 389–2092.

SUPPLEMENTARY INFORMATION: On pages 46441 and 46442 of the Federal Register of November 26, 1984, there was published a notice if intent to amend Part 21 in order to clarify certain matters with respect to claims for dependents' educational assistance.

Interested people were given 30 days in which to submit comments, suggestions or objections. The VA received no comments, suggestions or objections. Accordingly, the agency is making the proposal final.

The VA has determined that this regulation is not a major rule as that term is defined by E.O. 12291, entitled Federal Regulation. The regulation will not cause a major increase in costs or prices for anyone. It will have no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Administrator of Veterans'
Affairs has certified that this regulation will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612. Pursuant to 5 U.S.C. 605(b), this regulation, therefore, is exempt from the initial and final regulatory analyses requirements of sections 603 and 604.

This certification can be made because this regulation affects individual benefit recipients. The regulation will have no significant economic impact on small entities, i.e., small businesses, small private and nonprofit organizations and small governmental jurisdictions.

The Catalog of Federal Domestic Assistance number for the program affected by this regulation is 64.117.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education grant programs-education, Loan programseducation, Reporting and recordkeeping requirements, Schools, Veterans vocational education, Vocational rehabilitation.

Approved: April 3, 1985. By direction of the Administrator.

Everett Alvarez, Jr., Deputy Administrator.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

The Veterans Administration is amending 38 CFR Part 21 as set forth below:

In § 21.3032, paragraph (a) is revised as follows:

§ 21.3032 Time limit.

- (a) Completion of claim—(1) Failure to furnish requested information. The Veterans Administration will consider a claim to be abandoned when the Veterans Administration requests evidence in connection with a claim, and the parent, guardian or eligible person does not furnish the evidence within 1 year of the request. After the expiration of 1 year, the Veterans Administration will not take further action unless a new claim is received.
- (2) Failure to complete required counseling. When an eligible person delays counseling required by § 21.4105 for 12 or more months, for other than a reason beyond his or her control, the Veterans Administration will consider the claim to be abandoned.
- (3) Reopening a claim. Where an application has been considered abandoned under paragraph (a)(1) or (2) of this section, the Veterans Administration will consider any subsequent communication from the parent, guardian or eligible person requesting a program of education to be a new application. The date of application in these cases is the date of receipt of the subsequent communication. (38 U.S.C. 3003(a))

[FR Doc. 85-10262 Filed 4-26-85; 8:45 am] BILLING CODE 8320-01-M

FEDERAL MARITIME COMMISSION

46 CFR Part 572

[Docket No. 85-4]

Miscellaneous Modifications to **Existing Agreements—Exemption**

AGENCY: Federal Maritime Commission. ACTION: Final rule.

SUMMARY: This Rule sets forth the approach the Commission will take under the Shipping Act of 1984 with regard to modifications to existing agreements which provide for cancellations of agreements and reflect changes in conference membership, officials of agreements, and neutral body authority and procedures. Copies of these modifications shall be submitted to the Commission for information purposes in the proper format but are otherwise exempt from the Information Form, notice and waiting period requirements of the rules. EFFECTIVE DATE: April 29, 1985.

FOR FURTHER INFORMATION CONTACT: Joseph C. Polking, Director, Bureau of Agreements and Trade Monitoring, Federal Maritime Commission, Washington, D.C. 20573, (202) 523-5787.

SUPPLEMENTARY INFORMATION: In order to fulfill an obligation of the Commission as stated in its Final Rule in Dockets Nos. 84-26 and 84-32 Rules Governing Agreements by Ocean Common Carriers and Other Persons Subject to the Shipping Act of 1984, 49 FR 45320 (November 15, 1984), the rule proposed in this proceeding would exempt modifications to existing agreements, which provide for cancellations of agreements and reflect changes in conference membership, officials of agreements, and neutral body authority and procedures, from the waiting period requirements of section 6 of the Shipping Act of 1984 (46 U.S.C. app. 1705), and allow them to become effective upon filing.

The Proposed Rule was published in the Federal Register on February 8, 1985 (50 FR 5401) with comments due on March 11, 1985. Comments were received from: (1) The Trans-Pacific Freight Conference of Japan/Korea, the Japan/Korea-Atlantic and Gulf Freight Conference, the Trans-Pacific Freight Conference (Hong Kong) and the New York Freight Bureau (collectively); (2) the North Europe-U.S. Pacific Freight Conference; (3) the Mediterranean/ U.S.A. Freight Conference, the North Atlantic/Mediterranean Freight Conference, the U.S. Atlantic and Gulf/ Australia-New Zealand Conference, and the U.S. Atlantic Ports/Italy, France and

Spain Freight Conference (collectively); (4) the Atlantic and Gulf/West Coast of South America Conference, the West Coast of South America Northbound Conference, the United States Atlantic and Gulf/Colombia Conference, the United States Atlantic and Gulf/ Venezuela Conference and the United States Atlantic and Gulf/Ecuador Freight Conference (collectively); (5) the Philippines-North America Conference: and (6) the North Europe-U.S. Gulf Freight Association, the Gulf-European Freight Association, the North Europe-U.S. Atlantic Conference, the U.S. Atlantic-North Europe Conference, the Pan-Atlantic Carrier Trade Agreement and the Trans-Atlantic American Flag Liner Operators Agreement (collectively).

All of the conferences, with the exception of the five South American conferences, fully support the Rule and urge the Commission to adopt it as

proposed.

The five South American conferences recommended that the Commission modify its rule with respect to agreement cancellations and changes in membership to allow these to become effective upon receipt of a letter from the agreement chairman (or whatever title is afforded the senior official of the agreement) or agreement counsel, provided that the modification is subsequently received by the Commission within 30 days of receipt of the letter. The reason given by the conferences was that there exist a presubmission delay occasioned by the need to collect signatures to such modifications from parties whose corporate offices are located in cities or countries other than the location of the conference office.

This suggested change cannot be accommodated. Adequate notice of an agreement cancellation or change in membership would not be assured by such proposal because the Commission and the public could be uncertain of the effectiveness of such changes for as long as 30 days after notice is received. This could seriously compromise the Commission's surveillance responsibilities and contribute to possible abuse and manipulation of events in regard to a conference member's status, rights and responsibilities under the law.

For the reasons stated in the Notice of Proposed Rulemaking, the Commission remains of the opinion that the proposed exemption will not substantially impair effective regulation by the Commission, be unjustly discriminatory, result in substantial reduction in competition, or be detrimental to commerce within the meaning of section 16 of the Act.

Accordingly, the proposed rule is adopted as final without change.

The Commission has determined that this Rule is not a "major rule" as defined in Executive Order 12291 dated February 17, 1981, because it will not result in:

- (1) An annual effect on the economy of \$100 million or more:
- (2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- (3) Significant adverse effects on competition, employment, investment, productivity, innovations, or on the ability of United States-based enterprises to compete with foreignbased enterprises in domestic or export markets.

The Chairman of the Federal Maritime Commission certifies pursuant to section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601, et seq.) that this rule will not have a significant economic impact on a substantial number of small entities, including small businesses. small organizational units and small governmental jurisdictions.

The Commission has determined that this rule is excepted from the 30-day effective date requirement of 5 U.S.C. 553 because it grants an exemption and relieves a restriction from existing requirements.

List of Subjects in 46 CFR Part 572

Antitrust, Contracts, Maritime carriers, Administrative practice and procedure, Rates and fares, Reporting and recordkeeping requirements.

PART 572-[AMENDED]

Therefore, in order to exempt these agreements from the waiting period requirements of section 6 of the Act, and allow them to become effective upon filing, the Commission, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and sections 16 and 17 of the Shipping Act of 1984 (46 U.S.C. app. 1715, 1716), hereby amends Part 572 of Title 46 of the Code of Federal Regulations as follows:

1. The authority citation is revised to read:

Authority: 5 U.S.C. 553, 46 U.S.C. app. 1701-1707, 1709-1710, 1712 and 1714-1717.

2. A new § 572.307 is added to read as follows:

§ 572.307 Miscellaneous Modifications to Agreements-Exemptions.

(a) Each of the following types of modifications to agreements is exempt from the Information Form, notice and waiting period requirements of the Act and of this part provided that such modifications are filed for informational purposes in the proper format:

(1) Any modification which cancels an

effective agreement.

(2) Any modification to the following disignated agreement articles:

(i) Article 3—Parties to the agreement (limited to conference agreements).

(ii) Article 6-Officials of the agreement and delegations of authority.

(iii) Article 10—Neutral body policing (limited to the description of neutral body authority and procedures related thereto).

(b) Any modification exempt under paragraph (a) is effective upon filing.

§ 572.605 [Amended]

3. Section 572.605 Requests for Expedited Approval is amended by the removal of paragraph (c).

By the Commission.

Bruce A. Dombrowski,

Acting Secretary.

[FR Doc. 85-10283 Filed 4-26-85; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[ENF-84-15; ENF-84-19; et al.]

Petitions for Waiver of the Commission's Rules Filed by Pacific Bell et al.; Correction

AGENCY: Federal Communications Commission.

ACTION: Memorandum opinion and order concerning requests for waiver; correction.

SUMMARY: This document corrects an omission from the list of granted petitions for waiver of Part 64 of the Commission's rules, published on April 5, 1985 (50 FR 13573).

FOR FURTHER INFORMATION CONTACT: Michael Slomin (202) 632–6910.

Erratum

In the matter of petitions for waiver of § 64.702 of the Commission's Rules (Computer II) filed by: Pacific Bell, Southern Bell Telephone & Telegraph Company and South Central Bell Telephone Company, New York Telephone Company and New England Telephone & Telegraph Company, New Jersey Bell Telephone Company, Northwestern Bell Telephone Company, Northwestern Bell Telephone Company, Pacific Northwest Bell Telephone Company, Ameritech Operating Companies, ENF-84-15, ENF-84-19, ENF-84-20, ENF-84-21, ENF-84-23, ENF-84-24, ENF-84-48.

April 5, 1985; 50 FR 13573. Released: March 29, 1985. By Memorandum Opinion and Order in this proceeding, FCC 85–101, released March 26, 1985, the Commission conditionally granted all of the abovecaptioned requests for waiver except one, which was denied. See id., para. 45, notes 34 and 36 and para. 136, n. 90. Inadvertently, Southwestern Bell Telephone Company's request was omitted from the list of granted petitions. Therefore, paragraph 139 of the Memorandum Opinion and Order (FCC 85–101), released March 26, 1985, is corrected to read:

139. Accordingly, pursuant to sections 1, 4(i), 4(j), 201-05, 218 and 303(r) of the Communications Act of 1934 as amended, 47 U.S.C. 151, 154(i), 154(j), 201-05, 218 and 303(r), and Section 1.3 of the Commission's Rules, 47 CFR Chapter I 1.3, it is hereby ordered, that the Petitions for Waiver filed by Pacific Bell, Southern Bell Telephone & Telegraph Company, South Central Bell Telephone Company, New York Telephone Company, New England Telephone & Telegraph Company, New Jersey Bell Telephone Company, Pacific Northwest Bell Telephone Company, Southwestern Bell Telephone Company, and the Ameritech Operating Companies are granted to the extent indicated herein subject to the conditions and additional filing requirements established in this order, and are otherwise denied.

Federal Communications Commission. William J. Tricarico,

Secretary.

[FR Doc. 85-9857 Filed 4-26-85; 8:45 am]

47 CFR Part 73

[MM Docket No. 83-1323; RM-4585; FCC 85-115]

Table of Ailotments; FM Broadcast Station in Julian, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action allots Channel 261A to Julian, California, as its first local service in response to a petition filed by Andrew G. Smith.

EFFECTIVE DATE: April 22, 1985.

FOR FURTHER INFORMATION CONTACT: Leslie Shapiro, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio Broadcast.

Report and Order (Proceeding Terminated)

In the matter of amendment of § 73.202(b), Table of Allotments, FM Broadcast Stations (Julian, California), MM Docket No. 83–1323, RM–4585, FCC 85–1150.

Adopted: March 12, 1985. Released: March 15, 1985. By the Commission.

1. The Commission has before it for consideration the Notice of Proposed Rule Making ("Notice"), 48 FR 56610, published December 22, 1983, requesting comments on the proposed allotment of Channel 261A to Julian, California, as that community's first local FM channel. The Notice was issued in response to a petition from Andrew G. Smith ("petitioner"). The petitioner and Harold A. Jahnke ("Jahnke") filed comments and reply comments supporting the allocation and affirming an interest in activating the channel. Opposition comments were filed by Imperial Valley Broadcasters, Inc. ("Imperial"), licensee of Station KGBA-FM, Holtville, California.2 In addition, the Commission has before it an Application for Review. filed by Imperial, concerning the staff's denial of its request for a one-day extension of time in which to file its comments.

2. Imperial's Application for Review seeks reversal of the staff's denial of its extension of time requests ³ and the acceptance of its comments. Imperial contends that motions for extension of time are generally granted, particularly where no party would be harmed by the delay, the Commission's processes are nor unduly disrupted, and the information contained in the comments are of importance to the proceeding. It also contends that there is "no real difference" between granting an extension of time in which to file

¹The comments and reply comments of Jahnke are procedurally defective since they were not timely filed. Nevertheless we have reviewed both comments and find that they provide us with no information which is not already before the Commission in timely filed comments. Thus we have not accepted these comments for consideration herein.

^{*}Imperial's late-filed comments were accompanied by a request that they be accepted. It contends that the allotment at Julian does not provide the required distance separation. Imperial measured the distance from El Centro, a community for which its station has been given dual city ID authority. The mileage calculation should have been based on the distance between Station KGBA-FM's transmitter site and Julian's reference coordinates. See Section 73.208 of the Rules. Thus, the comments provide us with no information of decisional significance and have not been accepted. In light of this decisions, the reply comments of petitioner need not be discussed as they relate solely to Imperial's comments.

³Order, adopted February 10, 1984, Mimeo No. 2688.

comments and accepting late-filed comments. Therefore, lacking an extension, Imperial seeks acceptance of its untimely comments stating that they were filed only one day late, that the petitioner was notified by telephone that the comments were being submitted and that no party or the Commission would be adversely affected by acceptance of its pleading. It notes that the parties to this proceeding was served with copies of its comments and responded to the issues raised therein.

3. Section 1.46 of the Commission's rules governs motions for extension of time. It states that it is the policy of the Commission that extension requests will not be granted routinely. Under this rule extension requests must be filed at least seven days prior to the expiration of the comment period. It does, however, allow that in "emergency situation," the Commission would consider late-filed motions for brief extensions of time related to the duration of the emergency and that we would also consider motions for acceptance of pleadings filed after the filing deadline.

4. Imperial's request for an extension of time does not comply with the criteria set forth in our rules. Imperial made no showing of exceptional circumstances merely stating that it had received information which would interest the Commission. It also failed to meet any of the procedural requirements set forth in the rules. It did not comply with the seven day filing requirement and presented us with no indication of any emergency situation which would have convinced us to waive this rule.

5. Imperial also contends that no party would have been harmed by the grant of its requested extension. We disagree. Any other interested party would be operating under the assumption that the original deadline would stand since no extension request had been filed seven days prior to the comment deadline. If we had granted Imperial's last-minute request, these parties would have been deprived of the extra time granted to Imperial since they would have already filed. Imperial further argues that there is no difference between accepting latefiled comments and the grant of an extension of time. Generally extensions of time occasion a delay in the decision making process. They are therefore granted only when the Commission has been provided with sufficient reason to believe that the information to be provided is of such significance that the public would in fact benefit from such a delay. As a matter of fairness, an

extension of time, if properly filed and granted, allows all parties the use of the additional response time. The acceptance of late-filed pleadings, on the other hand, permits the Commission to make a case-by-case determinations as to whether the information supplied is of such significance as to warrant the grant of an individual waiver of the filing deadline. In addition, other parties may raise objections arguing that such late-filed pleadings not be considered. Accordingly we affirm the Order denying an extension of time and hold that the late filed comments of Imperial are unacceptable.

6. With respect to the allotment of Channel 261A to Julian, California, we believe the public interest would be served by providing the opportunity for a first local FM service. The channel can be allocated in compliance with the Commission's minimum distance separation and other technical requirements. Mexican concurrence has been obtained as Julian is located within 320 kilometers (199 miles) of the U.S .-Mexican border. Accordingly, pursuant to the authority contained in sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, it is ordered, that effective April 22, 1985, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, is amended with respect to the community listed below, read as follows:

City	Channel No.		
Julian, Calif	261A		

- 7. It is further ordered, that the Application for Review of the *Order* denying the request for extension of time filed by Imperial Valley Broadcasters, Inc., is denied.
- 8. It is further Ordered, that this proceeding is terminated.
- 9. For further information concerning this proceeding, contact Leslie K. Shapiro, Mass Media Bureau, (202) 634–6530

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 85–10252 Filed 4–26–85; 8:45 am] BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

[Docket No. 50107-5007]

Foreign Fishing; Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency interim rule; extension of effective date.

SUMMARY: The Secretary of Commerce extends an emergency rule now in effect that establishes amounts of sablefish, Pacific ocean perch, and other rockfish as prohibited species catches (PSCs). Extension of these PSC levels allows foreign nations to harvest allocations of target species, so long as their incidental catch of species fully utilized by the U.S. industry remains below prescribed levels.

EFFECTIVE DATES: The suspension of § 611.92(b)(2), (C)(2)(i) (A) and (D), (C)(2)(ii) (B) and (C), (e)(3)(ii), and (f)(2)(i) is extended from April 25, to May 1, 1985. The effective date of § 611.92(b)(5), (C)(2)(i) (F), (G), and (H), (c)(2)(ii) (D), (E), and (F), and (i) is extended from April 25 until May 1, 1985.

FOR FURTHER INFORMATION CONTACT: Ronald J. Berg (Fishery Management Biologist, NMFS), 907–586–7229.

SUPPLEMENTARY INFORMATION: The Administrator of NOAA determined that the emergency rule set forth in 50 CFR Part 3911, January 29, 1985, which this rule extends for 6 days, was not major and that the resource emergency, which justified the emergency regulations under section 305(e) of the Magnuson Fishery Conservation and Management Act, also constituted an emergency under section 8(a)(1) of Executive Order 12291. The emergency conditions discussed in the original interim rule still exist as the Japanese longline fleet has not yet taken its allocation of Pacific cod. This extension will avoid the waste of amounts of target groundfish species that are allocated but could not be harvested in this fishery if these incidental catches were not allowed. This extension is based on the North Pacific Fishery Management Council's recommendation that 10,000 metric tons of Pacific cod by allocated. These PSC

amounts are derived from that allocation and are discussed in the original interim rule.

Classification

The Administrator of NOAA has determined that this rule is necessary to respond to an emergency situation and that it is consistent with the Magnuson Act and other applicable law.

Contrary to expectations, foreign Pacific cod allocations in the Gulf of Alaska have not been taken by April 24. As conclusion of the Pacific cod fishery as early as possible in 1985 is desirable because fewer sablefish, Pacific ocean perch, and rockfish are incidentally taken, this must rule takes effect immediately. The Administrator of NOAA has therefore determined that it is impractical and contrary to the public interest to provide prior notice and opportunity for public comment or to delay the effective date of this rule for 30 days.

List of Subjects in 50 CFR Part 611

Fisheries, Foreign relations, Reporting and recordkeeping requirements. (16 U.S.C. 1801 et seq., unless otherwise noted)

Dated: April 24, 1985.

Anthony J. Calio,

Deputy Administrator, National Oceanic and Atmospheric Administration.

[FR Doc. 85-10319 Filed 4-25-85; 8:45 am] BILLING CODE 3510-22-M

Proposed Rules

Federal Register

Vol. 50, No. 82

Monday, April 29, 1985

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 18605/80-ASO-4]

Group I Terminal Control Area, Miami, FL; and Proposed Group II Terminal Control Area, Fort Lauderdale, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: This notice withdraws the Notice of Proposed Rulemaking (NPRM) concerning Airspace Docket No. 18605/ 80-ASO-4, which was published in the Federal Register on September 22, 1980. That notice proposed to establish a Group II Terminal Control Area (TCA) at Fort Lauderdale, FL, and reconfigure the Group I TCA at Miami FL. The Federal Aviation Administration's review of public comments, as well as its own further analysis of other factors such as safety, cost, and traffic complexity indicated that the existing Fort Lauderdale Terminal Radar Service Area (TRSA) and Miami Group ITCA provided the level of safety intended in the proposed notice.

In conjunction with this withdrawal, the FAA intends to continue to evaluate the adequacy of the Miami TCA and Fort Lauderdale TRSA, and implement actions where necessary to enhance safety and provide for the most efficient

use of airspace.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace and Air Traffic Rules Branch (ATO-230), Airspace Rules and Aeronautical Information Division, Air Traffic Operations Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8626.

The Proposed Rule

On September 22, 1980, a Notice of

Proposed Rulemaking was published in the Federal Register to reconfigure the Miami Group I TCA and establish the Fort Lauderdale Group II TCA. That action was intended to increase the capability of the air traffic control (ATC) system to separate all aircraft in the terminal airspace around the Miami and Fort Lauderdale-Hollywood International Airports. The proposal was based on data indicating that a high percentage of near midair collisions reported to the FAA in terminal areas. involved visual flight rules (VFR) aircraft that are not required to be under ATC control. The objective of the proposal was to substantially increase safety while accommodating the legitimate concerns of airspace users.

Summary of Comments

Prior to the issuance of the NPRM for expansion of the Miami Group I TCA and establishment of the Ft. Lauderdale Group II TCA, the FAA had the benefit of recommendations derived from numerous meetings with various user groups and individuals. In response to the NPRM, the FAA received 380 written comments and recommendations from individuals, pilots and aircraft owners, state and Federal governmental agencies, and aviation trade and industry associations. Some of the responses had multiple signatures, while others purported to represent the views of a large number of organizational members. The remaining responses were from individuals.

Most of the comments received came from pilots and owners of general aviation aircraft. Many of these persons supported a position stated by the Aircraft Owners and Pilots Association (AOPA) that the proposal would: (1) Force more aircraft to operate at lower altitudes due to the TCA ceiling being at 12,500 feet MSL; (2) compress the majority of aircraft into a smaller amount of airspace creating the potential for midair collisions; (3) create costly and inconvenient delays in obtaining clearances; (4) cause an increase in fuel consumption; and (5) help the FAA justify implementation of proposed TCA's at Tampa and Orlando for pilots. Many other pilots not referencing the AOPA position echoed the same concerns. For citizens, AOPA stated that the proposal would: (1) Cause thousands of tourists and their dollars to avoid the South Florida area;

(2) force many out-of area businesses to take their dollars elsewhere; (3) force many local businesses to relocate away from the TCA; (4) potentially, decrease take home pay by increasing taxes due to the loss of tourist and business dollars; and (5) increase the potential for midair collisions.

Some commenters stated that two types of TCA's in one area would confuse pilots, and that the design of both TCA's was so large that pilots would be confused as to where different types of equipment for flight in each type of airspace would be required. Several comments stated that the present system of air traffic control is working very well, is easy for pilots to understand and, therefore, should not be changed. Others supported the TCA concept, but recommended the regulatory airspace be much smaller, while still others favored the "corridor concept." The majority of commenters expressed great concern that many pilots would be forced into operating below the floor of the TCA, significantly increasing the potential for midair collisions. The Air Transport Association found no objections to the proposal. The Airline Pilots Association supported the proposal, further recommending that the Ft. Lauderdale TCA be upgraded to Group I. Two other commenters concurred in the proposal.

Conclusions

The primary concern in any proposed TCA action is providing a high degree of safety while preserving the efficient use of the available terminal airspace. With this in mind, each TCA candidate site must be evaluated on its own merits before a final decision is made to proceed with rulemaking or to withdraw a proposal. FAA evaluation, based on user comments and in conjunction with all other stated requirements for reconfiguring the Miami TCA and establishing the Fort Lauderdale TCA, produced the following:

1. Traffic activity at Fort Lauderdale-Hollywood International Airport decreased 24.2 percent in FY 1981 as compared to FY 1979. Air Carrier operations for the same period decreased 4.99 percent. Nonair carrier operations have decreased by 21.6 percent and local operations by 74.5 percent.

Public comments were solicited on the prototype of the South Florida VFR Flyway Chart which was published on September 2, 1982. All comments were favorable. The flyway will be charted beginning with the August 29, 1985, publication of the Miami VFR. The purpose of charting the flyway is to provide VFR/general aviation pilots with suggested VFR routes that can be used to navigate safely in the Miami area, thereby avoiding high density traffic areas.

- 3. The Fort Lauderdale Terminal Radar Service Areas provide an adequate level of safety for the users.
- 4. As part of the Airport Radar Service Area (ARSA) program, Fort Lauderdale-Hollywood International Airport is being considered as a proposed ARSA location. Implementation of an ARSA at Fort Lauderdale will further enhance safety.
- 5. Analysis of the Miami Group I TCA indicates that the existing configuration provides an adequate level of safety. Expanding the TCA as proposed would not increase that level of safety. A separate proposal to raise the floor of the TCA from 1,500 to 2,000 feet MSL in a small area adjacent to the Opa Locka Airport Instrument Landing System (ILS) final approach course for Runway 9L is being considered. This action would allow more flexibility in navigating around the TCA and would accommodate legitimate concerns of airspace users in this area.

These factors provide the basis for our recommendation that the reconfiguration of the Miami TCA and establishment of the Fort Lauderdale Group II TCA proposal be withdrawn.

List of Subjects in 14 CFR Part 71

Terminal control areas, Aviation safety.

The Withdrawal

Accordingly, pursuant to the authority delegated to me, the Notice of Proposed Rulemaking concerning Airspace Docket No. 18605/80–ASO–4, as published in the Federal Register on September 22, 1980 (45 FR 62839), is hereby withdrawn.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); 49 U.S.C. 106(g) (Revised, Pub. L. 97–449, January 12, 1983); and 14 CFR 11.65)

Issued in Washington, D.C., on April 19, 1985.

John Watterson,

Acting Manager, Airspace-Rules and Aeronautical Information Division. [FR Doc. 85–10140 Filed 4–26–85; 8:45 am] BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[File No. 841 0179]

Hawaii Dental Service Corp.; Proposed Consent Agreement With Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.
ACTION: Proposed Consent Agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would require the Hawaii Dental Service Corporation ("HDS"), an organization engaged in the administration and operation of prepaid dental care programs whose dentist members provide dental care service for a fee, amont other things, to cease basing its decision to send dentists to the counties of Maui, Kauai, and Hawaii, on the approval or consent of member dentists who reside in those counties. The Order would bar the organization from denying membership to any dentist licensed to practice in Hawaii, based in whole or in part on the approval of other dentists in the geographic location of the dentist's proposed practice, and from inducing, encouraging, or assisting any dentist or other non-governmental organization to take any of the prohibited actions. Within thirty days from the effective date of the Order, HDS would be required to remove from its constitution and bylaws or other guidelines, any provision, interpretation or policy statement that is inconsistent with the Order and publish in its newsletter and another publication, a notice of such removal.

DATE: Comments must be received on or before June 28, 1985.

ADDRESS: Comments should be directed: FTC/Office of the Secretary, Room 136, 6th St. and Pa. Ave., NW., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT:

Erika R. Wodinski, San Francisco Regional Office, Federal Trade Commission, 450 Golden Gate Ave., San Francisco, CA 94102, (415) 556–1270.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist and an explanation thereof, having been filed with and accepted, subject to final approval, by

the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(14) of the Commission's Rules of Practice (16 CFR 4.9(b)(14)).

List of Subjects in 16 CFR Part 13

Dental services, Trade practices.

Before Federal Trade Commission

[File No. 841 0179]

Agreement Containing Consent Order To Cease and Desist

In the Matter of Hawaii Dental Service Corporation, a corporation.

The Federal Trade Commission having initiated an investigation of certain acts and practices of Hawaii Dental Service Corporation, a corporation, and it now appearing that said corporation, hereinafter sometimes referred to as proposed respondent, is will to enter into an agreement containing an order to cease and desist from the use of the acts and practices being investigated,

It is hereby agreed by and between proposed respondent, by its duly authorized officer, and counsel for the Federal Trade Commission that:

- 1. Hawaii Dental Service Corporation is a corporation, existing and doing business under and by virtue of the laws of the State of Hawaii with its office and principal place of business located at 700 Bishop Street, Suite 700, Honolulu, Hawaii 96813.
- 2. Proposed respondent admits all the jurisdictional facts set forth in the draft of complaint here attached.
 - Proposed respondent waives:
 Any further procedural steps;
- b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law:
- c. All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement; and
- d. Any claim under the Equal Access to Justice Act.
- 4. This agreement shall not become a part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the draft of the complaint contemplated thereby, will be placed on the public record for a period of sixty (60) days and information with respect thereto publicly released. The Commission thereafter may either

withdraw its acceptance of this agreement and so notify proposed respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

5. Group account purchaser of prepaid dental services prefer, and are more likely to contract for, prepaid group dental benefits programs that ensure access for their beneficiaries or enrollees to an adequate supply of participating dentists in all the counties where they have beneficiaries or enrollees. An individual also prefers, and is more likely to purchase, a prepaid dental services policy if the purchaser is assured of access to an adequate supply of participating dentists. The unrestricted ability of HDS to send dentists at its discretion to the counties of Maui, Kauai, and Hawaii, who then participate in its prepaid dental services program, could aid HDS in attracting purchasers of its prepaid dental services policies and in competing with other providers of dental care financing or dental insurance. HDS does not have the unrestricted power to freely send its members to these counties.

6. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondent, (1) issue its complaint corresponding in form and substance with the draft of complaint here attached and its decision containing the following order to cease and desist ("Order") in disposition of the proceeding, and (2) make information public with respect thereto. When so entered, the Order shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The Order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to-Order to proposed respondent's address as stated in this agreement shall constitute service. Proposed respondent waives any right it may have to any other manner of service. The complaint may be used in construing the terms of the Order, and no agreement, understanding, representation, or interpretation not contained in the Order or in this agreement may be used to vary or contradict the terms of the Order.

7. Proposed respondent has read the proposed complaint and Order. It understands that once the Order has been issued, (1) it will be required to file one or more compliance reports showing it has fully complied with the Order and (2) it may be liable for civil penalties in the amount provided by law for each violation of the Order after it becomes final.

Order

I

For purposes of this Order, the following definitions shall apply:

A. "HDS" means respondent Hawaii Dental Service Corporation, its Board of Directors, officers, committees, representatives, agents, employees, successors, and assigns; and

B. "Member dentist" means a dentist with whom HDS has a contractual agreement to render dental care to beneficiaries of HDS dental care plans.

II

It is ordered that HDS, directly or indirectly, or through any corporation or other device, in connection with the administration and operation of prepaid dental care programs in or affecting commerce, as commerce is defined in the Federal Trade Commission Act, forthwith cease and desist from:

A. Basing the decision to send dentists, dentist groups, or dentist panels to the counties of Maui, Kauai, and Hawaii, in whole or in part, on the approval or consent of other member dentists who reside in those counties;

B. Denying membership in HDS to a dentist licensed to practice in the State of Hawaii based in whole or in part on the approval or consent of other member dentists to the geographic location of the dentist's proposed practice; and

C. Inducing, urging, encouraging, or assisting any dentist, group of dentists, or any other non-governmental organization to take any of the actions prohibited by Part II of this Order.

Ш

It is further ordered that HDS shall:

A. Within thirty (30) days after this Order becomes final, remove from its constitution and bylaws, and from any other existing policy statements or guidelines of HDS, any provision, interpretation or policy statement which is inconsistent with Part II of this Order, and within sixty (60) days after this Order becomes final, publish in the Hawaii Dental Service Newsletter and one other publication generally circulated to dentists practicing in the State of Hawaii a notice of the removal

of such provision, interpretation, policy statement or guideline;

B. Within thirty (30) days after this Order becomes final, distribute a copy of this Order to each of HDS's supervisory personnel having procedural or policy responsibilities with respect to the subject matter of this Order, and secure a signed statement acknowledging receipt of said Order;

C. Within ninety (90) days after this Order becomes final, file a written report with the Federal Trade Commission setting forth in detail the manner and form in which it has complied with this Order;

D. For a period of five (5) years after this Order becomes final, maintain and make available to the Commission staff, for inspection and copying upon reasonable notice, records adequate to describe in detail any action taken in connection with the activities covered by this Order; and

E. Within one (1) year after this Order becomes final, and annually thereafter for a period of four (4) years, file, if requested by Commission staff, a written report with the Federal Trade Commission setting forth in detail any action taken in connection with the activities covered by this Order.

IV

It is further ordered that HDS shall notify the Commission at least thirty (30) days prior to any proposed change in HDS, such as dissolution, assignment, or sale resulting in the emergence of a successor corporation or association, or any other change in HDS which may affect compliance obligations arising out of this Order.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from Hawaii Dental Service Corporation ("HDS").

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The complaint in this matter alleges that HDS has combined or agreed with some of its members to limit, foreclose, frustrate, or eliminate competition by enacting bylaws that restrict its ability to freely recruit and send dentists to the counties of Maui, Kauai, and Hawaii.

The consent agreement provides as follows:

1. HDS cannot base its decision to send dentists, dentist groups, or dentist panels to the counties of Maui, Kauai, and Hawaii, in whole or in part, on the approval or consent of other HDS-member dentists who reside in those counties.

2. HDS cannot deny membership in HDS based in whole or in part on the approval or consent of other HDS-member dentists to the geographic location of the dentist's proposed practice.

3. HDS shall remove from its constitution and bylaws, and from any other existing policy statements or guidelines of HDS, any provision, interpretation or policy statement which is inconsistent with items 1 and 2 above and publish in the HDS Newsletter and one other publication, a notice of the removal.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Emily H. Rock,

Secretary.

[FR Doc. 85-10246 Filed 4-26-85; 8:45 am] BILLING CODE 6750-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release No. 34-21974; File No. S7-3-85]

Net Capital Requirements for Brokers and Dealers

AGENCY: Securities and Exchange Commission.

ACTION: Extension of time for comments.

SUMMARY: The Commission is extending the comment period of Securities Exchange Act Release No. 34–21651 concerning net capital requirements for brokers and dealers to August 1, 1985.

DATE: Comments to be received by August 1, 1985.

ADDRESS: All comments should be submitted in triplicate and addressed to John Wheeler, Secretary, Securities and Exchange Commission, 450 5th Street, NW., Washington, D.C. 20549. All comments should refer to File No. S7–3–85 and will be available for public inspection at the Commission's Public Reference Room, 450 5th Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Michael A. Macchiaroli, Esq., Asstisant Director, (202) 272–2904, or Kevin Gong, Esq.; (202) 272–3113, Staff Attorney, Division of Market Regulation, 450 5th Street, NW., Washington, D.C.

SUPPLEMENTARY INFORMATION: On January 11, 1985 in Securities Exchange Act Release 34-21651 (50 FR 2690) January 18, 1985, the Commission solicited comments on a broad range of questions regarding the financial responsibility rules for brokers and dealers in order to facilitate the Commission's reexamination of the scope, adequacy and necessity of those rules. The original comment period was to expire on April 30, 1985. Interested members of the industry have requested that the comment period be extended. In order to enhance the ability of industry members to competently respond to the Commission's request for comments regarding the financial responsibility rules, the Commission will grant an extension of the comment period for an additional 90 days until August 1, 1985.

Dated: April 23, 1985.

By the Commission.

John Wheeler,

Secretary.

[FR Doc. 85-10311 Filed 4-26-85; 8:45 am] BILLING CODE 8010-01-M

DEPARTMENT OF STATE

Foreign Service Grievance Board

22 CFR Parts 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, and 911 [SD-191]

Foreign Service Grievance Board Regulations

AGENCY: Department of State.
ACTION: Notice of proposed rule making with request for comments.

SUMMARY: The Foreign Service Grievance Board revises its regulations to conform to the provisions concerning grievances and separation for cause cases in the Foreign Service Act of 1980 (Pub. L. 96-456; 94 Stat. 2071) of October 17, 1980 and to implement agency regulations adopted by the foreign affairs agencies and the exclusive employee representatives pursuant to that Act. The revision provides explicit directions in procedures to follow when filing grievances and separation for cause cases. It also sets down rules and procedures the Board follows in handling these cases.

DATES: Written comments should be received on or before May 1, 1985; final regulations to become effective June 3, 1985.

ADDRESS: For mailing public comments: Foreign Service Grievance Board, Department of State (S/FSG), SA-6, Room 430, Washington, D.C. 20520.

For hand delivery of public comments: Foreign Service Grievance Board, Berkley Building, 1700 N. Lynn Street (or 1701 N. Ft. Myer Drive), Room 430, Rosslyn, Virgina.

FOR FURTHER INFORMATION CONTACT: Raymond L. Perkins (Executive Secretary), (703) 235–9860.

List of Subjects in 22 CFR Parts 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, and 911

Administrative practice and procedure, Foreign service.

In consideration of the foregoing, in Chapter IX of Title 22, Code of Federal Regulations, Parts 901–909 are revised and new Parts 910 and 911 are added to read as follows:

PART 901-GENERAL

Subpart A-Purpose and Scope

Sec

901.1 Purpose and Scope.

Subpart B—Meanings of Terms as Used in This Chapter

901.10 Act.

901.11 Agency.

901.12 Board.

901.13 Executive Secretary.

901.14 Service.

901.15 Exclusive representative.

901.16 Grievant.

901.17 Charged employee.

901.18 Grievance.

901.19 Labor organization.

901.20. Party.

901.21 Record of proceedings.

901.22 Representative.

Authority: Secs. 610, 1101, 1102, 1105, and 1106 of the Foreign Service Act of 1980 (Pub. L. 96–465; 22 U.S.C. 4131, 4132, 4135, and 4136).

Subpart A-Purpose and Scope.

§ 901.1 Purpose and scope.

The regulations contained in this chapter establish the internal organization of the Foreign Service Grievance Board and prescribe its procedures in:

(a) Determining its jurisdiction in cases involving grievances and separation for cause proceedings;

(b) Compiling a record in such cases:

- (c) Conducting hearings in such cases, when required or deemed necessary; and
- (d) Deciding such cases, or otherwise disposing of them, so as to ensure the fullest measure of due process for the members of the Foreign Service.

Subpart B—Meanings of Terms as Used in This Chapter

§ 901.10 Act

"Act" means the Foreign Service Act of 1980 (Pub. L. 96-465, October 17, 1980).

§ 901.11 Agency.

"Agency" means the Department of State, the Agency for International Development, the U.S. Information Agency, the Department of Agriculture, or the Department of Commerce, if the Agency employs the individual appearing in a case before the Board and/or has control over the act, omission, or condition forming the subject matter of such case.

§ 901.12 Board.

"Board" means the Foreign Service Grievance Board, including any designated panel or member thereof.

§ 901.13 Executive secretary.

"Executive Secretary" means the Executive Secretary of the Board or his or her designee.

§ 901.14 Service.

"Service" means the Foreign Service of the United States.

§ 901.15 Exclusive representative.

"Exclusive Representative" means any labor organization which is certified as the Exclusive Representative of the bargaining unit of which the grievant or Charged Employee is a member.

§ 901.16 Grievant.

"Grievant" means anyone who has filed a grievance and who is a Member of the Service and is a citizen of the United States, or for the purposes of § 901.18(a)(7) a former member of the Service, or in the case of death of the member, the surviving spouse or, if none, another member of the family.

§ 901.17 Charged employee.

"Charged Employee" means a Member of the Senior Foreign Service or a Member of the Service assigned to a salary class who has been proposed for separation for cause under section 601(a)(2) of the Act.

§ 901.18 Grievance.

"Grievance" means any act, omission, or condition subject to the control of an Agency which is alleged to deprive a Member of the Service who is a citizen of the United States of a right or benefit authorized by law or regulation or is otherwise a source of concern or dissatisfaction to the Member, including but not limited to:

(1) Complaints against separation of a Member allegedly coontrary to law or regulation or predicated upon alleged inaccuracy, omission, error or falsely prejudicial character of information in any part of the official personnel record of the Member:

(2) Other alleged violation, misinterpretation or misapplication of applicable law, regulation, collective bargaining agreement or published post or agency policy affecting the terms and conditions of the employment or career status of the Member:

(3) Allegedly wrongful disciplinary action against the Member;

(4) Dissatisfaction with respect to the working environment of the Member;

(5) Alleged inaccuracy, omission, error, or falsely prejudicial character of information in the official personnel record of the Member which is or could be prejudicial to the Member:

(6) Action alleged to be in the nature of reprisal or other interference with freedom of action in connection with participation by a Member in a grievance; and

(7) Alleged denial of an allowance, premium pay or other financial benefit to which the Member claims entitlement under applicable laws or regulations.

(b) The scope of grievances described above may be modified by written agreement between an Agency and its Exclusive Representative.

(c) The term "grievance" does not include:

(1) Complaints against an individual assignment of a Member under Chapter 5 of the Act, other than an assignment which is alleged to be contrary to law or regulation:

(2) The judgment of a selection board (established under section 602 of the Act) or a tenure board (established under section 306(b) of the Act) or any other equivalent body established by laws or regulations which similarly evaluates the performance of Members of the Service on a comparative basis, including a merit promotion selecting official, except that alleged procedural violations of law, regulation or collective bargaining agreement or prohibited personnel practice(s) arising under these procedures are grievable;

(3) The expiration of a limited appointment, termination of a limited appointment under section 611 of the Act, or the denial of a limited career extension or denial of a renewal of a limited career extension under section 607(b) of the Act; or

(4) Pursuant to section 1109 of the Act, any complaint or appeal where a specific statutory hearing procedure exists other than procedures for considering prohibited personnel practice charges before the Merit

Systems Protection Board or Special Counsel (5 U.S.C. 1206).

(5) Non-adoption of a member suggestion or disapproval of a quality salary increase, performance award, or any other kind of honorary discretionary award, except where such action is alleged to be contrary to law, regulation or collective bargaining agreement; and

(6) The content of published agency policy which is not contrary to law, regulation or collective bargaining agreement.

(d) For the purposes of these regulations, the written complaint concerning any act, omission, or condition specified above may be referred to as the "grievance".

§ 901.19 Labor organization.

"Labor organization" means any employee organization accorded recognition as the exclusive employee representative under section 1002(11) of the Act. For the Department of State and the Agency for International Development (AID), the exclusive employee representative is the American Foreign Service Association; for the U.S. Information Agency (USIA), the exclusive employee representative is the American Federation of Government Employees, Local 1812 (AFL-CIO).

§ 901.20 Party.

"Party" means: (a) The Grievant/
Charged Employee; (b) the Agency or
Agencies employing the Grievant/
Charged Employee and/or having
control over the act, omission, or
condition leading to appearance before
the Board; or (c) the Exclusive
Representative if it has achieved Party
status under § 903.5(a). A Party may act
through its duly designated
representative.

§ 901.21 Record of proceedings.

"Record of Proceedings" means the case file maintained by the Board on each grievance case, or separation for cause proceeding.

§ 901.22 Representative.

"Representative" means the person(s) identified in writing to the Board as assisting the Party or Parties in the presentation of the case.

PART 902—ORGANIZATION

Sec.

902.1 Chairperson and Deputy Chairperson.

902.2 Board operations.

902.3 Board staff.

Authority: Secs. 1105 and 1106 of the Foreign Service Act of 1980 (Pub. L. 96-465; 22 U.S.C. 4135 and 4136).

§ 902.1 Chairperson and deputy chairperson.

The Chairperson presides over meetings of the Board. The Chairperson shall select one of the Board Members as deputy. In the absence of the Chairperson, the Deputy Chairperson, or in his or her absence, another member designated by the Chairperson, may act for him or her.

§ 902.2 Board operations.

(a) The Board may operate either as a whole, or through panels or individual members designated by the

Chairperson.

(b) When operating as a whole, the Board may not act in the absence of a quorum. A majority of the members shall constitute a quorum. The Board will act by a majority vote of those present. Amendments to these regulations and Board policies adopted pursuant to § 910.3 shall be be adopted by the Board operating as a whole.

(c) Board panels and presiding members of panels shall be designated by the Chairperson subject only to the

provision of § 906.3.

§ 902.3 Board staff.

The Chairperson shall select the Board's Executive Secretary and other staff provided for in the Act. The Executive Secretary and staff shall be responsible only to the Board through the Chairperson.

PART 903—INITIATION AND DOCUMENTATION OF CASES

Sec.

903.1 Initiation of cases.

903.2 Record of proceedings.

903.3 Rulings on materials.

903.4 Participation of exclusive representative.

903.5 Service of documents.

903.6 Interrogatories.

903.7 Acknowledgment.

903.8 Withdrawal.

903.9 Access to records. 903.10 Access to witnesses.

Authority: Secs. 610, 1104, and 1106–1109 of the Foreign Service Act of 1980 (Pub. L. 96– 465; 22 U.S.C. 4010, 4134, and 4136–4139).

§ 903.1 Initiation of cases.

(a) Grievances submitted to the Board shall be in writing, and shall explain the nature of the grievance, and the remedy sought; shall contain all the documentation furnished to the Agency and the Agency's final review; and shall be timely filed in accordance with applicable regulations.

(b) A member whose grievance is not resolved satisfactorily under Agency procedures, the representative of the grievant, or the exclusive representative (on behalf of a grievant who is a

member of the bargaining unit), shall be entitled to file a grievance with the Board no later than 60 days after receiving the Agency decision. In the event that an Agency has not provided its decision within 90 days of filing with the Agency, the grievant, the representative of the grievant, or the exclusive representative (on the grievant's behalf) shall be entitled to file. a grievance with the Board no later than 150 days after the date of filing with the Agency. The Board may extend or waive for good cause shown the time limits stated in this section, and may permit or request the views of the parties with respect to whether good cause has been shown for such an extension.

(c) Separation for cause proceedings against a Charged Employee shall be initiated before the Board by submission of a statement of the acts or behavior considered by the Agency to warrant

separation.

§ 903.2 Record of proceedings.

Upon receipt of initial documents relating to a case, a Record of Proceedings shall be established, and all material received or obtained by the Board in connection with the case shall be placed in it unless the Board excludes such material under § 903.3. The Parties and the Exclusive Representative, if any, shall have access to the Record of Proceedings. Classified portions of the Record of Proceedings may be reviewed by the Parties and the Exclusive Representative, if any, under conditions prescribed by the Board to ensure appropriate security.

§ 903.3 Rulings on materials.

The Board may at any stage of the proceedings exclude materials from the Record of Proceedings at the request of a Party or on its own initiative, on the grounds that such materials are irrelevant, immaterial or unduly repetitive.

§ 903.4 Participation of exclusive representative.

(a) Upon the initiation of a case, the Executive Secretary shall ascertain from the Agency, the Grievant/Charged Employee and any labor organization which has been certified as the Exclusive Representative of employees of the Agency, whether the relevant position occupied by the Grievant/ Charged Employee is part of the bargaining unit for which the labor organization is the Exclusive Representative. If a substantial dispute exists as to whether that position is part of the bargaining unit, and if the Board determines that resolution of that dispute is necessary for determining the

status of the labor organization in a case, the Board shall notify the Parties and the labor organization, who may request determination of that dispute. If the Foreign Service Labor Relations Board determines that the Grievant or Charged Employee is a member of a bargaining unit represented by an Exclusive Representative, the Executive Secretary shall promptly send a copy of the papers filed with the Board to the Exclusive Representative.

(b) The Exclusive Representative has the right to intervene as a Party to the case if such Exclusive Representative gives timely notice to the Board in writing of its decision to intervene as a Party. Notice shall be considered to be timely if given prior to or at the prehearing conference, or, in a case to be decided under Part 907 of this Chapter, if given within 10 days of receipt of a notice from the Board of the Board's intent to close the Record of Proceedings.

(c) An Exclusive Representative which has not intervened under paragraph (b) of this section may be permitted to intervene as a Party upon written application. In ruling upon the application, the Board shall consider whether granting the application will unduly delay or prejudice the adjudication of the rights of the original parties, and may place conditions on the Exclusive Representative's participation to avoid such delay or prejudice.

§ 903.5 Service of documents.

Any Party submitting documents to the Board in connection the Foreign Service Labor Relations Board to make a final with a case shall send a copy to the other Parties and to the Exclusive Representative, if any. The Board shall send copies of its correspondence concerning the case to the Parties and the Exclusive Representative, if any.

§ 903.6 Interrogatories.

Each Party shall be entitled to serve interrogatories upon another Party, and have such interrogatories answered by the other Party unless the Board finds such interrogatories irrelevant, immaterial, or unduly repetitive. Parties shall follow procedures established by the Board concerning the use of interrogatories.

§ 903.7 Acknowledgment.

Each case received shall be acknowledged in writing by the Executive Secretary of the Board. If in the judgment of the Executive Secretary additional documentation or information is needed, he or she may request such materials.

§ 903.8 Withdrawal.

A case may be withdrawn at any time by written notification to the Board from the Party initiating the case. A case may be determined by the Board to have lapsed when the Grievant fails to respond in writing to two successive written Board inquiries within any deadline fixed for such response. The Board may permit the reopening of lapsed cases upon a showing of good cause and may permit or request the views of the parties as to whether good cause has been shown.

§ 903.9 Access to records.

(a) If a Party is denied access to any Agency record prior to or during the consideration of a case by the Agency. the Party may protest such denial before the Board in connection with the case.

(b) In considerating a case, the Board shall have access to any Agency record

(1) The Board shall request access to any Agency record which the Grievant/ Charged Employee requests to substantiate his or her grievance or defense to a charge if the Board determines that such record may be relevant and material to the case.

(2) The Board may request access to any other Agency record which the Board determines may be relevant and

material to the case.

(3) An Agency shall make available to the Board any Agency record requested under paragraphs (b) (1) and (2) of this section unless the head or deputy head of such Agency personally certifies in writing to the Board that disclosure of the record to the Board and the Parties would adversely affect the foreign policy or national security of the United States or that such disclosure is prohibited by law. If such a certification is made with respect to any record, the Agency shall supply to the Board a summary or extract of such record unless the reasons specified in the proceeding sentence preclude such a summary or extract.

(c) If the Board determines that an Agency record, or a summary or extract of a record, made available to the Board under paragraph (b) of this section is relevant and material to the case, the agency concerned shall make such record, summary, or extract, as the case

may be, available to the Parties.

(d) In considering a case, the Board may take into account the fact that the Parties or the Board were denied access to an Agency record which the Board determines is or may be relevant and material to the case.

(e) The Parties in any case decided by the Board shall have access to the

Record of Proceedings and the decision of the Board.

§ 903.10 Access to witnesses.

The grievant or grievant's representative, or charged employee or his representative, shall be given access to witnesses employed by the foreign affairs agencies. In the evant that the agency of the grievant determines that the requests for access are excessive, it may so notify the Board, which shall rule on the relevance and materiality of the potential testimony and may order that access be granted to any or all of the potential witnesses. It shall be the responsibility of the grievant to advise the agency of the agency witnesses to be interviewed and to request administrative leave.

PART 904—JURISDICTION AND **RELATED MATTERS**

Sec.

904.1 General.

Preliminary determinations. 904.2

Relationship to other remedies.

Authority: Secs. 1101, 1104, 1108, and 1109 of the Foreign Service Act of 1980 (Pub. L. 96-465; 22 U.S.C. 4131, 4134, 4138, and 4139).

§ 904.1 General.

The Board's jurisdiction extends to any grievance, and to separation for cause proceeding initiated pursuant to section 610(a)(2) of the Act.

§ 904.2 Preliminary determinations.

(a) If an Agency, in its final review, has questioned whether a complaint constitutes a grievance, the Board will make a preliminary determination of its jurisdiction unless the Board concludes that resolution of the question of jurisdiction should be deferred until the Board has compiled a Record of Proceedings or held a hearing on the merits of the case.

(b) Prior to compiling a Record of Proceedings or holding a hearing on the merits of the case, the Board also may make a preliminary determination on any question raised by a Party concerning the timeliness of a grievance, the election of other remedies under § 904.3, or any other issue whose resolution might avoid the necessity of further proceedings.

(c) Before making a preliminary determination under this section, the Board shall obtain the views of the other Parties and transmit those views to all

(d) Where a preliminary determination is made under this section which would result in the termination of a case, a panel of three members of the Board who did not participate in the preliminary decision shall decide the

question on review. This panel may permit or request the views of the parties with respect to the jurisdictional question.

§ 904.3 Relationship to other remedies.

(a) A Grievant may not file a grievance with the Board if the Grievant has normally requested, prior to filing a grievance, that the matter or matters which are the basis of the grievance be considered or resolved and relief provided under another provision of law, regulation, or Executive Order, and the matter has been carried to final decision under such provision on its merits or is still under concideration. This provision shall not apply to Grievants who have filed a prohibited personnel practice charge before the Special Counsel for the Merit Systems Protection Board.

(b) If a Grievant is not prohibited from filing a grievance under paragraph (a) of this section, the Grievant may file with the Board a grievance which is also eligible for consideration, resolution, and relief as a prohibited personnel practice complaint under the provisions of law relating to the Merit Systems Protection Board or Special Counsel, or under a regulation or Executive Order. An election of remedies under this section shall be final upon the acceptance of jurisdiction by the Board.

PART 905—BURDEN OF PROOF

905.1 Grievances other than disciplinary actions.

905.2 Disciplinary grievances.

905.3 Separations for cause.

Authority: Secs. 610 and 1106 of the Foreign Service Act of 1980 (Pub. L. 95-465; 22 U.S.C. 4010 and 4136)

§ 905.1 Grievances other than disciplinary actions.

(a) In all grivances other than those concerning disciplinary actions, the grievant has the burden of establishing, by a preponderance of the evidence, that the grievance is meritorious.

(b) Where a grievant established that an evaluation contained falsely prejudicial material which may have been a substantial factor in an agency action, the burden will shift to the agency to establish, by a preponderance of the evidence, that the agency would have taken the same action with respect to the grievant had it not seen the falsely prejudicial material.

(c) Where a grievant establishes that a procedural error occurred which is of such a nature that it may have been a substantial factor in an agency action with respect to the grievant, and the

question is presented whether the agency would have taken the same action had the procedural error not occurred, the burden will shift to the agency to establish, by a preponderance of the evidence, that it would have done so.

§ 905.2 Disciplinary grievances.

In grievances over disciplinary actions, the agency has the burden of establishing by a preponderance of the evidence that the disciplinary action was justified.

§ 905.3 Separation for cause.

In separation for cause cases, the agency has the burden of establishing, by a preponderance of the evidence, that the proposed separation is for such cause as will promote the efficiency of the service.

PART 906-HEARINGS

Sec

906.1 Decision whether to hold a hearing.

906.2 Mandatory hearing.

906.3 Notification.

906.4 Hearing panels and members.

906.5 Prehearing conferences.

906.6 Powers of presiding member.

906.7 Conduct of hearing.

906.8 Witnesses.

906.9 Failure of party to appear.

Authority: Secs. 610 and 1106 of the Foreign Service Act of 1980 (Pub. L. 96-465; 22 U.S.C. 4010 and 4136).

§ 906.1 Decision whether to hold a hearing.

After deciding either to accept jurisdiction over a grievance or to postpone decision of that question under § 904.2(a) of this chapter, the Board will make an initial determination of whether a hearing shall be held in accordance with this Part 906, or whether the grievance shall be resolved without a hearing in accordance with Part 907 of this section. The Board may reconsider its decision as to holding a hearing upon the written request of any Party or on its own initiative.

§ 906.2 Mandatory hearing.

The Board shall conduct a hearing: (a) At the request of the Grievant in any case which involves disciplinary action or a Grievant's retirement from the Service for expiration of time-in-class or based on relative performance, or (b) in any case which in the judgment of the Board can best be resolved by a hearing or presentation of oral argument. The Board shall also conduct a hearing in separation for cause proceedings unless the Charged Employee waives in writing his or her right to such hearing.

§ 906.3 Notification.

When the Board orders a hearing, the Executive Secretary shall so notify the Parties in writing. The Parties shall be given reasonable notice of the date and place selected by the Board for the hearing.

§ 906.4 Hearing panels and members.

Unless the Board and the Parties agree otherwise, all hearings shall be held before a panel of at least three members.

§ 906.5 Prehearing conferences.

- (a) The Board may in its discretion order a prehearing conference of the Parties (which may be presided over by any member) for the purpose of considering:
- (1) Simplification or clarification of the issues:
 - (2) Serving of interrogatories:
- (3) Stipulations, admissions, agreements on documents, matters already on record, or similar agreements which will avoid the necessity of proving facts or issues not in dispute;
- (4) Identification of witnesses the Parties may wish to call and the intended scope of their testimony; limitation on the number of witnesses; and arrangement for the appearance of witnesses;
- (5) Avoidance of irrelevant, immaterial, or unduly repetitive testimony;
- (6) The possibility of disposition of the case through agreement;
- (7) The order of presentation at the hearing and the allocation of the burden of proof; and
- (8) Such other matters as may aid in the disposition of the case.
- (b) The Parties authorized to attend the hearing may attend the prehearing conference.
- (c) The results of the conference shall be summarized in writing by the Board and made a part of the Record of Proceedings. Copies of the summary shall be sent to the Parties. The Parties may submit comments or corrections on the summary.

§ 906.6 Power of presiding member.

In connection with the hearing, the presiding member shall, as appropriate:

- (a) Fix the time and place of the hearing:
 - (b) Order further conferences:
 - (c) Regulate the course of the hearing:
 - (d) Administer oaths and affirmations:
- (e) Dispose of procedural requests and similar matters;
- (f) Rule on admissibility of testimony and exhibits;

- (g) Exclude any person from the hearing for behavior that obstructs the hearing;
- (h) Authorize and set the time for the filing of briefs or other documents;
- (i) Grant continuances and extensions of time;
 - (i) Reopen the record;
- (k) Take any other action in the course of proceedings consistent with the purpose of this part.

§ 906.7 Conduct of hearing.

- (a) Authorized attendance. The Parties and, as determined by the Board, a reasonable number of representatives of the Parties are entitled to be present at the hearing. The Board may, after considering the views of the Parties and of any other individuals connected with the grievance, decide that a hearing should be open to others. No person shall be permitted to attend the hearing when classified material is being discussed unless that person possesses the appropriate security clearance.
- (b) Procedure. Hearings shall be conducted by the presiding member so as to assure a full and fair proceeding. The Board shall not be limited by the legal rules of evidence. However, the presiding member shall exclude irrelevant, immaterial, or unduly repetitive evidence. The Board may require the Parties to designate one of their representatives as principal spokesperson.
- (c) Order of presentation. In cases involving disciplinary action, including separation for cause cases, the Agency will ordinarily present its case first and will retain that order of precedence throughout the hearing. In other cases the Grievant will ordinarily present his or her case first and will retain that order of precedence throughout the hearing.
- (d) Evidence. Subject to the presiding member's rulings on the relevancy, materiality, and repetitious nature of evidence, the Parties may offer such evidence, including interrogatories, depositions and Agency records as they desire. They shall produce such additional evidence as the presiding member shall consider relevant and material. Where deemed appropriate by the Board, the Parties may be supplied only with a summary or extract of classified material (also see § 903.9).
- (e) Testimony. Testimony at a hearing shall be given under oath or affirmation.
- (f) Transcript. A verbatim transcript shall be made of any hearing and shall be part of the Record of Proceedings.

§ 906.8 Witnesses.

(a) General. Each Party shall be entitled to examine and cross-examine witness at the hearing or by deposition. A Party wishing to take the deposition of a witness shall give the other Parties reasonable notice of the time and place of the deposition and of the identity of the witness.

(b) Availability. Upon request of the Board or upon request of the Grievant/ Charged Employee deemed relevant and material by the Board, an Agency shall promptly make available at the hearing or by deposition any witness under its control, supervision or responsibility. If the Board determines that the actual presence of such witness at the hearing is required for just resolution of the case, the witness shall be made available at the hearing, with necessary costs and travel expenses paid by the Agency which is a Party to the hearing.

(c) Notice. The Parties are responsible for notifying their witnesses and for arranging for their appearance at the time and place set for the hearing. The Board may preclude a witness from testifying because of the failure of the Party responsible for the witness' appearance to comply with this section.

§ 906.9 Fallure of party to appear.

The hearing may proceed in the absence of any Party who, after due notice and without good cause, fails to be present or obtain an adjournment.

PART 907—PROCEDURE WHEN HEARING IS NOT HELD

Authority: Sec. 1106 of the Foreign Service Act of 1980 (Pub. L. 96-465; 22 U.S.C. 4136).

§ 907.1 General.

(a) In a case in which a hearing is not required under § 906.1 of this section, the Board may request in writing that specified documents or other evidence be furnished to it and/or may authorize the Executive Secretary to obtain such additional documents or other evidence as may be necessary to understand and decide the case.

(b) Each Party will be offered the opportunity to review and to supplement, by written submissions, the Record of Proceedings, prior to the date fixed by the Board for closing of the Record. The Board shall then consider the case and make a decision based on that Record. This may include the ordering of a hearing in accordance with Part 906 of this Chapter.

PART 908—REMEDIES

908.1 Board orders.

908.2 Board recommendations.

Authority: Secs. 1106 and 1107 of the Foreign Service Act of 1980 (Pub. L. 96–465; 22 U.S.C. 4136 and 4137).

§ 908.1 Board orders.

If the Board finds that a grievance is meritorious, the Board shall have the authority to direct the Agency:

(a) To correct any official personnel record relating to the Grievant which the Board finds to be inaccurate or erroneous, to have an omission, or to contain information of a falsely preindicial character;

(b) To reverse a decision denying the Grievant compensation or any other prerequisite of employment authorized by laws or regulations when the Board finds that such decision was arbitrary, capricious, or contrary to laws or regulations;

(c) To retain in the Service a Member whose separation would be in consequence of the matter by which the Member is aggrieved;

(d) To reinstate the Grievant, and to grant the Grievant back pay, where it is established that the separation or suspension without pay of the employee was unjustified or unwarranted under the Back Pay Act (5 U.S.C. 5596(b)(1)).

(e) To pay reasonable attorney fees to the same extent and in the same manner as such fees may be required by the Merit Systems Protection Board under 5 U.S.C. 7701 (g); or

(f) To take any corrective action deemed appropriate by the Board provided it is not contrary to law or collective bargaining agreement.

§ 908.2 Board recommendations.

(a) If the Board finds that the grievance is meritorious and that remedial action should be taken that relates directly to promotion or assignment of the Grievant or to other remedial action not otherwise provided for in this section, or if the Board finds that the evidence in a grievance proceeding warrants disciplinary action against any employee of an Agency, it shall make an appropriate recommendation to the head of the concerned Agency.

concerned Agency.

(b) The head of the Agency shall make a written decision on the recommendation of the Board within 30 days after receiving the recommendation and shall implement the recommendation of the Board except to the extent that the head of the Agency rejects the recommendation in whole or in part on the basis of a determination that implementation of the recommendation would be contrary to law or would adversely affect the foreign policy or national security of the United States. If the head of the Agency

rejects the recommendation in whole or in part, the decision shall specify the reasons for such action. Copies of the decision shall be served on the other Parties. Pending the decision of the head of the Agency, there shall be no ex parte communication concerning the grievance between the head of the Agency and any person involved in the proceedings of the Board. The head of the Agency shall, however, have access to the entire Record of the Proceedings of the Board.

PART 909—DECISION MAKING

Sec.

909.1 Basis.

909.2 Board order.

909.3 Board recommendation.

909.4 Other decision.

909.5 Time limits for compliance.

909.6 Summaries of Board decisions.

Authority: Secs. 1106 and 1107 of the Foreign Service Act of 1980 (Pub. L. 96–465; 22 U.S.C. 4136 and 4137).

§ 909.1 Basis.

Decisions of the Board shall be based upon the Record of Proceedings, shall be in writing, shall include findings of fact, and shall include a statement of the reasons for the decision.

§ 909.2 Board order.

Where the Board's decision imposes action on an Agency the decision shall be in the form of a remedial order addressed to the designated official of the Agency. A copy of the decision shall be supplied to each Party.

§ 909.3 Board recommendation.

Where the Board's decision is a recommendation, it shall be directed to the head of the Agency. A copy of the decision shall be supplied to each Party.

§ 909.4 Other decision.

Where the Board's decision requires no action by an Agency, the decision shall be forwarded to the Grievant. A copy of the decision shall be supplied to each Party.

§ 909.5 Time limits for compliance.

Orders of the Board and recommendations which are not rejected in accordance with § 908.2 of this section shall be compiled with within any time limits for compliance established by the Board's decision, unless the Board extends the time limit on a showing of good cause.

§ 909.6 Summaries of Board decisions.

The Board may, from time to time, issue such summaries and expurgated versions of its decisions as it may consider necessary to permit the

Agencies, the Exclusive Representative organization(s), and the Members of the Service to become aware of the general nature of the cases it has received and their manner of disposition, without invading the privacy of the Grievants.

PART 910-MISCELLANEOUS

Sec.

910.1 Suspension of Agency actions.

910.2 Requests to reopen cases.

910.3 Ex parte communications.

910.4 Board policy statements.

910.5 Confidentiality. 910.6 Judicial review.

910.7 Pending grievances.

Authority: Secs. 1106, 1107, 1110, and 2401 of the Foreign Service Act of 1980 (Pub. L. 96–465; 22 U.S.C. 4136, 4137, 4140 and 4172).

§ 910.1 Suspension of Agency actions.

(a) If the Board determines that the Agency is considering the involuntary separation of the Grievant, disciplinary action against the Grievant, or recovery from the Grievant of alleged overpayment of salary, expenses, or allowances, which is related to a grievance pending before the Board, and that such action should be suspended. the Agency shall suspend such action until the Board has ruled on the grievance. Notwithstanding such suspension of action, the head of the agency concerned or a chief of mission or principal officer may exclude the grievant from official premises or from the performance of specified functions when such exclusion is determined in writing to be essential to the functioning of the post or office to which the grievant is assigned.

(b) The Board shall expedite its decisions on requested suspensions of proposed Agency actions. The Board may permit or require argument with respect to such requests by the Parties and Exclusive Representative, if any.

§ 901.2 Requests to reopen cases.

The Board may reconsider any decision upon the presentation of newly discovered or previously unavailable material evidence.

§ 910.3 Ex parte communications.

(a) "Ex parte communications" or oral or written communications between the Board or its staff and an interested party to a proceeding which are made without providing the other parties a chance to participate.

(b) Ex parte communications concerning the merits of any matter which has or may come before the Board for adjudication or which would otherwise contravene the rules regarding written submissions are prohibited until the Board renders a final decision. Any communication

made in contravention of this rule shall be made a part of the record and an opportunity for rebuttal allowed. If the communication was oral, a memorandum stating the substance of the discussion shall be placed in the record.

(c) This rule does not apply to communications concerning such matters as the status of a case, the methods for transmitting evidence to the Board, and other procedural matters which do not concern the merits of any matter before the Board for adjudication and which do not otherwise contravene the rules regarding written submissions.

§ 910.4 Board policy statements.

The Board may publish statements regarding policies it has established as to its operations and procedures.

§ 910.5 Confidentiality.

(a) To the maximum extent practicable, the Board will make every effort to preserve the confidentiality of the identity of the Grievant or Charged Employee.

(b) The records of the Board shall be maintained by the Board under appropriate safeguards to preserve confidentiality and shall be separate from all records of the Agencies.

§ 910.6 Judicial review.

Any aggrieved Party may obtain judicial review of a final action of an Agency head or the Board on any grievance in the district courts of the United States in accordance with the standards set forth in Chapter 7 of Title 5 of the United States Code, 5 U.S.C. 706 shall apply without limitation or exception.

§ 910.7 Pending grievances.

Any grievance pending before the Board prior to February 15, 1981 shall be resolved under the provisions of the Foreign Service Act of 1946 as amended, and the regulations promulgated thereunder.

PART 911—IMPLEMENTATION DISPUTES

Sec.

911.1 Definition.

911.2 Filing complaint.

911.3 Procedure.

911.4 Effect of Board decision.

911.5 Arbitrability of determination.

911.6 Finality of choice.

911.7 Review

Authority: Sec. 1014, Foreign Service Act of 1980, (Pub. L. 96-465; 22 U.S.C. 4114).

§ 911.1 Definition.

An implementation dispute is any dispute between the agency and the

exclusive representative, as provided in regulations adopted as a result of collective bargaining between the agencies and the employee representatives. Such a dispute, also referred to as an institutional dispute, is one which directly concerns the rights and obligations of an agency and an exclusive representative toward each other or the rights or obligations between an agency and one or more employees as set forth in a collective bargaining agreement.

§ 911.2 Filing complaint.

If the dispute is not satisfactorily resolved at the agency level, the moving party may file a complaint within 45 calendar days from the date of the response (or in any case must file within 90 days of filing the implementation dispute) with the Board in writing and with specificity as to the nature of the violation.

§ 911.3 Procedure.

Implementation disputes shall be handled by the Board in accordance with the procedures set forth in Sections 901–910 above.

§ 911.4 Effect of Board decision.

The Action of the Board shall be final and binding and shall be implemented by the parties, unless an exception is filed with the Foreign Service Labor Relations Board within 30 days after receipt of the Grievance Board action.

§ 911.5 Arbitrability of determination.

Questions that cannot be resolved by the parties as to whether a complaint is subject to this procedure may be referred by either party to the Grievance Board for a threshold determination.

§ 911.6 Finality of Choice.

An alleged violation of an institutional right as reflected in a collective bargaining agreement may be filed under these procedures or as an unfair labor practice, but not both.

§ 911.7 Review.

Resolution of disputes under this section shall not be subject to judicial review.

Issued at Washington, D.C., on this twenty-second day of March 1985.

Dated: April 4, 1985.

Arthur Stark,

Chairman, Foreign Service Grievance Board. [FR Doc. 85–9881 Filed 4–26–85; 8:45 am] BILLING CODE 4710–10–M

DEPARTMENT OF JUSTICE

Office of Juvenile Justice and Delinquency Prevention

28 CFR Part 34

Competition on Peer Review Policy

AGENCY: Office of Juvenile Justice and Delinquency Prevention, Justice. ACTION: Proposed Competition and Peer Review Regulation with Request for Public Comment.

SUMMARY: The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is publishing for public comment a proposed regulation to implement the competition and peer review requirements of section 225(d) of the Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601, et seq., as amended (Pub. L. 93–415, as amended by Pub. L. 94–503, Pub. L. 95–115, Pub. L. 96–509, and Pub. L. 98–473) (hereinafter "Act"). The regulation will govern the award of categorical grant funds under Part B, Subpart II and Part C of the Act.

DATES: Comments are due on or before May 29, 1985. All comments will be considered in the publication of the final regulation.

ADDRESS: Address all comments to Mr. Alfred S. Regnery, Administrator, OJJDP, 633 Indiana Avenue, N.W., Room 1142 B, Washington, D.C. 20531.

FOR FURTHER INFORMATION CONTACT: Dr. James C. Howell, Office of the Deputy Administrator, OJJDP, 633 Indiana Avenue, N.W., Room 748, Washington, D.C. 20531; telephone 202/ 724–5911.

SUPPLEMENTARY INFORMATION:

Background Information

This proposed regulation pertains to new requirement in the Act. The statute previously contained no requirement for use of competition or peer review in the award of funds to programs and projects under either Part B, Subpart II, or Part C of the Act.

Exclusions

The exclusions from coverage applicable to Subpart A and Subpart B warrant additional explanation of the rationale for excluding them from competition and/or peer review coverage.

(1) Exclusion of projects selected for funding prior to October 12, 1984. The proposed regulation excludes projects for which initial applications were received prior to or on October 12, 1984, and which receive(d) an initial award after such date (§ 34.2(b)). The primary

basis for this exclusion is that Section 225(d)(2) of the Act specifies that "new programs selected after the effective date of the Act shall be reviewed before selection and thereafter as appropriate through a formal peer review process * * * *". Further, our review of the legislative history of the 1984 Amendments to the Act indicates that Congress intended that the provision apply only to "new" programs, not those already selected and being processed for funding.

(2) Exclusion of procurement contracts. The proposed regulation does not cover procurement contracts (§ 34.2(h)). This is because OIIDP's procurement contracts are already subject to other Federal laws (the Federal Property and Administrative Services Act) and regulations (the Federal Acquisition Regulation), which severely limit sole source contract awards, and because both the statute and its legislative history make specific reference to "assistance" awards and not to the procurement of goods and services for the benefit and use of the government.

(3) Exclusion of competitively awarded research projects from pear review. These are excluded by statute. The peer review requirement applies only to assistance awards under section 224 of the Act.

(4) Exclusion of continuation projects. Section 34.2(c) provides that the funding of "continuation" awards is excepted from the proposed regulation. This exception applies to awards for the continuation of project activities which were initially funded under projects selected for award prior to or on October 12, 1984. When continuation awards are made that extend the projected or anticipated project completion date, OJIDP intends, by use of this limiting language, to fund only those specific follow-up activities which were within the scope of and consistent with the original purposes and objectives of the project.

(5) Exclusion of other projects. Other specific types of projects are excluded from the proposed regulation. For example, Federal inter-agency transfers are excluded because it would be impractical to include them.

Reservation of Subpart C, Emergency Expedited Review

Section 225(d)(3) of the Act provides that "the Administrator * * * shall provide for emergency expedited consideration of program proposals when necessary to avoid any delay which would preclude carrying out the program."

Although it is not possible to specify in advance if or when emergency expedited consideration may be necessary, several circumstances have called for expedited application processing by OJJDP in the past. These include the following circumstances:

(1) A local tragedy, disaster, or crisis, such as that which occurred a few years ago in Atlanta (because of the child murders) to which OJJDP responded quickly with funds for prevention programming; and

(2) An opportunity to support an outstanding program which is about to cease operations because of the unanticipated loss of existing financial support.

Under these and other emergency circumstances, OJJDP believes that, by administratively expediting the procedures set forth for competition and peer review under Subpart A and Subpart B of this regulation, no delay will occur which would preclude carrying out the program. Consequently, OJJDP is reserving rulemaking under Subpart C. If experience in implementing the competition and peer review process subsequently indicates the need for special emergency expedited review procedures, a rule would be proposed for public comment as Subpart C of this regulation.

Consultation

OJJDP has initiated consultation with the National Science Foundation (NSF) and the National Institute of Mental Health (NIMH) as required by section 225(d)(2) of the Act. The peer review process proposed in Subpart B will be reviewed by these agencies. OJJDP will carefully consider their comments, as well as those received from the public, in the formulation of a final peer review regulation.

Executive Order 12291

This announcement does not constitute a "major" rule as defined by Executive Order 12291 because it does not result in: (a) An effect on the economy of \$100 million or more, (b) a major increase in any costs or prices, or (c) adverse effects on competition, employment, investment, productivity, or innovation among American enterprises.

Regulatory Flexibility Act

This proposed rule, if promulgated, will not have "significant" economic impact on a substantial number of small "entities", as defined by the Regulatory Flexibility Act (Pub. L. 96–354).

Paperwork Reduction Act

There are no collection of information requirements contained in this regulation required to be submitted to the Office of Management and Budget for review under the Paperwork Reduction Act, 44 U.S.C. 3504(h).

List of Subjects in 28 CFR Part 34

Grant programs, Juvenile delinquency.

Accordingly, it is proposed to amend Title 28 Code of Federal Regulations by adding Part 34 to read as follows:

PART 34—OJJDP COMPETITION AND PEER REVIEW PROCEDURES

Subpart A-Competition

Sec

- Purpose and applicability.
- Exceptions to applicability.
- General selection criteria. 34.3
- 34.4 Additional competitive application requirements and procedures.

Subpart B-Peer Review

- 34.100 Purpose and applicability.
- 34.101 Exceptions to applicability.
- 34.102 Peer review procedures.
- 34.103 Definition.
- 34.104 Use of peer review.
- 34.105 Peer review methods.
- 34.106 Number of external reviewers.
- Use of Department of Justice staff. 34.107
- 34.108 Selection of reviewers.
- 34.109 Qualifications of external reviewers.
- 34.110 Management of peer reviews.
- 34.111 Compensation.

Subpart C-Emergency Expedited Review [Reserved]

Authority: Juvenile Justice and Delinquency Prevention Act of 1974, as amended, (42 U.S.C. 5601 et seq.)

Subpart A—Competition

§ 34.1 Purpose and Applicability.

(a) This Subpart of the regulation implements section 225(d)(1) (A) and (B) of the Juvenile Justice and Delinguency Prevention Act of 1974, as amended. This provision requires that projects funded under new programs selected for categorical assistance awards under the Special Emphasis Discretionary Grant Program (Section 224) or by the National Institute for Juvenile Justice and Delinquency Prevention under Part C, after October 12, 1984, be selected through a competitive process established by rule by the Administrator, OJJDP. The statute specifies that this process must include announcement of fund availability for assistance programs, the criteria applicable to the selection of applicants for assistance, and a description of the procedures applicable to the submission and review of assistance applications.

(b) This Subpart of the regulation applies to all grant, cooperative

agreement, and other assistance awards made by the Administrator, OHDP, or the Administrator's designee, hereinafter referred to in this part as the Administrator, after October 12, 1984. under Part B, Subpart II, section 224, and under Part C of the Juvenile Justice and Delinquency Prevention Act of 1974 [42 U.S.C. 5601), except as provided in the Exceptions to Applicability set forth

§ 34.2 Exceptions to applicability.

below.

The following are assistance and procurement contract award situations that OJIDP considers to be outside the scope of the section 225(d) competition requirement.

a) Assistance awards to projects under competitive programs announced

prior to October 12, 1984.

(b) Assistance awards to projects for which initial applications were received prior to or on October 12, 1984, and which receive(d) an initial award after such date.

(c) Assistance awards to continue activities initially funded under projects selected for award prior to or on October 12, 1984.

(d) Assistance awards to projects if the Administrator has made a written determination that the proposed program is not within the scope of any program announcement expected to be issued, is othwerwise eligible for an award, and if the proposed project is of such outstanding merit, as determined through peer review under Subpart B. that an assistance award without competition is justified (Section 225(d)(1)(B)(i)).

(e) Assistance awards for training services under Part C, section 244, if the Administrator has made a written determination that the applicant is uniquely qualified to provide such services (Section 225(d)(1)(B)(ii).

(f) Assistance awards of funds transferred to OJJDP by another Federal agency to augment authorized juvenile justice programs, projects, or purposes.

(g) Funds transferred to other Federal agencies by OJJDP for program purposes

as authorized by law.

(h) Procurement contract awards which are subject to applicable Federal laws and regulations governing the procurement of goods and services for the benefit and use of the government,

(i) Assistance awards from the 5% "set aside" of Special Emphasis funds under section 224(e).

§ 34.3 General selection criteria.

All programs and individual project applications subject to competition under § 34.1 of this Subpart will, at a minimum, be subject to review based on the extent to which they meet the following general selection criteria:

(a) The problem to be addressed by the project is clearly stated:

(b) The objectives of the proposed project are clearly defined;

(c) The project design is sound and contains program elements directly linked to the achievement of project objectives:

(d) The project management structure is adequate to the successful conduct of the project:

(e) Organizational capability is demonstrated at a level sufficient to successfully support the project; and

(f) Budgeted costs are reasonable in comparison to the activities proposed to be undertaken.

§ 34.4 Additional competitive application requirements and procedures.

(a) Applications for grants: Any applicant eligible for assistance may submit on or before such submission deadline date or dates as the Administrator may establish in program announcements, an application containing such pertinent information and in accordance with the forms and instructions as prescribed therein and any additional forms and instructions as may be specified by the Administrator. Such application shall be executed by the applicant or an official or representative of the applicant duly authorized to make such application and to assume on behalf of the applicant the obilgations imposed by law, applicable regulations, and any additional terms and conditions of the assistance award. The Administrator may require any applicant eligible for assistance under this Subpart to submit a preliminary proposal for review and approval prior to the acceptance of an application.

(b) Cooperative arrangements:

(1) Eligible parties may enter into cooperative arrangements with other eligible parties, including those in another State, to apply for assistance.

(2) A joint application made by two or more applicants for assistance for this Subpart may have separate budgets corresponding to the programs, services and activities performed by each of the joint applicants or may have a combined budget. If joint applications present separate budgets, the Administrator may make separate awards, or may award a single assistance award authorizing separate amounts for each of the joint applicants.

(c) Evaluation of applications submitted under Part C of the Act: All applications filed in accordance with § 34.1 of this Subpart for assistance with Part C funds shall be evaluated by the

Administrator through officers, employees, and/or such experts or consultants engaged for this purpose as the Administrator determines are specially qualified in the particular Part C program area covered by the announced program. The general selection criteria set forth under § 34.3 of this Subpart may be supplemented for each program by program specific selection criteria for the particular Part C program. Such announcements may modify the general selection criteria to provide greater specificity or otherwise improve their applicability to a given program. The program announcement shall clearly state the application review procedures to be used for each competitive Part C program announcement.

(d) Applicant's performance on prior award: where the applicant has previously received an award from OJJDP or another Federal agency, the applicant's compliance or noncompliance with requirements applicable to such prior award as reflected in past written evaluation reports and memoranda on performance, and the completeness of required submissions, may be considered by the Administrator. However, in any case where the Administrator proposes to deny assistance based upon the applicant's noncompliance with requirements applicable to a prior award, the Administrator shall do so only after affording the applicant reasonable notice and an opportunity to rebut the proposed basis for denial of assistance.

(e) Disposition of Applications: On the basis of competition and applicable review procedures completed pursuant to this Part, the Administrator will either:

(1) Approve the application for funding, in whole in part, for such amount of funds, and subject to such conditions as the Administration deems necessary or desirable for the completion of the approved project;

(2) Determine that the application is of acceptable quality for funding, in that it meets minimum criteria, but that the application must be disapproved for funding because it did not rank sufficiently high in relation to other applications approved for funding to qualify for an award based on the level of funding allocated to the program; or

(3) Reject the application for failure to meet the applicable selection criteria at a sufficiently high level to justify an award of funds or for any other reason which the Administrator determines adversely impacts upon the applicant's capability to successfully carry out the project.

(f) Notification of disposition: The Administrator will notify the applicant in writing of the disposition of the application. A signed Grant/Cooperative Agreement form will be issued to notify the applicant of an approved project application.

(g) Effective date of approved grant: Federal financial assistance is normally available only with respect to obligations incurred subsequent to the effective date of an approved assistance project. The effective date of the project will be set forth in the Grant/ Cooperative Agreement form. Recipients may be reimbursed for costs resulting from obligations incurred before the effective date of the assistance award if such costs are authorized by the Administrator in the notification of grant award or subsequently in writing, and otherwise would be allowable as costs of the assistance award under applicable guidelines, regulations, and grant terms and conditions.

Subpart B-Peer Review

§ 34.100 Purpose and applicability.

(a) This Subpart of the regulation implements section 225(d)(2) of the **Juvenile Justice and Delinquency** Prevention Act of 1974, as amended. This provision requires that projects funded under new programs selected for categorical assistance awards under the Special Emphasis discretionary grant program (Section 224), after October 12, 1984, shall be reviewed before selection and thereafter as appropriate through a formal peer review process. Such process must utilize experts (other than officials and employees of the Department of Justice) in fields related to the subject matter of the proposed program.

(b) This Subpart of the regulation applies to all grant, cooperative agreement, and other assistance awards made by the Administrator, OJJDP, after October 12, 1984, under Part B, Subpart II, Section 224, and awards under Part C that are being considered for noncompetitive award (and hence subject to section 225(d)(1)(b)(i)), of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601), except as provided in the Exceptions to Applicability set forth below.

§ 34.101 Exceptions to applicability.

The assistance and procurement contract situations specified in § 34.2 (a), (b), (c), (f), (g), (h), and (i) of Subpart A and all Part C awards competitively funded pursuant to section 225(d)(1)(A) are considered by OJJDP to be outside the scope of the section 225(d) peer

review requirement as set forth in this Subpart.

§ 34.102 Peer review procedures.

OJJDP peer review procedures will be contained in an OJJDP Peer Review Manual, which is currently under development. In addition to procedural matters related to the peer review process, the Manual will address such issues as standards of conduct, conflict of interest, compensation of peer reviewers, etc. All peer reviews of assistance awards subject to this Subpart will be conducted in a manner consistent with this Subpart.

§ 34.103 Definition.

"Peer review" means the technical evaluation by a group of experts qualified by training and experience to give expert advice, based on selection criteria established under Subpart A of this Part or in a program announcement, on the technical and programmatic merit of assistance.

§ 34.104 Use of peer review.

(a) Each program announcement will indicate the program specific peer review procedures and selection criteria to be followed in peer review for that program. In the case of programs for which a large number of applications is expected, pre-applications (concept papers) may be required at the Administrator's option. Pre-applications will, generally, only be reviewed by qualified OHDP staff to eliminate those pre-applications which fail to meet minimum requirements or lack sufficient merit to qualify as potential candidates for funding consideration. However, if appropriate, the Administrator may subject both pre-applications and formal applications to the peer review process.

(b) Where formal applications are required in response to a program announcement, an initial review will be conducted by qualified OJJDP staff, in order to eliminate from further consideration applications which do not meet minimum application requirements. Such requirements will be specified in the program announcement. Applicants determined to be qualified and eligible for further consideration will then be considered under the peer review process.

(c) The results of peer review under a competitive program will be a relative aggregate ranking of applications in the form of "Summary Ratings." These will ordinarily be based on numerical values assigned by individual peer reviewers, and as set forth in the OJJDP Peer Review Manual.

(d) Peer review recommendations, in conjunction with the results of program staff review, will supplement and assist the Administrator's consideration of competing applications and the selection of applications for funding.

(e) Comments on applications may also be requested from appropriate specialists and consultants outside of

Government.

(f) Peer review recommendations are advisory only and are not binding on the Administrator except as provided by section 225(d)(1)(B)(i) for noncompetitive assistance awards to programs determined through peer review to be of such outstanding merit that an award without competition is justified.

§ 34.105 Peer review methods.

(a) Peer review will normally consist of written comments provided in response to the general selection criteria established under Subpart A of this Part and any program specific selection criteria identified in the program announcement, together with assigned numerical values. Peer review may be conducted at meetings of peer reviewers held under OHDP oversight, through ad hoc mail reviews, or a combination of both. Where appropriate, site visits may also be employed. The primary method of peer review for each announced competitive program, including all evaluation criteria to be used by peer reviewers, will be specified in each program announcement.

(b) For peer review conducted through meetings, peer review panelists will be gathered together for instruction, including review of the OHDP Peer Review Manual, and will then conduct individual review sessions. Where time or other factors such as cost preclude the covening of a peer review panel, mail reviews will be used. Ad hoc mail reviews will be the normal procedure used for noncompetitive assistance applications being considered for Part C fund support. In such case, the application would have to be determined, through the peer review process, to qualify as "Outstanding".

§ 34.106 Number of external reviewers.

The number of peer reviewers will vary by program (as affected by the volume of applications anticipated or received). OJJDP will select a minimum of three external reviewers (individuals who are not officers or employees of the Department of Justice) for each program or project review in order to ensure a diversity of backgrounds and perspectives. In no case will fewer than three reviews be made of each application.

§ 34.107 Use of Department of Justice staff.

OJJDP reserves the right to use qualified DOJ staff as internal peer reviewers. However, in no case will DOJ staff constitute a majority of any peer review panel or provide a majority of the reviews of any individual proposal. Any such use of DOJ staff will be specified in competitive program announcements.

§ 34.108 Selection of reviewers.

The Administrator, OJJDP, will make the final selection of both internal and external reviewers. The selection process will be detailed in the OJJDP Peer Review Manual.

§ 34.109 Qualifications of external reviewers.

The general reviewer qualification criteria to be used by the Administrator in the selection of external reviewers are:

(a) Generalized knowledge of juvenile

justice or related fields.

(b) Specialized knowledge in areas or fields addressed by the applications to be reviewed under a particular program. Additional details will be provided in the O[[DP Peer Review Manual.]

§ 34.110 Management of peer reviewers.

A technical support contractor may assist OJJDP staff in managing the external review process.

§ 34.111 Compensation.

All external reviewers will be eligible to be paid an appropriate consulting fee. Detailed information will be provided in the OJJDP Peer Review Manual.

Subpart C—Emergency Expedited Review [Reserved]

Alfred S. Regnery.

Administrator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 85-10300 Filed 4-26-85; 8:45 am] BILLING CODE 4410-18-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD3 84-35]

Drawbridge Operation Regulations; Cheesequake Creek, NJ

AGENCY: Coast Guard, DOT.
ACTION: Proposed rule.

SUMMARY: At the request of New Jersey Transit Rail Operations, the Coast Guard is considering a change to the regulations governing the Morgan railroad drawbridge over Cheesequake Creek at Morgan, NJ. This change would permit the draw to remain closed during peak morning and evening rail periods. This proposal is being made to respond to the needs of commuter rail traffic. This action should accommodate the needs of rail traffic and should still provide for the reasonable needs of navigation.

DATE: Comments must be received on or before June 13, 1985.

ADDRESSES: Comments should be mailed to Commander (oan-br), Third Coast Guard District, Bldg. 135A, Governors Island, NY 10004. The comments and other materials referenced in this notice will be available for inspection and copying at this address. Normal office hours are between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: William C. Heming, Bridge Administrator, Third Coast Guard District (212) 668–7994.

SUPPLEMENTARY INFORMATION:

Interested persons are invited to participate in this proposed rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their name and address, identify the bridge, and give reasons for concurrence with or for any recommended change in the proposal. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed postcard or envelope

The Commander, Third Coat Guard District will evaluate all communications received and will determine a final course of action on this proposal. The proposed regulations may be changed in light of comments received.

Drafting Information

The drafters of this notice are Ernest J. Feemster, project manager, and Mary Ann Arisman, project attorney.

Discussion of Proposed Regulations

The Morgan railroad bridge is crossed by the North Jersey Coast Line system, a major commuter rail line of New Jersey Transit Rail Operations (NJTRO). This commuter line handles many trains enroute to and from New York City and northern New Jersey. NJTRO has requested that they be exempted from opening the draw during morning and evening commuter hours. This request is made because, except for one 17 minute period, the longest interval between scheduled trains during the commuter hours is 13 minutes. This is not sufficient to provide an opening for a vessel without resultant delays to subsequent trains. NJTRO has, therefore, requested that the draw not be required to open between 6:30 a.m. and 8:00 a.m., and from 5:30 p.m. to 6:40 p.m.

There are four marinas upstream of the bridge and these account for the overwhelming majority of openings of the Morgan draw. Since the waterway is used almost exclusively for summer, recreational boating, no major impacts are anticipated during the non-boating season. However, recreational boaters would appear to be inconvenienced somewhat during the boating season. The Morgan railroad bridge has a vertical clearance of three feet at Mean High Water and must open for most vessels transiting past the bridge.

The Route 35 highway bridge about 0.2 miles downstream has regulations permitting it to (1) only open or the hour from May 15 through October 15 from 7 a.m. to 7 p.m., and (2) not be required to open December 1 through March 31 from 11 p.m. to 7 a.m. The Route 35 bridge has a 25-foot vertical clearance at Mean High Water (in the closed position) and this is adequate for most vessels using the waterway.

Economic Assessment and Certification

These proposed regulations are considered to be non-major under Executive Order 12291 on Federal Regulation, and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. The proposed change in the regulations would be inconvenient to boaters desiring to transit through the draw during the commuter closure hours. However, it is expected that boaters will be able to schedule around proposed closures. Since the economic impact of this proposal is expected to be minimal, the Coast Guard certifies that if adopted, it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations by renumbering § 117.709(b) (1) and (2) as § 117.709(b) (2) and (3), respectively

and adding a new § 117.709(b)(1) to read as follows:

PART 117—DRAWBRIDGE **OPERATIONS REGULATIONS**

§ 117.709 Cheesequake Creek. (b) * * *

(1) The draw need not open weekdays excluding Federal holidays from 6:30 a.m. to 8 a.m. and from 5:30 p.m. to 6:40

(33 U.S.C. 499; 49 CFR 1.46(c)(2); 33 CFR 1.05-

Dated: April 15, 1985.

P.A. Yost,

Vice Admiral, U.S. Coast Guard Commander, Third Coast Guard District.

IFR Doc. 85-10295 Filed 4-26-85; 8:45 am] BILLING CODE 4910-14-M

33 CFR Part 117

[CGD7-85-13]

Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Florida

AGENCY: Coast Guard, DOT. ACTION: Proposed rule.

SUMMARY: At the request of the Florida Department of Transportation the Coast Guard is considering changing the regulations governing the Siesta Key Bridge, mile 71.6, at Sarasota by permitting the number of openings to be limited during certain periods. This proposal is being made because vehicular traffic has increased. This action should accommodate vehicular traffic and yet still provide for the reasonable needs of navigation.

DATE: Comments must be received on or before June 13, 1985.

ADDRESSES: Comments should be mailed to Commander (oan), Seventh Coast Guard District, 51 SW. 1st Avenue, Miami, Florida 33130. The comments and other materials referenced in this notice will be available for inspection and copying at 51 SW. 1st Avenue, Room 816, Miami, Florida 33130. Normal office hours are 7:30 a.m. to 4:00 p.m., Monday through Friday, except holidays, Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT:

Mr. Walt Paskowsky, Bridge Administration Specialist, (305) 350-

SUPPLEMENTARY INFORMATION:

Interested persons are invited to participate in this proposed rulemaking by submitting written views, comments, data, or arguments. Persons submitting

comments should include their names and addresses, identify the bridge, and give reasons for concurrence with or any recommended change in the proposal. Persons desiring acknowledgment that their comments have been received should enclose a stamped, selfaddressed postcard or envelope.

The Commander, Seventh Coast Guard District, will evaluate all communications received and determine a course of final action on this proposal. The proposed regulations may be changed in light of comments received.

Drafting Information

The drafters of this notice are Mr. Walt Paskowsky, Bridge Administration Specialist, project officer, and Lieutenant Commander Ken Gray, project attorney.

Discussion of Proposed Regulations

Vehicular traffic has increased 20% since 1981 to an average of 14,500 cars daily between 7 a.m. and 7 p.m. In a recent 12 month study, drawbridge openings were concentrated on weekends when the bridge was opened an average of 3.6 times per hour between 11 a.m. and 6 p.m. This proposal would eliminate multiple or "back to back" bridge openings which are the major cause of vehicular traffic congestion.

Economic Assessment and Certification

These proposed regulations are considered to be non-major under Executive order 12291 on Federal Regulation and non-significant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of this proposal is expected to be so minimal that a full regulatory evalution is unnecessary. We conclude this because the proposal would exempt tugs with tows. Since the economic impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, the proposal would not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposed to amend Part 117 of Title 33, Code of Federal Regulations, by adding a new § 117.287 (b-1) to read as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

§ 117.287 Gulf Intracoastal Waterway Caloosahatchee River to Perdido River.

(b-1) The draw of the Siesta Key Bridge, mile 71.6, at Sarasota shall open on signal, except that from 11 a.m. to 6 p.m. on Saturdays, Sundays and federal holidays, the draw need be opened only on the hour, quarter-hour, half-hour and three-quarter hour.

(33 U.S.C. 499; 49 CFR 1.46(c)(5); 33 CFR 1.05-1(g)(3))

Dated: April 15, 1985.

*

R.P. Cueroni.

Rear Admiral, U.S. Coast Guard Commander, Seventh Coast Guard District.

[FR Doc. 85-10294 Filed 4-26-85; 8:45 am] BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

[Gen. Docket No. 83-483; FCC 85-191]

Allowing the Public Direct Remote Access to Commission Computer Data Bases

AGENCY: Federal Communications Commission.

ACTION: Memorandum Opinion and Order addressing petitions for reconsideration and/or clarification.

SUMMARY: A Report and Order was released in August 1984 which authorized the Commission staff to develop a competitive solicitation to seek a third party contractor who would make certain computerized radio service license data available to the public through direct dial-up access to the contractor's computer. Several petitions for partial reconsideration and/or clarification were received by the Commission in September 1984. This action provides the partial reconsideration/clarifications requested to the extent indicated in the Memorandum Opinion and Order

FOR FURTHER INFORMATION CONTACT: Don Enty, Information Resources

Planning Division, Office of the Managing Director, (202) 632–7581.

SUPPLEMENTARY INFORMATION:

Memorandum Opinion and Order

In the matter of allowing the public direct remote access to Commission computer data bases, Gen. Docket No 83-483; FCC 85-191.

Adopted: April 15, 1985. Released: April 19, 1985. By the Commission.

Background

1. On August 8, 1984, the Commission adopted a Report and Order ¹ (R&O) in this proceeding which was the result of a Notice of Inquiry (NOI). ² The NOI was issued in response to a petition filed by the Association of Federal Communications Consulting Engineers (AFCCE) to allow the public direct remote access to the Commission's electronically filed computer data bases.

2. The petition from AFCCE to amend § 0.455 ³ of the Commission's Rules noted that present methods of providing data to the public are very time consuming, not in accord with the state-of-the-art data processing technology, and the data obtained under present methods are often outdated when received. The AFCCE, therefore, requested direct remote access to several of the Commission's electronically filed data bases.

3. The R&O authorized the development of a competitive solicitation document to seek a third party contractor who would provide the means for the public to have direct electronic access to authorized Commission computer data bases. Under this arrangement, the National Technical Information Service (NTIS) would act as the account manager for the contract.

4. Section 0.465 of the Rules details the procedures for obtaining copies of materials available for public inspection including computer data bases. 47 CFR 0.465. Computer data bases developed by the Commission for its own use are available through NTIS, Department of Commerce, in the form of magnetic tape or microfiche. Source programs, models, etc., developed by and for the Commission are available through the Computer Applications Division, Office of Managing Director.

5. The Commission's intent in this proceeding was to satisfy the petition from AFCCE to the extent feasible and practicable. The Commission concluded that the AFCCE proposal had merit. (See para. 17, R&O). However, the Commission also felt that the most practicable way of satisfying the request without compromising its budgetary, security, and system integrity

Report and Order, GEN Docket No. 83–483 (FCC 84–387) released August 13, 1984, 48 FR 32869, August 17, 1984.

² GEN Docket No. 84–483, Notice of Inquiry, 48 FR 23667, May 26, 1983.

considerations was to provide direct remote access to Commission data residing on a third party contractor facility. Under this arrangement, NTIS would act as account manager for the contractor relieving the Commission of significant administrative requirements and allowing the Commission to retain cost recovery reimbursements. (See para. 17 & 18, R&O). The Commission did not plan to modify or amend Commission Rules 0.465 (47 CFR 0.465) or 0.455 (47 CFR 0.455) by this proceeding. These rules provide for obtaining computer data bases through NTIS and for inspecting certain records in the various bureaus and offices of the Commission which will continue to be available according to the Rules. Furthermore, the Commission had no intention of permitting a contractor to change, add, delete, etc., Commission data when it included the following sentence in paragraph 15 of the R&O . . "A Contractor would be free to develop enhanced information packages

. ." The word "enhanced" in this instance was meant to convey the idea that the contractor would be permitted to provide custom programming services, data manipulation, etc., to satisfy special customer requirements. Again, the Commission will not permit its data to be altered and thus purported to be approved or sanctioned Commission data. It was the intention of the Commission to select a single contractor, as opposed to multiple contractors, to make Commission data files directly accessible by the public (see para. 18, R&O). At the time the R&O was adopted, it was felt that the high start-up costs required by the contractor would preclude making multiple contractor awards. Finally, this proceeding is not dependent on PR Docket No. 83-737 (Frequency Coordination in the Private Land Mobile Radio Services); it merely provides the public with an alternative source to Commission computer data bases.

Petitions/Oppositions

 Petitions for Partial Reconsideration and/or Clarification were filed on behalf of CompComm, Inc. and on behalf of Moffet, Larson and Johnson, P.C. on September 17, 1984.

7. In summary, the petitions and oppositions raised the following issues:

a. Single Contractor versus Selection of Multiple Contractors;
b. Data Base Enhancements and

b. Data Base Enhancements and Contractor Expertise;

c. Elimination of Present Source (NTIS) of Commission Data;

 d. Bulk/Raw Data from Contractor in a Cost Effective, Timely Manner; and

^{*}Section 0.455 of the Rules states that certain records may be inspected "in the offices of the Bureau or Office which exercises responsibility over matters to which those records pertain. . . . "47 CFR 0.45.

e. Impact of PR Docket No. 83–737, Frequency Coordination in the Private Land Mobile Radio Services.

Issues

Issue No. 1. Single Contractor vs. Multiple Contractors

- 8. Moffet, Larson and Johnson, P.C. (MLJ) contends that the R&O appears to include a determination that a single contractor will be selected to make all of the Commission's data files available to the public. MLJ petitions the Commission to reconsider and/or modify that limited aspect of its decision.
- 9. This issue will remain open. It will be reconsidered after experience is gained with the initial third party contractor who will be competitively selected during the solicitation process to make the initial 33 services directly accessible by the public (see para. 17 and Appendix, R&O). The Commission has delegated the responsibility for making this decision to the Managing Director.

Issue No. 2, Data Base Enhancements and Contractor Expertise

- 10. MLJ asks that the first solicitation of competitive bids focus exclusively on data base enhancements, access arrrangements and contractor qualifications appropriate to providing access to the 32 Private Land Mobile Services and the one General Mobile Radio Service that will be made available initially and, after gaining experience with access arrangements for these services, the Commission could then determine how to handle future contract solicitations for other Commission data bases, MLJ submitted that the public would be best served if the contractor providing access to the data bases for certain services (e.g., AM. FM, and TV broadcast services) had the engineering expertise and other capabilities needed to verify and enhance important data maintained on certain classes of stations.
- 11. With regard to this issue, the Commission did not nor does it have any intention of permitting the Contractor to "enhance" Commission data as envisioned above and purporting it to be Commission approved and sanctioned data. The contractor will be permitted to respond to special customer data automation type requirements by building special query packages, custom programming, or other value-added data services from an automatic data processing standpoint. In this instance, the

Commission feels that expertise in automatic data processing is just as important as engineering expertise.

Issue No. 3. Elimination of Present Source of Commission Data

12. CompComm, Inc. (CompComm) argues that the R&O warrants reconsideration by reason of having taken action beyond the scope of the Notice of Inquiry (see NOI, para. 5) and in a manner conflicting (see R&O, para. 16) with Commission Rule 0.465. That is, the NOI failed to offer any notice that the Commission was intending to eliminate NTIS delivery of magnetic tape or microfiche copies of its computer records to the Public . . ." and ". . . the R&O does not suggest repeal of § 0.465, . . ." of the Rules. The Commission did not nor does it plan to eliminate the present source of Commission data and therefore has no plans to modify or amend Commission Rule 0.465. Confusion arose regarding this issue from a sentence in paragraph 16 of the R&O which was taken out of context when it stated ". . will not flow through NTIS . . . " The purpose of bypassing NTIS under the third party contractual arrangement is to ensure that the contractor will obtain the data in a timely manner. Routing the data through NTIS to the contractor would delay its currency and timeliness. Commission data bases shown in the NTIS catalog will continue to go directly

Issue No. 4. Bulk/Raw Data from the Contractor

13. In summary, CompComm requested that the Commission expand and clarify the role of the third party contractor to ensure that the public be afforded the availability of bulk/raw data in a cost effective timely manner.

14. The primary purpose of this proceeding is to satisfy the petition from AFCCE; i.e., provide direct remote electronic access to Commission data bases. Accordingly, while the Commission does not intend to require the contractor to provide bulk/raw data, he/she will be permitted to extract and provide these data when requested by the public. NTIS will also be able to fulfill bulk/raw data requirements. The third party contractor and the competitive solicitation process is designed to provide least cost services to the public.

Issue No. 5. Impact of PR Docket No. 83– 737, Frequency Coordination in the Private Land Mobile Radio Services

15. The National Association of

Business and Educational Radio, Inc. (NABER) submits that ". . . it is imperative that before a final decision can be made in this proceeding, the Commission and interested parties must analyze the impact of the agency's decision in the context of the pending frequency coordination docket, PR Docket No. 83–737."

16. We agree with NABER that the issue of access to our data base is critically interrelated with issues in PR Docket No. 83–737. However, we do not agree that we must withhold action in this proceeding until PR Docket No. 83–737 is resolved. Rather, we believe it is preferable to proceed with this decision and gain some experience with the approach we are adopting here. We recognize that we may have to adjust our approach depending on the outcome of PR Docket No. 83–737, in order to recognize the special requirements of frequency coordinating committees.

17. In accordance with the foregoing clarifications it is hereby ordered, that the Petitions for Partial Reconsideration and/or Clarification submitted on behalf of CompComm, Inc. and on behalf of Moffet, Larson and Johnson, P.C. be partially adopted to the extent indicated herein and otherwise denied.

It is further ordered that this proceeding is terminated.

Federal Communications Commission.
William J. Tricarico,
Secretary.

Appendix A

The following is a list of organizations who submitted petitions for partial reconsideration and/or clarification, opposition or support replys to petitions, and replies to oppositions or support replies.

Petitions:

- a. CompComm, Inc. 17 September 1984
- b. Moffet, Larson and Johnson, P.C. 17 September 1984

Opposition or support replies to petitions:

- a. DW, Inc. 16 October 1984
- b. National Association of Business and Educational Radio, Inc. (NABER) 18 October 1984
- c. Special Industrial Radio Service Association (SIRSA) 18 October 1984
 - d. CompComm, Inc. 18 October 1984 Replies to oppositions or support replies:
- a. Moffet, Larson and Johnson, P.C. reply to CompComm, Inc. 29 October 1984
- b. CompComm, Inc. reply to oppositions by SIRSA and NABER 29 October 1984

[FR Doc. 85-10251 Filed 4-26-85; 8:45 am]

INTERSTATE COMMERCE COMMISSION

49 CFR Ch. X

[Ex Parte No. 334 (Sub-No. 5)]

Zone of Reasonableness for Car-Hire Charges

AGENCY: Interstate Commerce Commission.

ACTION: Notice of withdrawal of proposed rules.

SUMMARY: At 45 FR 73524, November 5, 1980, the Commission proposed upward flexibility to prescribed per diem rates to complement downward flexibility adopted in Ex Parte No. 334 (Sub-No. 4), Flexibility in Setting Railroads Per Diem Levels. After consideration of numerous comments, we have decided to withdraw the original proposal. Significant developments have occurred that warrant a broader inquiry. Further analysis of this subject will be undertaken in Ex Parte No. 334 (Sub-No. 6), Review of Car Hire Regulation, issued concurrently with this decision.

FOR FURTHER INFORMATION CONTACT:

Louis E. Gitomer, (202) 275-7245;

or

Douglas Galloway, (202) 275-7278.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision in this proceeding. To obtain a copy of the full decision write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call (202) 289–4357 (D.C. Metropolitan area) or toll free (800) 424–5403.

This action will not significantly affect either the quality of the human environment or energy conservation.

List of Subjects in 49 CFR Ch. X

Authority: 49 U.S.C. 10321, 10706, 10734, and 11122, and 5 U.S.C. 553.

Dated: April 4, 1985.

By the Commissioner, Chairman Taylor, Vice Chairman Gradison, Commissioners Sterrett, Andre, Simmons, Lambolev, and

James H. Bayne,

Secretary.

[FR Doc. 85-10354 Filed 4-26-85; 8:45 am]

49 CFR Ch. X

[Ex Parte No. 334 (Sub-6)]

Review of Car Hire Regulation

AGENCY: Interstate Commerce Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Commission is undertaking a broad review of the regulation of railroad car-hire charges (except car-hire charges for boxcars). This action is warranted because the regulatory environment has changed significantly since passage of the Staggers Rail Act of 1980 and because a number of problems have surfaced in several pending proceedings that require coordinated treatment. Among the options to be considered are (1) retaining but modifying the present carhire formula, particularly with respect to the computation of the cost of capital and the measurement of active car days and car miles per year; (2) permitting the Association of American Railroads to determine car-hire rates collectively; (3) allowing car owners to raise their carhire rates above prescribed levels unilaterally; (4) deprescribing car-hire and withdrawing antitrust immunity; and (5) permitting direct rental of cars to shippers.

DATES: Notices of intent to participate are due on May 29, 1985. A service list will be provided to participants by June 13, 1985. Initial comments are due on June 28, 1985. Reply comments are due on August 27, 1985.

ADDRESSES: Notices of intent to participate and an original and 15 copies of any comments, referring to Ex Parte No. 334 (Sub-No. 6), should be sent to Office of the Secretary, Case Control

Branch, Interstate Commerce Commission, Washington, DC 20423

Initial and reply comments must also be served on all parties of record on the service list.

FOR FURTHER INFORMATION CONTACT:

Louis E. Gitomer, (202) 275-7245;

or

Douglas Galloway, (202) 275-7278.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's full decision in Ex Parte No. 334 (Sub-No. 6). Review of Car Hire Regulation, served concurrently with the issuance of this notice. Related decisions, also served concurrently, are Ex Parte No. 334, Car Service Compensation-Basic Per Diem Charges (Postponement of the Annual Car Hire Charge Update for 1983); Ex Parte No. 334 (Sub-No. 5), Zone of Reasonableness for Car Hire Charges; and Ex Parte No. 334 (Sub-No. 7), Suspension of Car Hire Updates. To purchase a copy of any of these decisions, write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289-4357 (DC metropolitan area) or toll free (800) 424-5403.

This action will not significantly affect the quality of the human environment or energy conservation. Regulatory changes resulting from this proceeding may have a significant impact on a substantial number of small entities.

Authority: 5 U.S.C. 553; 49 U.S.C. 10321; 10327(g), and 11122.

Decided: April 4, 1985.

By the Commission, Chairman Taylor, Vice Chairman Gradison, Commissioners Sterrett, Andre, Simmons, Lamboley, and Strenio.

James H. Bayne,

Secretary.

[FR Doc. 85-10355 Filed 4-26-85; 8:45 am]

Notices

Federal Register

Vol. 50, No. 82

Monday, April 29, 1985

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

The income eligibility levels are determined by the currently applicable guideline published by DHHS pursuant to sections 652 and 673(2) of the Omnibus Budget Reconciliation Act of 1981 which requires poverty income

guidelines to be adjusted for Consumer Price Index changes.

The income eligibility levels will be reviewed at least once a year, and similar schedules will be prepared to reflect any changes required as a result of that review.

Schedule of Income Eligibility Levels: Foster Grandparent and Senior Companion Programs

State	For family units of—							
	One	Two	Three	Four	Five	Six	Seven	Eight
Alaska	\$9,695	\$13,265	\$16,080	\$18,895	\$21,710	\$24,525	\$27,340	\$30,155
California	7,400	12,430	14,680	16,930	19,180	21,430	23,680	25,930
Colorado	6,565	10,390	12,640	14,890	17,140	19,390	21,640	23,890
Hawaii	7,550	10,140	12,210	14,800	17,390	19,980	22,570	25,160
Massachusetts	6.800	9,475	11,725	13,975	16,225	18,475	20,725	22,975
Wisconsin	6,565	8,985	11,235	13,485	15,735	17,985	20,235	22,485

For all other states, the District of Columbia, Puerto Rico and the Virgin Islands:

\$6,565 8,815 11,065 13,315 15,565 17,815 20,065 22,315

For family units with more than eight members add the appropriate supplement for each additional member over eight as follows:

Alaska\$	2,815
Hawaii	2,590
All others	2,250

All of the above levels are calculated from the base DDHS Poverty Income Guidelines now in effect.

Those guidelines are:

Size of family unit	For all States (except Alaska and Hawaii) and the District of Columbia	For Alaska	For Hawaii
1	\$5,250	\$6,560	\$6,040
2	7,050	8,810	8,110
3	8,850	11,060	10,180
5	10,650	13,310	12,250
5	12,450	15,560	14,320
6	14,250	17,810	16,390
7	16,050	20,060	18,460
8	17,850	22,310	20,530

For family units with more than eight members, add the appropriate amount for each member:

For	all States (except Alaska and	
	Hawaii) and the District of	
	Columbia	\$1.800
For	Alaska	2.070
For	Hawaii	.2,250

Signed at Washington, D.C., this day of

Donna M. Alvarado.

April 23, 1985.

Director.

[FR Doc. 85-10298 Filed 4-26-85; 8:5 am]

BILLING CODE 6050-28-M

DEPARTMENT OF AGRICULTURE

Office of the Secretary

[Docket No. 85-304]

Declaration of Emergency Because of Gypsy Moth

Whereas, a serious infestation of gypsy moth exists in parts of Lane County, Oregon, and

Whereas, these insects are capable of causing massive defoliation to trees resulting in loss of tree growth, increased tree mortality, and loss of production of nursery and forest products on large segments of federally and privately owned forest land,

Now, therefore, in accordance with the provisions of the Act of September 25, 1981, 95 Stat. 953 (7 U.S.C. 147b), I declare that there is an emergency which threatens segments of agricultural production industries if this country, particularly the nursery, wood and forest products industries, and I authorize the transfer and use of such sums as may be necessary from appropriations or other funds available to the agencies or corporations of the Department of Agriculture for the conduct of a program to eradicate infestations of gypsy moth in Lane County, Oregon, and to control and prevent the dissemination of gypsy

ACTION

Foster Grandparent and Senior Companion Programs; Income Eligibility Levels

AGENCY: ACTION.

ACTION: Notice of revision of income eligibility levels for Foster Grandparent and Senior Companion Programs.

SUMMARY: This notice revises the schedules of income eligibility levels for individuals and families for the Foster Grandparent and Senior Companion Programs published in the Federal Register May 23, 1984 [49 FR 21774]. The revised schedule is based on revised Poverty Income Guidelines from DHHS, effective March 8, 1985 (50 FR 9517), as modified for Hawaii only by Federal Register insert of March 14, 1985 (50 FR 10319). This revision adopts as the income eligibility level for each State the higher amount of either (a) 125% of the DHHS Poverty Income Guideline, or (b) 100% of the DHHS Poverty Income Guideline plus the amount each state supplements Federal SSI, rounded to the next highest multiple of \$5.00.

Any person whose income is not more than 100 percentum of the DHHS poverty income guideline for her/his specific family unit status shall be given special consideration for participation in the Foster Grandparent and Senior Companion Programs.

EFFECTIVE DATE: April 29, 1985.

FOR FURTHER INFORMATION CONTACT:

C. Wade Freeman, Director, Older American Volunteer Programs, ACTION, 806 Connecticut Avenue, NW., Room M-1006, Washington, D.C. 20525, or telephone (202) 634-9355.

SUPPLEMENTARY INFORMATION: These ACTION programs are authorized pursuant to sections 211 and 213 of the Domestic Volunteer Service Act of 1973, as amended, Pub. L. 93–113, 87 Stat. 394.

moth, in whatever stage of life, to nonifested areas.

EFFECTIVE DATE: This declaration of emergency shall become effective April 24, 1985.

John R. Block,

Secretary of Agriculture.

[FR Doc. 85-10348 Filed 4-25-85; 11:59 am]

BILLING CODE 3410-34-M

Rural Electrification Administration

Glacier Electric Cooperative, Inc.; Finding of No Significant Impact

AGENCY: Rural Electrification Administration, USDA.

ACTION: Notice of Finding of No Significant Impact.

SUMMARY: Notice is hereby given that the Rural Electrification Administration (REA), pursuant to the National Environmental Policy Act of 1969, as amended, the Council on Environmental Quality Regulations (40 CFR Part 1500). and REA Environmental Policies and Procedures, 7 CFR Part 1794, has made a Finding of No Significant Impact (FONSI) with respect to a project proposed by Glacier Electric Cooperative, Inc. (Glacier Electric), of Cut Bank, Montana. The project consists of the construction of approximately 53 km (33 mi.) of a 69 kV transmission line. The line would be located in Glacier County, Montana.

FOR FURTHER INFORMATION CONTACT:

REA's FONSI and Environmental
Assessment (EA) may be reviewed at or
obtained from the office of the Director,
Western Area—Electric, REA, South
Agriculture Building, Washington, D.C.
20250, telephone: (202) 382–8848, or the
office of Glacier Electric Cooperative,
Inc. (Mr. David W. Chapman, Manager),
410 East Main, Cut Bank, Montana
59427, telephone: (406) 873–5566, during
regular business hours.

SUPPLEMENTARY INFORMATION: REA reviewed the Borrower's Environmental Report (BER) submitted by Glacier Electric and determined that it represents an accurate assessment of the environmental impact of the

proposed project.

The proposed project consists of constructing approximately 53 km (33 mi.) of 69 kV transmission line between Browning and Babb, Montana. Possible REA actions could include providing financing assistance to Glacier Electric for the proposed project and approving construction contracts, power rate contracts, etc., related to utilization of the proposed facilities.

The BER and EA adequately consider potential impacts of the proposed

project to resources including threatened and endangered species, prime farmland, prime forest land, prime rangeland, cultural resources, floodplains, and wetlands.

Alternatives examined included no action, energy conservation, rebuilding the existing power line, alternative routes for transmission line construction, and underground construction. After reviewing these alternatives, REA determined that the proposed project is an acceptable alternative and it meets Glacier Electric's needs with a minimum of environmental impact.

In accordance with REA's
Environmental Policies and Procedures,
7 CFR Part 1794, Glacier Electric
advertised the availability of its BER in
the local newspaper. No comments were
received.

Based upon the BER and other data, REA prepared an EA and FONSI concerning the proposed construction. REA independently evaluated the proposed project and concluded that approval of financing assistance for the project would not constitute a major Federal action significantly affecting the quality of the environment.

This program is listed in the Catalog of Federal Domestic Assistance as 10.850—Rural Electrification Loans and Loan Guarantees.

Dated: April 23, 1985.

Harold V. Hunter.

Administration.

[FR Doc. 85-10276 Filed 4-26-85; 8:45 am]
BILLING CODE 3410-15-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-427-503]

Animal-Food Grade DL-Methionine From France; Initiation of Antidumping Duty Investigation

AGENCY: International Trade Administration, Import Administration, Commerce.

ACTION: Notice.

SUMMARY: On the basis of a petition filed in proper form with the United States Department of Commerce, we are initiating an antidumping duty investigation to determine whether imports of animal-food grade DL-Methionine (DLM) from France are being, or are likely to be, sold in the United States at less than fair value. We are notifying the United States International Trade Commission (ITC) of this action so that it may determine

whether imports of this product are causing material injury, or threaten material injury, to a United States industry. If this investigation proceeds normally, the ITC will make its preliminary determination on or before May 5, 1985, and we will make ours on or before September 11, 1985.

EFFECTIVE DATE: April 29, 1985.

FOR FURTHER INFORMATION CONTACT:
Paul Thran, Office of Investigations,
Import Administration, International
Trade Administration, U.S. Department
of Commerce, 14th Street and
Constitution Avenue, NW., Washington,
D.C. 20230; telephone: (202) 377–3963.

SUPPLEMENTARY INFORMATION: .

The Petition

On April 4, 1985, we received a petition in proper form filed by Degussa Corporation. In compliance with the filing requirements of § 353.36 of the Commerce Regulations (19 CFR 353.36), the petition alleged that imports of the subject merchandise from France are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Tariff Act of 1930, as amended (the Act), and that these imports are causing material injury, or threaten material injury, to a United States industry.

The petitioner based the United States price on actual sales and offers for sale of DLM, to U.S. purchasers, less U.S. and ocean freight, insurance, U.S. and French handling, distribution's discount, and U.S. Customs duties. The petitioner based the foreign market value on actual sale prices to French purchasers, less warehousing and handling.

By comparing the values calculated by the foregoing method, the petitioner alleged dumping margins ranging from 43 to 63 percent.

Initiation of Investigation

Under section 732(c) of the Act, we must determine, within 20 days after a petition is filed, whether it sets forth the allegations necessary for the initiation of an antidumping duty investigation and whether it contains information reasonably available to the petitioner supporting the allegations.

We examined the petition on DLM and have found that it meets the requirements of section 732(b) of the Act. Therefore, in accordance with section 732 of the Act, we are initiating an antidumping duty investigation to determine whether imports of DLM from France are being, or are likely to be, sold in the United States at less than fair value. If our investigation proceeds

normally we will make our preliminary determination by September 11, 1985.

Scope of Investigation

The product under investigation is animal-food grade DL-Methionine, currently classified in the *Tariff Schedules of the United States*, *Annotated* (TSUSA) under item 425.0420.

Notification of ITC

Section 732(d) of the Act requires us to notify the ITC of this action and to provide it with the information we used to arrive at this determination. We will notify the ITC and make available to it all nonprivileged and nonconfidential information. We will also allow the ITC access to all privileged and confidential information in our files, provided it confirms that it will not disclose such information either publicly or under an administrative protective order without the consent of the Deputy Assistant Secretary for Import Administration.

Preliminary Determination by ITC

The ITC will determine by May 5, 1985, whether there is a reasonable indication that imports of DLM from France are causing material injury, or threaten material injury, to a United States industry. If its determination is negative the investigation will terminate; otherwise, it will proceed according to the statutory procedures. April 23, 1985.

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 85-10309 Filed 4-26-85; 8:45 am] BILLING CODE 3510-DS-M

[C-351-501]

Extension of the Deadline for a Preliminary Countervailing Duty Determination; Fuel Ethanol From Brazil

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce is extending the deadline for its preliminary determination in the countervailing duty investigation of fuel ethanol from Brazil in order to investigate upstream subsidies provided to fuel ethanol producers in Brazil through subsidies to the Brazilian sugar cane growers. On March 29, 1985, petitioner presented information which establishes a reasonable basis to believe or suspect that an upstream subsidy is being paid or bestowed on the product under investigation. Under

section 703(h) of the Tariff Act of 1930 (the Act), as amended by the Trade and Tariff Act of 1984, we may extend the deadline for a preliminary determination to 250 days after a filing of a petition whenever there is a reasonable basis to believe or suspect that an upstream subsidy is paid or bestowed and additional time is required to investigate the upstream allegation. The Department concludes that such additional time is required and will make its preliminary determination by November 4, 1985.

EFFECTIVE DATE: April 29, 1985.

FOR FURTHER INFORMATION CONTACT:
Alain Letort or Barbara Tillman, Office
of Investigations, Import Administration,
International Trade Administration, U.S.
Department of Commerce, 14th Street
and Constitution Avenue, NW.,
Washington, D.C. 20230; telephone: (202)
377–5050 (Letort) or (202) 377–1785
(Tillman).

SUPPLEMENTARY INFORMATION:

Case History

On February 25, 1985, we received a petition filed by the Ad Hoc Committee of Domestic Fuel Ethanol Producers on behalf of the fuel ethanol industry in the United States. In compliance with the filing requirement of § 355.26 of our regulations (19 CFR 355.26), the petition alleged that certain benefits which constitute subsidies within the meaning of section 701 of the Tariff Act of 1930, as amended, are being provided, directly or indirectly, to manufacturers, producers, or exporters in Brazil of fuel ethanol, and that these imports materially injure or threaten material injury to a U.S. industry.

We found that the petition contained sufficient grounds on which to initiate a countervailing duty investigation, and on March 18, 1985, we initiated such an investigation (50 FR 11526). We stated that we expected to issue a preliminary determination by May 21, 1985. Since Brazil is a "country under the Agreement" withing the meaning of section 701(b) of the Act, an injury determination is required for this investigation, Therefore, we notified the ITC of our initiation.

On April 17, 1985, the ITC published its preliminary determination (50 FR 15236) and stated that there is a reasonable indication that these imports threaten material injury to a U.S. industry.

We presented a questionnaire concerning the allegations to the government of Brazil in Washington, D.C. on April 15, 1985.

Upstream Subsidy Allegation

In the petition, petitioner alleged that Brazilian producers of fuel ethanol received an "upstream subsidy" through the purchase of subsidized inputs of sugar cane, and that such subsidies bestowed a competitive benefit on fuel ethanol and have a significant effect in lowering the cost of producing fuel ethanol. In our notice of initiation, we stated that the upstream subsidy allegation was insufficient to initiate an investigation because the petition failed to quantify the amount of subsidy bestowed on sugar cane produces and to specify how much of that subsidy is passed through to ethanol producers.

On March 29, 1985, petitioner requested the Department to re-examine the upstream subsidy allegation and provided further infomation in support of the allegation. In consideration of the information received, we determine that we now have reasonable grounds to believe or suspect that an upstream subsidy is paid or bestowed on the product under investigation.

Under section 703(h) of the Act, we may extend the deadline for a preliminary determination to 250 days after the filing of a petition, whenever the Department determines that additional time is required to investigate an upstream subsidy allegation.

Accordingly, we intend to make our preliminary determination on or before November 4, 1985.

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

April 23, 1985

[FR Doc. 85–10308 Filed 4–26–85; 8:45 am] BILLING CODE 3510-DS-M

Notice of Decision on Application for Duty-Free Entry of Scientific Instrument; University of California, Santa Barbara

This decision is made pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR Part 301). Related records can be viewed between 8:30 AM and 5:00 PM in Room 1523, U.S.. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C.

Dockt No. 84–302. Applicant: University of Califonia, Santa Barbara, Santa Barbara, CA 93106. Instrument: GC/Mass Spectrometer/Data System, Model VG 70–250HF. Manufacturer: VG Instruments, Inc., United Kingdom. Intended Use: See notice at 49 FR 40069.

Comments: None received.

Decision: Approved. No domestic manufacturer was both "able and willing" to manufacture an instrument or apparatus of equivalent scientific value to the foreign insturment for such purposes as the instrument was intended to be used, and have it available to the applicant without unreasonable delay in accordance with § 301.5(d)(2), at the time the foreign instrument was ordered (August 15, 1984).

Reasons: The foreign instrument provides a mass range of 1 to 2600 atomic units at an accelerating voltage of 6000 volts. The National Institutes of Health advises in its memorandum dated January 23, 1984 that the capability of the foreign instrument described above is pertinent to the applicant's intended purposes. We know of no domestic manufacturer both able and willing to provide an instrument with the required features at the time the foreign instrument was ordered.

As to the domestic availability of instruments, § 301.5(d)(2) provides that, in determining whether a U.S. manufacturer is able and willing to produce an instrument, and have it available without unreasonable delay. "the normal commercial practices applicable to the production and delivery of instruments of the same general category shall be taken into account, as well as other factors which in the Director's judgment are reasonable to take into account under the circumstances of a particular case." This subsection also provides that, if "a domestic manufacturer was formally requested a bid an instrument, without reference to cost limitations and within a leadtime considered reasonable for the category of instrument involved, and the domestic manufacturer failed formally to respond to the request, for the purposes of this section the domestic manufacturer would not be considered willing to have supplied the instrument."

The regulations require that domestic manufacturers be both "able and willing" to produce an instrument for the purpose of comparison with the foreign instrument. Where an applicant, as in this case, received no response to a formal request for quotation sent to the only known domestic manufacturers of comparable instruments (Nuclide Corporation and Nicolet Analytical Instruments, which manufacture magnetic sector mass spectrometers), it is apparent that the domestic manufacturers were either not able or not willing to produce an instrument of equivalent scientific value to the foreign

instrument for such purposes as the foreign instrument was intended to be used at the time the foreign instrument was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 85-10287 Filed 4-26-85; 8:45 am] BILLING CODE 3510-05-M

[A-580-401]

Oil Country Tubular Goods From Korea; Postponement of Final Antidumping Duty Determination

AGENCY: International Trade Administration, Import Administration, Commerce.

ACTION: Notice.

SUMMARY: This notice informs the public that the Department of Commerce (the Department) has received a request from the petitioners in this investigation to postpone the final determination, as provided for in section 735(a)(2)(B) of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673(d)(a)(2)(B)). Based on this request, we are postponing our final determination as to whether sales of oil country tubular goods (OCTG) from Korea have occurred at less than fair value until not later than May 31, 1985.

EFFECTIVE DATE: April 29, 1985.

FOR FURTHER INFORMATION CONTACT: Paul Thran, Office of Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230; telephone (202) 377–3963.

SUPPLEMENTARY INFORMATION: On July 10, 1984, we announced the initiation of an antidumping duty investigation to determine whether OCTG from the Republic of Korea, are being, or are likely to be, sold in the United States at less than fair value (49 FR 28084). We issued our preliminary negative determination on January 16, 1985 (50 FR 2312). That notice stated that we would issue a final determination by March 25, 1985. On February 7, 1985, counsel for petitioners, Lone Star Steel Company, CF&I Steel Corporation, and LTV Steel Company, requested that the Department extend the period for the final determination for 30 days, in accordance with section 735(a)(2)(B) of the Act. On Marcy 7, 1985, we extended the period for the final determination until April 24, 1985 (50 FR 9307).

On April 22, 1985, counsel for petitioners requested that the Department again extend the period for the final determination, until not later than 135 days after the date of publication of the preliminary determination. If a petitioner requests an extention after a negative preliminary determination, the Department is required, absent compelling reasons to the contrary to grant the request. Accordingly, we grant the request and postpone our final determination until not later than May 31, 1985.

This notice is published pursuant to section 735(d) of the Act. The United States International Trade Commission is being advised of this postponement, in accordance with section 735(d) of the Act.

Scope of Investigation

The term "oil country tubular goods" covers hollow steel products of circular cross section intended for use in the drilling of oil or gas. It includes oil well casing, tubing and drill pipe of carbon or alloy steel, whether welded or seamless, manufactured to either American Petroleum Institute (API) or non-API (e.g., proprietary), specifications as currently provided for in the Tariff Schedules of the United States Annotated (TSUSA) items 610.3216, 610.3219, 610.3233, 610.3242, 610.3243, 610.3249, 610.3252, 610.3254, 610.3256, 610.3258, 610.3262, 610.3264, 610.3721, 610.3722, 610.3751, 610.3925, 610.3935, 610.4025, 610.4035, 610.4225, 610.4235, 610.4325, 610.4335, 610.4942, 610.4944, 610.4946, 610.4954, 610.4955, 610.4956, 610.4957, 610.4966, 610.4967, 610.4968, 610.4969, 610.4970, 610.5221, 610.5222, 610.5226, 610.5234, 610.5240, 610.5242, 610.5243, and 610.5244. This investigation includes OCTG that are finished and unfinished.

Comments

In order to have any comments considered for our final determination, parties must submit them by April 30, 1985. All written views should be filed at the U.S. Department of Commerce, Room B099, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230, in at least 10 copies.

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

April 24, 1985.

[FR Doc. 85-10310 Filed 4-26-85; 8:45 am]

National Bureau of Standards

National Voluntary Laboratory Accreditation Program

AGENCY: National Bureau of Standards, Commerce.

ACTION: Publication of NVLAP Directory Supplement.

SUMMARY: The National Bureau of Standards (NBS) announces laboratory accreditation actions taken since issuance of its 1984 Directory of Accredited Laboratories (NBS Special Publication 687 issued February 1985).

FOR FURTHER INFORMATION CONTACT: Dr. Stanley I. Warshaw, Manager, Laboratory Accreditation, ADMIN A603, National Bureau of Standards, Gaithersburg, MD 20899, (301) 921–3751.

SUPPLEMENTARY INFORMATION: This supplement to the 1984 NVLAP Directory is published pursuant to § 7.6(b) of the National Voluntary Laboratory Accreditation Program (NVLAP) Procedures which were published in the Federal Register on November 8, 1984 (49 FR 44622–44628).

The following table summarizes NVLAP accreditation actions for the period January 1, 1985, through March 31, 1985.

Wall of Direct College	TIM.	CON	CAR	STO	ACO	CPL	DOS	Totals
Initial accreditations	0	0	0	0	1	0	4	5
Renewals	1 0	1 -2	0	0	0	0	0	- 2
Balance	37	30	24	10	9	2	23	13

Note: TIM—Insulation LAP; CON—Concrete LAP; CAR—Carpet LAP; ACO—Acoustical Testing Services LAP; STO—Stove LAP; CPL—Commercial Products LAP (Paint, Paper, Mattresses), DOS—Dosimetry LAP.

The laboratories awarded initial accreditation are:

Acoustics LAP:

Western Electro-Acoustic Lab, Santa Monico, CA

Dosimetry LAP:

Union Electric Co., Fulton, MO Duke Power Co., Huntersville, NC

Tennessee Valley Authority, Muscle Shoals, AL

Omaha Public Power District, Omaha, NE

The laboratories renewing lapsed accreditation (late reapplications) are: Insulation LAP:

Olin Corporation, New Haven, CT Concrete LAP:

Engineering Testing Lab, Akron, OH

The laboratories voluntarily terminating their accreditation are:

Concrete LAP:

STS Consultants, Raleigh, NC West Virginia Department of Highways, Charleston, WV

Dated: April 23, 1985.

Ernest Ambler,

Director, National Bureau of Standards.
[FR Doc. 85–10243 Filed 4–26–85; 8:45 am]
BILLING CODE 3510–13–M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Import Restraint Limit on Certain Wool Textile Products Produced or Manufactured in the People's Republic of China

April 24, 1985.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on April 30, 1985. For further information contact Diana Solkoff, International Trade Specialist (202) 377–4212.

Background

On April 6, 1984, a notice was published in the Federal Register (49 FR 13736) establishing a twelve-month limit for wool knit shirts and blouses in Category 438, among other categories, produced or manufactured in China and exported during the twelve-month period, which began on March 29, 1984, pending agreement on a mutually satisfactory solution concerning this category between the Governments of the United States and the People's Republic of China. To avoid the continued risk of market disruption, the Government of the United States has decided, in the absence of agreement on this category, pursuant to section 204 of the Agricultural Act of 1956, as amended [7 U.S.C. 1854] and the Bilateral Cotton,

Wool and Man-Made Fiber Textile Agreement of August 19, 1983, to continue the import restraint limit for an additional twelve-month period beginning on March 29, 1985 and extending through March 28, 1986 at a level of 12,195 dozen. The level reflects a one percent increase over the previous level.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983 (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782), and in Statistical Headnote 5, Schedule 3 of the TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED (1985).

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

April 24, 1985.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,

Department of the Treasury, Washington,
D.C.

Dear Mr. Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of August 19, 1983, between the Governments of the United States and the People's Republic of China, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed, effective on April 30, 1985, to permit entry into the United States for consumption of wool textile products in Category 438, produced and manufactured in the People's Republic of China and exported during the twelve-month period which began on March 29, 1985 and extends through March 28, 1986, in excess of 12,195 dozen.

In carrying out this directive, entries of wool textile products in Category 438, produced or manufactured in China, which have been exported to the United States on and after March 29, 1984 and extending through March 28, 1985, shall, to the extent of any unfilled balance, be charged against the level established for such goods during that twelve-month period. In the event the level established for that period has been exhausted by previous entries, such goods shall be subject to the level set forth in this letter.

Textile products in Category 438 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the

¹The level has not been adjusted to reflect any imports exported after the March 28, 1985.

effective date of this directive shall not be denied entry under this directive.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on December 13, 1982 (47 FR 55709), as amended on April 7, 1963 (48 FR 15175), May 3, 1963 (48 FR 19924), December 14, 1983 (48 FR 55607), December 30, 1963 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 26754), November 9, 1984 (49 FR 44782), and in Statistical Headnote 5, Schedule 3 of the TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED (1985).

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Sincerely.

Walter C. Lenahan.

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 85-10285 Filed 4-26-85; 8:45 am]

BILLING CODE 3510-DR-M

New Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Indonesia: Correction

April 24, 1985.

On March 11, 1985, a notice was published in the Federal Register (50 FR 9704) announcing new limits for certain categories of cotton and man-made fiber textile products, including Categories 317 and 339, produced or manufactured in Indonesia and exported to the United States during specified periods. The following sentence was omitted and should appear as the penultimate sentence in paragraph 4 of the notice document and as the final sentence of paragraph 3 of the letter to the Commissioner of Customs which followed that notice:

In neither case shall the phased entry amounts be permitted to exceed the total amounts of the increases in the new limits for these two categories.

The effective date in the first sentence of paragraph 3 of the letter to the Commissioner of Customs should be corrected to read "March 11, 1985."

Walter C. Lenahan,

Chairman. Committee for the Implementation of Textile Agreements.

[FR Doc. 85-10286 Filed 4-26-85; 8:45 am]

BILLING CODE 3510-DR-M

Announcing an Import Restraint Level for Certain Cotton Textile Products Produced or Manufactured in Bangladesh

April 25, 1985.

On March 21, 1985, a notice was published in the Federal Register (50 FR 11410) announcing that, on February 28, 1985, the United States Government, under Article 3 of the Arrangement Regarding International Trade in Textiles, had requested the Government of Bangladesh to enter into consultations concerning exports to the United States of men's and boys' woven cotton shirts in Category 340, produced or manufactured in Bangladesh.

The United States Government has decided, inasmuch as consultations with the Government of Bangladesh held April 2–5, 1985 failed to reach a mutually satisfactory solution concerning this category, to control imports of cotton textile products in Category 340, produced or manufactured in Bangladesh and exported during the twelve-month period which began on February 28, 1985 and extends through February 27, 1986 at a level of 212,011 dozen.

Accordingly, in the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry into the United States for consumption, or withdrawal from warehouse for consumption, of cotton textile products in Category 340 exported during the twelve-month period which began on February 28, 1985, in excess of the designated level of restraint.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983 (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782), and in Statistical Headnote 5, Schedule 3 of the TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED (1985).

EFFECTIVE DATE: April 29, 1985.

FOR FURTHER INFORMATION CONTACT: Diana Solkoff, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. (202/377-4212).

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

April 25, 1985.

Committee for the Implementation of Textile Agreements

Commissioner of Customs, Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: Under the terms of Section 204 of the Agricultural Act of 1956, as amended [7 U.S.C. 1854], and the Arrangement Regarding International Trade in Textiles; done at Geneva on December 20, 1973, as extended on December 15, 1977 and December 22, 1981; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed, effective on April 29, 1985, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 340, produced or manufactured in Bangladesh and exported during the twelve-month period which began on February 28, 1985, in excess of 212,011 dozen. 1

Textile products in Category 340 which have been exported to the United States prior to February 28, 1985 shall not be subject to this directive.

Textile products in Category 340 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983 (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26822), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782), and in Statistical Headnote 5, Schedule 3 of the TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED (1985).

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Sincerely.

Walter C. Lenahan.

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 85-10320 Filed 4-26-85; 8:45 am]
BILLING CODE 3510-DR-M

¹The level of restraint has not been adjusted to reflect any imports exported after February 27, 1985.

COMMODITY FUTURES TRADING COMMISSION

Chicago Mercantile Exchange and MidAmerica Commodity Exchange; Proposed Amendments Relating to the **Live Hog Futures Contracts**

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of proposed contract market rule changes.

SUMMARY: The Chicago Mercantile Exchange ("CME") and the MidAmerica Commodity Exchange ("MCE") have submitted proposals to amend their live hog futures contracts. The proposed amendments would revise the delivery specifications for both the CME and MCE live hog contracts. The Commodity **Futures Trading Commission** ("Commission") has determined that the proposals are of major economic significance and that, accordingly, publication of these proposals is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments should be received on or before May 29, 1985.

ADDRESS: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Reference should be made to CME and MCE live hog futures contracts.

FOR FURTHER INFORMATION CONTACT:

Fred Linse, Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581, (202) 254-6990.

SUPPLEMENTARY INFORMATION: Under the current CME live hog contract, an unlimited number of U.S. No. 1 and No. 2 hogs and up to 10 U.S. No. 3 hogs are deliverable at par and up to 30 U.S. No. 3 hogs are deliverable at a \$2.00 per hundredweight discount. The current MCE live hog contract has the same provisions except that the numbers of U.S. No. 3 hogs deliverable at par and at a discount are one-half the numbers specified by the CME, reflecting the smaller size of the MCE contract. The CME and MCE proposals would amend the delivery unit to allow for the delivery of an unlimited number of U.S. No. 1, No. 2 and No. 3 hogs, all at par. No other hogs would be deliverable under the proposed amendments.

The CME and MCE state that the proposed amendments to the par delivery unit of the live hog contracts are based on the revised USDA hog

quality standards that were implemented in January 1985. The exchanges submit that the new grades reflect the improved quality of hogs produced and marketed over the past several years. In order to maintain delivery standards that reflect the current quality of live hogs available in the cash market, the exchanges state that they must revise the current delivery standards of the live hog futures contracts.

The proposed amendments to the CME and MCE live hog futures contracts would become effective after Commission approval for all contract months subsequently listed by the exchanges for trading, but would not be applicable to currently listed months.

In accordance with section 5a(12) of the Commodity Exchange Act, 7 U.S.C. 7a(12) (1982), the Commission has determined that the proposals submitted by the CME and MCE concerning their live hog futures contracts are of major economic significance and that the receipt of public comment on these proposed rule amendments will assist the Commission in its determination whether they should be approved. In particular, the Commission is requesting information regarding the proposal of the CME and the MCE to specify that all deliverable grades of hogs-U.S. No. 1, No. 2, and No. 3-would be delivered at par, with no limitation on the number of hogs in any one of these grades. The Commission seeks comments on whether the absence of premiums or discounts with respect to these three different grades of hogs, or the lack of any limitation on the number of head of any single grade, is consistent with cash market practices. If not, comments are also requested on whether the proposed specifications are necessary or appropriate for the contract and will result in sufficiently available and saleable deliverable supplies.

The CME and MCE proposals will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Copies can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254-6314. Other materials submitted by the CME and MCE in support of the proposed rules may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR Part 145 (1984)), except to the extent that they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Acts Compliance Staff of the

Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views or arguments on the proposed amendments should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581, by May 29,

Issued in Washington, D.C., on April 23, 1985

Jean A. Webb,

Secretary of the Commission. [FR Doc. 85-10245 Filed 4-26-85; 8:45 am] BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Scientific Advisory Group on Effects (SAGE); of Closed Meeting

SUMMARY: A subcommittee of the Scientific Advisory Group on Effects (SACE) will meet in closed session.

DATES: June 4 to June 5, 1985.

Agenda—June 4 to June 5 (0800-1700)

Presentations, discussions and executive session on issues related to Lethality and Target Hardening Technology Programs which support the Strategic Defense Initiative. The presentations and discussions in the above cited agenda will focus on current and planned activities of the Defense Nuclear Agency (DNA) supporting the Strategic Defense Initiatives Organizations. Executive sessions will be held for the primary purpose of advising the Director, DNA, as the adequacy of ongoing and planned activities. All planned presentations, discussions, and executive sessions may include classified defense information.

ADDRESS: Offices of Kaman Tempo, 2560 Huntington Avenue, Suite 500, Alexandria, Virginia 22303.

FOR FURTHER INFORMATION CONTACT: Lt Col Gary Gibson, USAF, Scientific Secretary, SAGE, Headquarters, Defense Nuclear Agency, ATTN: DDST, Washington, DC 20305-1000.

SUPPLEMENTARY INFORMATION: Under the provisions of sections 552b(c)(1) and (3), Title 5, U.S.C., this meeting is closed to the public.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 85-10304 Filed 4-26-85; 8:45 am]

BILLING CODE 3810-01-M

Defense Science Board 1985 Summer Study Panel on Tactical Directed Energy Weapons; Advisory Committee Meetings

The Defense Science Board 1985
Summer Study Panel on Tactical
Directed Energy Weapons will meet in
closed session on 21 May and 25 June
1985 in the Pentagon, Arlington,
Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on scientific and technical matters as they affect the perceived needs of the Department of Defense. At these meetings the Panel will examine the status, technical feasibility and tactical weapon potential of all forms of non-nuclear directed energy technology. The Panel will also examine the vulnerabilities and means of countering the effects of these technologies on U.S. systems.

In accordance with section 10(d) of the Federal Advisory Committee Act, Pub. L. No. 92–463, as amended (5 U.S.C. App. II (1982)), it has been determined that this DSB Panel meeting, concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly this meeting will be closed to the public.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

April 24, 1985.

[FR Doc. 85-10269 Filed 4-26-85; 8:45 am] BILLING CODE 3810-01-M

Defense Science Board Task Force on Software; Change in Advisory Committee Meeting

The meeting place for the Defense Science Board Task Force on Software scheduled for 28–29 May 1985 in the Pentagon, Arlington, Virginia as published in the Federal Register (Vol. 50, No. 62, Monday, April 1, 1985, FR Doc. 85–7724) has been changed to the MITRE Corporation, 1820 Dolly Madison Boulevard, McLean, Virginia. In all other respects the original notice remains unchanged.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

April 24, 1985.

[FR Doc. 85–10270 Filed 4–26–85; 8:45 am] BILLING CODE 3810-01-M

Department of the Air Force

Public Information Collection Requirement Submitted to OMB for Review

SUMMARY: The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

Existing Collection in Use Without an OMB Control Number

Application for Appointment as Reserves of the Air Force or USAF Without Component (AF Form 24)

This form is used Air Force application processing activities and approval authorities to select applicants who qualify for appointment as Reserves of the Air Force, or during time of war or national emergency, as USAF Without Component.

Individuals

Responses 12,000 Burden hours 6,000

ADDRESSES: Comments are to be forwarded to Mr Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503, and Mr Daniel J. Vitiello, DOD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202–4302, telephone number (202) 746–0933.

SUPPLEMENTAL INFORMATION: A copy of the information collection proposal may be obtained from Ms. Wanda L. Williams, HQ AFMPC/MPCMOP, Randolph AFB, Texas 78150–6001, telephone (512) 652–4382.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

April 24, 1985.

[FR Doc. 85-10271 Filed 4-26-85; 8:45 am]

BILLING CODE 3810-01-M

Public Information Collection Requirement Submitted to OMB for Review

SUMMARY: The Department of Defense has submitted to OMB for review the following proposal for the collection of informtion under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposed may be obtained.

New

The Air Force Health Study (Project Ranch Hand II)

The questionnaires will be used in the follow-up phases of the White House-directed epidemiologic study of health effects of Agent Orange. They will be administered to the previously selected study population and its subgroups. The collected data will be analyzed to detect health effects attributable to Agent Orange exposure.

Individuals Responses 9,563 Burden hours 1,761

ADDRESSES: Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503, and Mr. Daniel J. Vitiello, DOD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202–4302, telephone number (202) 746–0933.

SUPPLEMENTARY INFORMATION: A copy of the information collection proposal may be obtained from Col. William H. Wolfe, USAF School of Aerospace Medicine, Brooks AFB, TX 78235–5301, telephone (512) 536–2604.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense

April 24, 1985.

[FR Doc. 85-10303 Filed 4-26-85; 8:45 am]

BILLING CODE 3810-01-M

Department of the Army

Public Information Collection Requirement Submitted to OMB for Review

The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

New

DOD Standard Tender of Freight Services.

Under the provisions of 49 CFR 10721 approximately 1200 commercial carriers choose to file nearly 9,000 tenders with DOD each year. These tenders are used by DOD to select carriers for 700,000 freight shipments annually. Tenders are currently submitted via the OF 280 which is undisciplined and requires excessive manual processing time. The proposed DOD form will support MTMC automation initiatives and DOD objectives to reduce paper burden or manual operations.

Business Responses 8,537 Burden Hours 9.562

ADDRESSES: Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302 telephone number (202) 746-0933.

SUPPLEMENTAL INFORMATION: A copy of the information collection proposal may be obtained from Mr. David O. Cochran, DAIM-ADI, Room 1D667, The Pentagon,

Washington, DC 20310-0700, telephone (202) 695-5111.

April 24, 1985.

Patricia H. Means.

OSD Federal Register Liaison Officer. Department of Defense.

[FR Doc. 85-10272 Filed 4-28-85; 8:45 am]

BILLING CODE 3810-01-M

Public Information Collection Requirement Submitted to OMB for Review

SUMMARY: The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number if applicable: (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

Extension

Mobile Homes:

- A. Tender of Service (MT-PP Form 9)
- B. Letter of Intent
- C. Accessorial Services (DD Form

Since mobile homes move at Government expense, data is needed to choose the best service at the lowest cost. Data provided by the carriers state the type of service being offered, ability to perform the service and rate to be charged.

Businesses

Response 1,690

Burden Hours 852

ADDRESSES: Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington Viriginia 22202-4302 telephone number (202) 746-0933.

SUPPLEMENTAL INFORMATION: A copy of the information collection proposal may be obtained from Mr. David O. Cochran, DAIM-ADI, Room 1D667, The Pentagon. Washington, DC 20310-0700, telephone (202) 695-5111.

Patricia H. Means,

OSD Federal Register Liaison Officer. Department of Defense.

April 24, 1985.

[FR Doc. 85-10273 Filed 4-26-85; 8:45 am]

BILLING CODE 3810-01-M

Army Science Board; Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Committee Meeting:

Name of the committee: Army Science Board (ASB).

Dates of meeting: Tuesday, May 14, 1985. Time: 0830-1700 hours (Open). Place: Daytona, Florida.

Agenda: The Training Technology Subpanel of the Army Science Board 1985 Summer Study on Training and Training Technology-Applications for AirLand Battle and Future Concepts/Army 21 will meet at GE/UCOFT for briefings and discussions on both existing and emerging training technologies to prepare for the final 2-week report writing session. This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (202) 695-3039/7046.

Sally A. Warner,

Administrative Officer, Army Science Board. [FR Doc. 85-10456 Filed 4-26-85; 8:45 am]

BILLING CODE 3710-08-M

Army Science Board; Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Committee Meeting:

Name of the committee: Army Science Board (ASB).

Dates of meeting: Tuesday, May 14, 1985. Time: 0900-1630 hours (Open). Place: U.S. Army Infantry School, Fort

Benning, Georgia.

Agenda: The Training Effectiveness Subpanel of the Army Science Board 1985 Summer Study on Training and Training Technology-Applications for AirLand Battle and Future Concepts/Army 21 will meet for briefings and discussions to determine training methods that can be identified or envisioned to increase readiness significantly and how their effectiveness can be measured. This meeting is open to the public. Any interested person may attend, appear before. or file statements with the committee at the time and in the manner permitted by the committee. The ASB Administrative Officer,

Sally Warner, may be contacted for further information (202) 695-3039/7046.

Sally A. Warner,

Administrative Officer, Army Science Board. [FR Doc. 85–10455 Filed 4–26–85; 8:45 am] BILLING CODE 3710–08–M

Army Science Board; Partially Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Committee Meeting:

Name of the committee: Army Science Board (ASB).

Dates of meeting: Tuesday-Thursday, May 14 and 16, 1985.

Times and places of meeting: 0800–1800 hours (Closed) at Fort Lee, Virginia on both May 14 and 15, 1985; 0800–1200 hours (Open)

at Fort Eustis, Virginia.

Agenda: The Army Science Board 1985 Summer Study on Manpower Implications of Logistic Support for Army 21 will meet in a Plenary Session to receive background briefings concerning current and future logistics and logistics initiatives and to plan future fact finding meetings and the final 2week working session in August. The open portions of the meeting are open to the public. Any person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. The closed portions of the meeting are closed to the public in accordance with section 552b(c) of Title 5, U.S.C., specifically subparagraph (1) thereof, and Title 5, U.S.C., Appendix 1, subsection 10(d). The classified and nonclassified matters to be discussed in this portion of the meeting are so inextricably intertwined so as to preclude opening them to the public. The Army Science Board Administrative Officer. Sally Warner, may be contacted for further information at (202) 695-3039 or 695-7046.

Sally A. Warner,

Administrative Officer, Army Science Board.
[FR Doc. 85–10457 Filed 4–26–85; 8:45 am]
BILLING CODE 3710–08-M

DEPARTMENT OF ENERGY

Voluntary Agreement and Plan of Action To Implement the International Energy Program; Meeting

In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(i)), the following meeting notice is provided:

A meeting of the Industry Working Party (IWP) of the International Energy Agency (IEA) will be held on May 7 and 8, 1985, at the offices of Mobil Oil Corporation, Room 21W905, 150 East 42nd Street, New York, NY, beginning at 9:30 a.m. on May 7. The agenda for the meeting is as follows:

- 1. Status of activities of the IWP and the Standing Group on the Oil Market (SOM).
 - 2. Supply/demand balancing item.
 - 3. Crude oil price indicators.
 - 4. Refining margin calculations.

5. Processing gain.

Arrangements for future meetings of the SOM and IWP.

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting is open only to representatives of members of the IWP, their counsel, employees of the Departments of Energy, Justice, State, the Federal Trade Commission, and the General Accounting Office, representatives of committees of Congress, employees of the IEA, representatives of the Commission of the European Communities, and invitees of the IWP or the IEA.

Issued in Washington, D.C., April 24, 1985. Eric J. Fygi, Acting General Counsel.

[FR Doc. 85-10444 Filed 4-26-85; 8:45 am] BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. TA85-3-32-000 and TA85-3-32-001]

Colorado Interstate Gas Co.; Proposed Change in Rates Under Purchased Gas Adjustment Clause Provision

April 23, 1985.

Take notice that Colorado Interstate Gas Company (CIG), on April 15, 1985, tendered for filing proposed changes in its FERC Gas Tariff, Original Volume No. 1. According to § 381.103(b)(2)(iii) of the Commission's regulations (18 CFR 381.103(b)(2)(iii)), the date of filing is the date on which the Commission receives the appropriate filing fee, which in the instant case was not until April 18, 1985. The proposed changes would increase the demand rate under CIG's jurisdictional rate schedules by 10 cents per Mcf and decrease the commodity rate by 1.29 cents per Mcf. This filing reflects a net annual decrease in purchased gas costs of approximately \$.7 million.

The filing was made to enable CIG to reflect in its rates, pursuant to section 21 of CIG's FERC Gas Tariff, Original Volume No. 1, net decreased purchased gas costs it will experience as the result of rate filings made by certain of its pipeline suppliers.

CIG requests that the instant filing be made effective on May 1, 1985. Copies of the filing have been served upon CIG's jurisdictional customers and other interested persons, including public bodies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10299 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Docket No. RP84-72-004]

Eastern Shore Natural Gas Co.; Revised Tariff Filing

April 23, 1985.

Take notice that Eastern Shore
Natural Gas Company (Eastern Shore)
on March 26, 1985, tendered for filing
revised tariff sheets to its FERC Gas
Tariff, Original Volume No. 1. According
to 381.103(b)(2)(iii) of the Commission's
regulations (18 CFR 381.103(b)(2)(iii), the
date of filing is the date on which the
Commission receives the appropriate
filing fee, which in the instant case was
not until April 18, 1985. The revised
tariff sheets are as follows:

To Be Effective October 23, 1984

Substitute First Revised Sheet No. 1 Substitute First Revised Sheet No. 2 Substitute Twenty-Sixth Revised Sheet No. 5

Substitute Twenty-Sixth Revised Sheet No. 6

Substitute Twenty-Sixth Revised Sheet No. 10

Substitute Twenty-Sixth Revised Sheet No. 11 Substitute Twenty-Sixth Revised Sheet

No. 12 Substitute Twenty-Sixth Revised Sheet

To Be Effective November 1, 1984

No. 13

Substitute Twenty-Seventh Revised Sheet No. 5

Substitute Twenty-Seventh Revised Sheet No. 6

Substitute Twenty-Seventh Revised Sheet No. 10 Substitute Twenty-Seventh Revised Sheet No. 11

Substitute Twenty-Seventh Revised Sheet No. 12

Substitute Twenty-Seventh Revised Sheet No. 13

Eastern Shore states that the purpose of this filing is to reflect the settlement rates in Docket No. RP84–72–000 to be effective October 23 and November 1, 1984, as approved by the Commission's letter order and adjusted to reflect rate changes made by Transco, Eastern Shore's supplier, subsequent to May 1, 1984 in accordance with the purchased gas adjustment provision of Eastern Shore's Tariff.

Eastern Shore states that copies of the filing have been mailed to each of its jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before April 30, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10230 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Project No. 8181-001]

Harrisonburg Associates; Surrender of Preliminary Permit

April 23, 1985.

Take notice that the Harrisonburg
Associates, Permittee for the
McGaheysville Project No. 8181 located
on the South Fork of the Shenandoah
River in Rockingham County, Viginia
has requested that its preliminary permit
be terminated. The preliminary permit
was issued on December 24, 1984, and
would have expired on May 31, 1986.
The Permittee states that analysis of the
McGaheysville Project did not indicate
feasibility for development.

The Permittee filed the request on April 8, 1985, and the preliminary permit for Project No. 8181 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10231 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Docket No. RP85-132-000]

Michigan Gas Storage Co.; Change in Tariff

April 23, 1985.

Take notice that on April 15, 1985,
Michigan Gas Storage Company
(Storage Company) tendered for filing
the following revised sheets to its FERC
Gas Tariff, Original Volume No. 1:
Eighth Revised Sheet No. 4
Eighth Revised Sheet No. 5
Second Revised Sheet No. 24E
An effective date of May 15, 1985, is
proposed.

Storage Company states that the filing effects two changes in its cost of service tariff: (1) The allowance for cash working capital is being eliminated; and (2) the overall cost of money is being reduced to 11.65% from 12.53%. Storage Company further states that the cumulative impact of these two changes is to reduce Storage Company's cost of service by approximately \$636,000.

Storage Company states that copies of its filing have been served upon Storage Company's only resale customer, Consumers Power Company, and upon the Michigan Public Service Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 385.214). All such motions or protests should be filed on or before April 30, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10232 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Project No. 8195-001]

Northampton Associates; Surrender of Preliminary Permit

April 23, 1985.

Take notice that the Northampton Associates, Permittee for the Mill River Project No. 8195 located on the Mill River in Hampshire County, Massachusetts has requested that its preliminary permit be terminated. The preliminary permit was issued on December 27, 1984, and would have expired on May 31, 1986. The Permittee states that analysis of the Mill River Project did not indicate feasibility for development.

The Permittee filed the request on April 8, 1985, and the preliminary permit for Project No. 8195 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10233 filed 4-26-85; 8:45 am]

[Docket No. RP85-133-000

Pacific Offshore Pipeline Co.; Compliance Filing

April 23, 1985.

Take notice that on April 16, 1985, Pacific Offshore Pipeline Company (POPCO) tendered for filing supporting documentation and an amendment to its gas purchase agreement in compliance with the Federal Energy Regulatory Commission's (Commission) March 29, 1985, order. According to § 381.103(b)(2)(iii) of the Commission's regulations (18 CFR 381.103(b)(2)(iii)), the date of filing is the date on which the Commission receives the appropriate filing fee, which in the instant case was not until April 17, 1985. Included in this filing was First Revised Sheet No. 35 to POPCO's FERC Gas Tariff, Original Volume No. 1, which POPCO believes will remove any ambiguity as to the method of calculation and which complies with Ordering Paragraph (C). POPCO requests that this tariff sheet be made effective April 1, 1985.

POPCO states that copies of this filing, and the attached tariff sheet, have been served on its customer, the interested state commission, and all parties to Docket No. TA85-2-62-000.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal **Energy Regulatory Commission, 825** North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before April 30, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10234 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Docket No. RP85-16-001]

Stingray Pipeline Co.; Change in Tariff

April 23, 1985.

Take notice that Stingray Pipeline Company (Stingray), on April 17, 1985 tendered for filing revised tariff sheets to its FERC Gas Tariff, Original Volume No. 1.

The proposed effective date of the revised tariff sheets listed in Appendix A to Stingray's filing is April 1, 1985.

Stingray states that the instant filing contains the revised tariff sheets necessary to implement the reduced rates resulting from the Docket No. RP85-16-000 Stipulation and Agreement that was filed with the Commission on April 16, 1985, pending FERC approval of that instrument and is requesting the necessary waivers of the Commission's regulations to place the reduced rates into effect April 1, 1985, on an interim basis, subject to being superseded by those currently in effect if the Stipulation and Agreement is not approved.

Copies of the filing were served on all

jurisdictional customers.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before April 30, 1985. Protests will be considered by the Commission in determining the

appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb.

Secretary.

Appendix A-Stingray Pipeline Company

Docket No. RP85-16, Settlement Tariff Sheets, Effective April 1, 1985

FERC Gas Tariff, Original Volume No. 1

First Substitute First Revised Sheet No.

First Substitute Thirteenth Revised Sheet No. 4

First Substitute Second Revised Sheet No. 10

Second Revised Sheet No. 14 First Substitute Second Revised Sheet

First Revised Sheet No. 39.1 First Substitute Sixth Revised Sheet No.

First Revised Sheet No. 44 First Substitute First Revised Sheet No.

First Substitute Original Sheet No. 70-A First Substitute Original Sheet No. 70-B First Substitute Third Revised Sheet No.

[FR Doc. 85-10235 filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Project No. 7768-001]

Union City Associates; Surrender of **Preliminary Permit**

April 23, 1985.

Take notice that the Union City Associates, Permittee for the Union City Project No. 7768 located on French Creek in Erie County, Pennsylvania has requested that its preliminary permit be terminated. The preliminary permit was issued on August 7, 1984, and would have expired on July 31, 1986. The Permittee states that analysis of the Union City Project did not indicate feasibility for development.

The Permittee filed the request on April 8, 1985, and the preliminary permit for Project No. 7768 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided

for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10236 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Docket No. CI85-385-000]

Energy Marketing Exchange, Inc.; Application for Blanket Limited Term Certificate and Limited Partial **Abandonment Authorization**

April 22, 1985.

Take notice that on April 15, 1985, Energy Marketing Exchange, Inc. ("EME"), P.O. Box 6060, Bridgewater, NJ 08807, filed an application pursuant to Sections 4 and 7 of the Natural Gas Act, 15 U.S.C. 717c, 717f, and the provisions of 18 CFR Part 157, for a blanket limitedterm certificate of public convenience and necessity authorizing EME to conduct a short-term spot sales marketing program, hereinafter referred to as Energy Mark Program, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Approval would (1) authorize the sale of natural gas for resale in interstate commerce; (2) permit limited-term, partial abandonment of certain natural gas sales; (3) confer pre-granted abandonment authorization for sales of natural gas made pursuant to the requested certificate; (4) authorize transportation of natural gas by interstate pipeline companies able and willing to participate in Energy Mark Program; and (5) confer pre-granted abandonment authorization for the transportation service allowed under the requested certificate. EME also requests the Commission to declare that, with respect to EME and its activities, the Commission will only assert Natural Gas Act jurisdiction over sales for resale and transportation not otherwise exempt from the NGA.

Under Energy Mark Program, EME proposes to sell natural gas qualifying for the section 102, 103, 107 and 108 rates under the Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C. 3301-3432. Only contractually committed gas will be sold. EME and participating producers will seek temporary releases of gas from the purchasers in order to meet market demand for natural gas sales. Releasing purchasers will be absolved from take-or-pay liability for any volumes of gas released and sold under the program. Arrangements for transporting the released gas will be made on a case-by-case basis.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 6, 1985, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless Applicant is otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10215 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Project No. 8362-001]

Glen Elder Associates; Surrender of **Preliminary Permit**

April 22, 1985.

Take notice that Glen Elder Associates, Permittee for the proposed Glen Elder Hydro Project No. 8362, has requested that its preliminary permit be terminated. The permit was issued on November 29, 1984, and would have expired April 30, 1986. The project would have been located on the Solomon River near Glen Elder, Mitchell County, Kansas. The Permittee cites that the proposed project is not economically feasible as the basis for the surrender

The Permittee filed the request on April 8, 1985, and the preliminary permit for Project No. 8362 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided

for under 18 CFR Part 4, may be filed on the next business day.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10216 Filed 4-26-85; 8:45 am] BILLING CODE 6717-03-M

[Docket No. SA85-20-000]

Tom Horn; Petition for Adustment

April 22, 1985.

On March 21, 1985, Tom Horn filed with the Federal Energy Regulatory Commission a petition for an adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA) and Rules 1101 through 1104 of the Commission's rules.1

Tom Horn owns the Edith S. Horn Gas Well in the Panhandle West Field, Carson County, Texas. He operated the well to produce irrigation gas until it depleted to a point insufficient to supply that demand. In January, 1981, the remaining reserves were determined to be 15 mmcf. Horn applied for and was granted a Certificate of Abandonment. In October 1981, Horn began a system of enhanced recovery. It was successful, and the first delivery of gas was allegedly made on February 25, 1982.

Horn states that he first learned that his gas well had been disqualified and that no application for a section 108 NGPA enhanced recovery determination had been filed with the Texas Railroad Commission on December 19, 1984. On January 9, 1985 Horn sought a section 108 NGPA enhanced recovery determination. It was approved on February 4, 1985.

15 U.S.C. 3301, 3412(c) and 18 CFR 385.1101 through 385.1104 (1984), respectively.

Long Ravine Pipe

Project No.

6715 and 6047

6716 and 6049 7274-001..... Hayford Pipe..... Lake Algonquin Environmental assessments (EA's) were prepared for the above proposed projects. Based on independent analyses of the above actions as set forth in the EA's, the Commission's staff concludes that these projects would not have

Project name

significant effects on the quality of the human environment. Therefore, environmental impact statements will not be prepared.

Horn seeks an adjustment excusing him from the late filing of his enhanced recovery petition. He asserts that he expended substantial sums on his enhanced recovery technique and on certain necessary equipment, and that unless he is permitted to recover a section 108 gas price for the period from July 1, 1982 through January 9, 1985, he will incur a substantial refund obligation and sustain substantial out-of-pocket losses.

Subpart K of Part 385 of the Commission's rules sets out the procedures that apply to this adjustment proceeding. Any person who wishes to participate in this proceeding shall file a petition to intervene in accordance with Subpart K. All such petitions must be filed within 15 days after this notice is published in the Federal Register.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10224 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Projects No. 6715-000, 6047-002, 6716-000, 6049-002, 7274-001]

Gold Run Hydro Associates, Placer County Water Agency, Gold Run Hydro Associates, Placer County Water Agency, Town of Wells, New York; Availability of Environmental Assessment and Finding of No Significant Impact

April 22, 1985.

In accordance with the National Environmental Policy Act of 1969, the Office of Hydropower Licensing, Federal **Energy Regulatory Commission** (Commission), has reviewed the applications for exemptions listed below and has assessed the environmental impacts of the proposed developments.

Nearest

CA Lower Boardman Canal Colfax Lower Boardman Canal Sacandaga River..... Pinecroft.

Body of water

Copies of the EA's are available for review in the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Kenneth F. Plumb.

Secretary.

State

[FR Doc. 85-10217 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Docket No. C!85-376-000 et al.]

The Louisiana Land and Exploration Company et al.; Applications for Certificates, Abandonments of Service and Petitions to Amend Certificates 1

April 19, 1985.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in

interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 6. 1985, file with the Federal Energy Regulatory Commission, Washington, DC 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with

the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become a parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure
Cl85-376-000, B. (Cl78-1164), B.	The Louisiana Land and Exploration Company, 225	Texas Eastern Transmission Corporation, East Cam-	(4)	
Apr. 9, 1985.	Baronne Street, New Orleans, Louisiana 70160.	eron Area Block 294, Offshore Louisiana.		
CI85-379-000, E, Apr. 11, 1985	Pennzoil Producing Company (Succ. In Interest to Gulf Oil Corporation, P.O. Box 2967, Houston, Texas 77252-2967.	Natural Gas Pipeline Company of America, Escobas Field, Zapata County, Texas,	(*)	14.73
Cl85-382-000, A, Apr. 12 1985	Ecee, Inc., 999 The Main Bldg., Houston, Texas 77002	Texas Gas Transmission Corporation, Blocks 330 and 337, Eugene Island Area, Offshore Louisiana.	(a)	14.73
Cl85-383-000, B, Apr. 12, 1985	Herd Producing Company, Inc., Bob L. Herd, 1200 The Peoples Plaza Tower, Tyler, Texas 75702.	Arkansas Louisians Gas Company, Colquitt Field, Ciaiborne Parish, Louisiana	(*)	
A STATE OF THE PARTY OF THE PAR	Shell Western E&P Inc., P.O. Box 4584, Houston, Texas 77210.	El Paso Natural Gas Company, Spraberry Trend Area, Resgan County, Texas.	(5)	
	Shell Offshore Inc., P.O. Box 4480, Houston, Texas 77210.	Florida Gas Transmission Company, Grand Isla Block 76, Offshore Louisiana.	(e)	14.73
C178-518-001, E. Apr. 5, 1985	do	Florida Gas Transmission Company, Grand Isle Block 75, Offshore Louisiana.	(*)	14.73
Cl65-378-000 (G-20324), B, Apr. 10, 1985.	Shell Oil Company, P.O. Box 2463, Houston, Texas 77001.	Tennessee Gas Pipeline Company, Clovelly Field, LaFourche Parish, Louisiana.	(7)	MAN CARRIED
Cl85-381-000, E. Apr. 11, 1985	Shell Offshore Inc. (Succ. in Interest to Petro-Lewis Funds, Inc.), P.O. Box 4480, Houston, Texas 77210.	Florida Gas Transmission Company, Grand Isle Block 76, Offshore Louisiana.	(*)	14.73
Cl85-252-000, A, Feb. 25, 1985	Texaco Inc. (Operator), P.O. Box 60252, New Orleans, La. 70160.	Bridgeline Gas Distribution Company, West Camer- on Block 202, Offshore Louisiana.	(*)	14.73
CI85-384-000 (CI175-764), B, Apr. 12, 1985.	Texaco Inc., P.O. Box 52332, Houston, Texas 77052,	Panhandle Eastern Pipeline Company, Chance Field, Pratt County, Kansas.	(10)	*****
Cl85-307-000, E, Feb. 1, 1985	Samson Resources Company (Succ. to Diamond Shamrock Exploration Company), Samson Plaza, Two West Second Street, Tulsa, Okla. 74103.	Arkansas Louisiana Gas Company, Certain acreage in LeFlore County, Oklahorna.	(33)	14.73
delical resident	Phillips Petroleum Company, 336 HS&L Bldg., Bartlesville, Okla, 74004.	ANR Pipeline Company, OCS-G-2619, Block 115, Ship Shoal Area, Offshore Louisiana.	(12)	14.73
CI85-311-000, A, Apr. 4, 1985	do	Florida Gas Transmission Company, OCS-G-2161, Block 76, Grand Isle Area, Offshore Louisiana.	(13)	14.73
CI85-371-000, A, Apr. 8, 1985	Phillips Oil Company, 336 HS&L Bldg., Bartlesville, Okla. 74004	Natural Gas Pipeline Company of America, OCS-G- 3258 West Cameron Block 81, Offshore Cameron Parish, Louisiana.	(19)	14.73
CI85-377-000 (CI80-403), B, Apr. 10, 1985.	Phillip Petroleum Company, 336 HS&L Bldg., Bartlesville, Okla. 74004.	Transcontinental Gas Pipe Line Corporation, West Cameron Block 330 Field, Offshore Louisiana.	(15)	
CI78-42-001, D, Apr. 15, 1985	Ladd Petroleum Corporation, 830 Denver Club Bldg., Denver, Colorado 80202.	Transcontinental Gas Pipe Line Corporation, Mos-	(29)	-
CI78-1211-001, D, Apr. 15, 1985	Forest Oil Corporation, 950 Seventeenth Street— Suite 1500, Denver, Colorado 80202	quito Bay Field, Terrebonne Parish, Louisiana. Colorado Interstate Gas Company, Hay Reservoir Unit, Sweetwater County, Wyoming.	(17)	

Filing Code: A-Initial service; B-abandonment; C-Amendment to add acreage; D-Amendment to delete acreage; E-Total succession; F-Partial succession.

[FR Doc. 85-10218 Filed 4-26-85; 8:45 am]

BILLING CODE 6717-01-M

¹This notice does not provide for consolidation for hearing of the several matters covered herein.

Gas reserves are depleted and the wells are plugged and abandoned. The Lease has been terminated by the Mineral Management Service and was released to the Lessor.

Effective 7-31-84, Pennzoil acquired certain assets and property rights of Guil.

Applicant is filing under Gas Purchase Contract dated 2-7-85, as amended.

No gas sold since June, 1975, Meters removed by purchaser at their request in August, 1979.

Leases have been assigned to Petroleum Exploration of Texas Inc.

Effective as of 9-21-84, Florida Exploration Company (FEC) assigned to FEC Offshore Productive Inc. (FOPI) its interest in, *Inter alia*, the lease covered by the certificate held by FEC.

Effective as of 12-31-84, FOPI in turn assigned such interest to SOI.

All of Shell Oil Company's leases in the Clovelly Field have been assigned to Taylor Energy Company, effective 10-1-83.

Effective as of 10-1-84, SOI acquired all of the interest of Petro-Lewis Funds, Inc. in Grand Isle Block 76, Offshore Louisiana.

Applicant is filling under Gas Sales Contract dated 2-18-85.

Applicant is filling under Gas Sales Contract dated 2-18-85.

All the leases committed to the Gas Sales and Purchase Agreement dated 6-1-75 have been solid and assigned to Kansas Gas Purchasing effective 7-1-83. At the time of assignment, the acreage was non-productive.

¹º All the leases committed to the Gas Sales and Purchase Agreement dated 6-1-75 have been sold and assigned to Kansas das Purchasing energive 7-1-63. At the latter of the acreage was non-productive.

1º Effective 10-1-84, Diamond Shamrock Exploration Company assigned all of its interest in the wells an leases to Samson Resources Company.

1º Applicant is filing under Gas Purchase Contract dated 6-12-75.

1º Applicant is filing under Gas Purchase Contract dated 12-5-75.

1º Applicant is filing under Gas Purchase Contract dated 9-12-84.

1º Gas production ceased in May 1984, with no further production planned.

1º State—J.M. Smyth #1 well was plugged and abandoned in June, 1979 and no further production is planned. The purchaser now wishes to remove the pertinent facilities related to this well.

well.

17 Forest Oil Corporation assigned a portion of its interest in the leases covered by contract dated 7-24-78 and Forests' Rate Schedule #65 to HPC, Inc.

Docket Nos. ST85-518-000 et al.]

Louisiana Resources Co. et al.; Self-Implementing Transactions

April 19, 1985.

Take notice that the following transactions have been reported to the Commission as being implemented pursuant to Part 284 of the Commission's Regulations and sections 311 and 312 of the Natural Gas Policy Act of 1978 (NGPA). The "Recipient" column in the following table indicates the entity receiving or purchasing the natural gas in each transaction.

The "Part 284 Subpart" column in the following table indicates the type of transaction. A "B" indicates transportation by an interstate pipeline pursuant to § 284.102 of the Commission's Regulations.

A "C" indicates transportation by an intrastate pipeline pursuant to \$ 284.122 of the Commission's Regulations. In those cases where Commission approval of a transportation rate is sought pursuant to \$ 284.123(b)(2), the table lists the proposed rate and expiration date for the 150-day period for staff action. Any person seeking to participate in the proceeding to approve a rate listed in the table should file a

petition to intervene with the Secretary of the Commission.

A "D" indicates a sale by an intrastate pipeline pursuant to § 284.142 of the Commission's Regulations and Section 311(b) of the NGPA. Any interested person may file a complaint concerning such sales pursuant to § 284.147(d) of the Commission's Regulations.

An "E" indicates an assignment by an intrastate pipeline pursuant to § 284.163 of the Commission's Regulations and Section 312 of the NGPA.

An "F(157)" indicates transportation by an interstate pipeline for an end-user pursuant to § 157.209 of the Commission's Regulations.

A "G" indicates transportation by an interstate pipeline on behalf of another interstate pipeline pursuant to a blanket certificate issued under § 284.221 of the Commission's Regulations.

A "G(LT)" or "G(LS)" indicates transportation, sales or assignments by a local distribution company pursuant to a blanket certificate issued under § 284.222 of the Commission's Regulations.

A "G(HT)" or "G(HS)" indicates transportation, sales or assignments by a Hinshaw Pipeline pursuant to a blanket certificate issued under § 284.222 of the Commission's Regulations.

A "C/F(157)" indicates intrastate pipeline transportation which is incidental to a transportation by an interstate pipeline to an end-user pursuant to a blanket certificate under 18 CFR 157.209. Similarly, a "G/F(157)" indicates such transportation performed by a Hinshaw Pipeline or distributor.

Any person desiring to be heard or to make any protests with reference to a transaction reflected in this notice should on or before May 10, 1985, file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants party to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb, Secretary.

Docket No. 1	Transporter/seller	Recipient	Date filed	Subpart	Expiration date 3	Transporta- tion rate (cents per MMBtu)
ST85-518	Louisiana Resources Co	Northern Intrastate Pipeline Co	02-01-85	C	07-01-85	05.52
ST85-519	Southern Gas Pipeline Co	Texas Eastern Transmission Corp		C	07-01-85	15.00/20.00
ST85-520	Transcontinental Gas Pipe Line Corp		02-01-85	G	07-01-00	10.00120.00
ST85-521	Panhandle Eastern Pipe Line Co	The Alpha Corp	02-01-85	F(157)		
ST85-522	Transcontinental Gas Pipe Line Corp	Pennsylvania Gas and Water Co	02-01-85	B		***************************************
ST85-523	ANR Pipeline Co			F(157)		
ST85-524	do			8		***************************************
ST85-525	Panhandle Eastern Pipe Line Co			F(157)		-
ST85-526	Louisiana Gas System Inc	Tennessee Gas Pipeline Co				
ST85-527	Panhandle Eastern Pipe Line Co	The Sisters of the Third Order of St. Francis		C		
ST85-528	Mississippi River Transmission Corp			F(157)		****************
ST85-529	Producer's Gas Co	Spindletop Gas Distribution System		В		
ST85-530	do do			D		
ST85-531	Note of Conference Conference	Cincinnati Gas and Electric Co		D		
ST85-532	Natural Gas Pipeline Co. of America				***************************************	***************************************
ST85-533	Northern Natural Gas Co				***************************************	***************************************
ST85-534	United Gas Pipe Line Co	SCM Corp	02-04-85	100,000,00		
ST85-535	Panhandle Eastern Pipe Line Co		02-04-85	G		
ST85-536	Trunkline Gas Co			8		
ST85-537	Panhandle Eastern Pipe Line Co			100000000000000000000000000000000000000		
ST85-538	Colorado Interstate Gas Co			G		
ST85-539	Trunkline Gas Co					
	do	Bridgeline Gas Distribution Co		B		
ST85-540	Gasdel Pipeline System, Inc			G		
ST85-541	Northwest Pipeline Corp					
ST85-542	Transcontinental Gas Pipe Line Corp					
ST85-543	Sunflower Electric Cooperative, Inc		02-05-85	C	07-05-85	12.00
ST85-544	Transcontinental Gas Pipe Line Corp	City of Lawrenceville	02-05-85	8		
ST85-545	Tennessee Gas Pipeline Co		02-06-85	G		
ST85-546	do	Fitchburg Gas and Electric Light Co	02-06-85	В		
ST85-547	do	Berkshire Gas Co	02-06-85	В		
ST85-548	Northwest Central Pipeline Corp	Enermark Pipeline Co	02-06-85	8		
ST85-549	Consolidated Gas Transmission Corp	Brooklyn Union Gas Co.		В		
ST85-550	Natural Gas Pipeline Co. of America		02-06-85	В		
ST85-551	Cranberry Pipeline Corp	Connecticut Natural Gas Corp		C	07-13-85	43.00
ST85-552	Dethi Gas Pipeline Corp	Columbia Gas Transmission Corp		C		
ST85-553	Trunkline Gas Co	The Alpha Corp.				
ST85-554	do	THC Pipeline Co		8		
ST85-555	do	Cokinos Natural Gas Co				200000000000000000000000000000000000000
ST85-556	Transcontinental Gas Pipe Line Corp	Atlanta Gas Light Co				2,000,000
ST85-557	do					
ST85-558	Northern Natural Gas Co	Southern Natural Gas Co			P	

Docket No. 1	Transporter/seller	Recipient	Date filed	Subpart	Expiration date ²	Transporta tion rate (cents per MMBtu)
ST85-559 ST85-560	Mustang Fuel Corp	El Paso Natural Gas Co	02-07-85	C	07-07-85	32.3
ST85-561	Tennessee Gas Pipeline Codo	Carbonaire Co., Inc	02-08-85	F(157)		
ST85-562	Panhandle Eastern Pipe Line Co	Courtaulds North America, Inc	. 02-08-85	F(157)		The state of the s
ST85-563	do	The Methodist Medical Center of III	02-08-85			
ST85-564	Trunkline Gas Co	United Gas Pipe Line Co	02-08-85			
ST85-565	Southern Natural Gas Co		02-07-85	G		
ST85-566 ST85-567	Columbia Gas Transmission Corp		. 02-08-85	F(157)		
ST85-568	Consolidated Gas Transmission Corp	do	. 02-08-85	F(157)		
ST85-569	Trunkline Gas Co	Hope Gas, Inc	. 02-11-85	B G		
ST85-570	Northwest Central Pipeline Corp	Scissortail Natural Gas Co	02-11-85	B		***************
ST85-571	Trunkline Gas Co	Union Texas Petroleum Corp	02-11-85	F(157)	The state of the s	
ST85-572 ST85-573	Texas Gas Transmission Corp	Bridgeline Gas Distribution Co	02-12-85	B		
ST85-574	Texas Eastern Transmission Corp Columbia Gulf Transmission Co.		. 02-12-85	G		
ST85-575	Transcontinental Gas Pipe Line Corp	N. Carolina Nat. Gas Corp., et al	02-12-85	F(157)		
ST85-576	do	Washington Gas Light Co		8		
ST85-577	Northern Natural Gas Co	Colorado Interstate Gas Co	. 02-14-85	G		
ST85-578	do	Public Service of Colorado	. 02-14-85	8		
ST85-579 ST85-580	do		. 02-13-85	В		
ST85-581	dodo		. 02-13-85	В		
ST85-582	Tennessee Gas Pipeline Co		02-13-85	В		
ST85-583	Consolidated Gas Transmission Corp	Tennessee Gas Pipeline Co	02-14-85	B		
ST85-584	Transcontinental Gas Pipe Line Corp		02-14-85	8		
ST85-585 ST85-587	Columbia Gulf Transmission Co	Texas Gas Transmission Com	. 02-11-85	G		
ST85-588	Northern Natural Gas Co	El Paso Gas Transportation Co		В		STATE OF THE PARTY
ST85-589	Northwest Pipeline Corp	Mountain Fuel Resources, Inc		G		
T85-590	Columbia Gas Transmission Corp	Holly Farms Poultry Industries, Inc.		F(157)		
ST85-591	do	Kal Kan Foods, Inc.	02-15-85	F(157)		
ST85-592	El Paso Natural Gas Co	Westar Transmission Co	02-15-85	В		
ST85-593 ST85-594	Coo Bobba Goodles Co	do		8		
ST85-595	Sea Robin Pipeline Codo		02-15-85	G		
T85-596	ANR Pipeline Co	Texas Gas Transmission Corp Northern Indiana Public Service Co	. 02-15-85	G		
ST85-597	do		02-19-85	F(157)		
T85-598	do	Butler Manufacturing Co	. 02-19-85	F(157)		
T85-599	do	Monmouth College	02-19-85	F(157)		
T85-600 T85-601	Southern Natural Gas Co.		02-19-85	G		******************
ST85-602	United Gas Pipe Line Co	Atlanta Gas Light Co	02-19-85	В	THE RESERVE OF THE PARTY OF THE	
ST85-603	Acadian Gas Pipeline System	Trunkline Gas Co	02-19-85	G		
ST85-604	Montana-Dakota Utilities Co		02-19-85	F(157)		
ST85-605	Southern Natural Gas Co	Texas Gas Transmission Corp	02-07-85	G		
T85-606 T85-607	Transcontinental Gas Pipe Line Corp		02-19-85	В		
T85-608	United Gas Pipe Line Co		02-19-85	F(157)		
T85-609	Transcontinental Gas Pipe Line Corp	Millikin University	02-19-85	F(157)	<u> </u>	
T85-610	Houston Pipe Line Co	Florida Gas Transmission Co	02-19-65	C		
T85-611	Panhandle Gas Co	Entex. Inc.	02-20-85	D		
T85-612 T85-613	Oasis Pipe Line Co	do	02-20-85	C		
T85-614	Panhandle Eastern Pipe Line Co	The fourth of Commentation of the comment of the co	02-20-85	В		
T85-615	do	Arcadian Corp	02-20-85	F(157) F(157)		
T85-616	do	Funk Liquids, Inc.	02-20-85	F(157)		***************************************
T85-617	Tennessee Gas Pipeline Co	Shenandoah Gas Co., et al.	02-20-85	B/G		
T85-618	do	Southern Natural Gas Co	02-20-85	G		
T85-619 T85-620	Texas Eastern Transmission Corp	Entex, Inc	02-20-85	В		
T85-621	Gulf South Pipeline Co		02-20-85	G		
T85-622	Houston Pipe Line Co	Brooklyn Union Gas Co	02-20-85	G(HS)		
T85-623	Panhandie Gas Co	Florida Gas Transmission Co.	02-20-85	D		
T85-624	Gulf South Pipeline Co	Energy Gathering, Inc	02-20-85	G(HS)		
T85-625 T85-626	ANR Pipeline Co	Michigan Consolidated Gas Co	02-20-85	8		
T85-627	United Gas Pipe Line Codo		02-20-85	В		
T85-628	Transcontinental Gas Pipe Line Corp		02-20-85	8 B		
T85-629	Natural Gas Pipeline Co. of America	GHR Pipeline Corp	02-20-85 02-20-85	8		
T85-630	Mustang Fuel Corp		02-20-85	C	07-20-85	32.3
T85-631	Northern Natural Gas Co	Northern Intrastate Pipeline Co	02-21-85	8		
T85-632 T85-633	Delhi Gas Pipeline Corpdo		02-21-85	C		
T85-634	Texas Eastern Transmission Corp		02-21-85	C		***************************************
T85-635	do	Consolidated Edison Co. of NY, Inc	02-21-85	B		
T85-636	El Paso Natural Gas Co	Colorado Interstate Gas Co	02-21-85	G		
T85-637	ANR Pipeline Co	Consolidated Edison Co. of NY, Inc.	02-22-85	8		***************************************
T85-638	Colorado Interstate Gas Co	KN Energy, Inc	02-22-85	G		
T85-639 T85-640	ANR Pipeline Co		02-22-85	G		
T85-641	Tennessee Gas Pipeline Co	El Paso Natural Gas Co Connecticut Natural Gas Corp	02-22-85	C		
T85-642	Natural Gas Pipeline Co. of America		02-22-85	8		***************************************
T85_643	do		02-22-85	B		
T85-644	Delhi Gas Pipeline Corp	Spindletop Gas Distribution System	02-25-85	C		
T85-645 T85-646	Arkansas Louisiana Gas Co	W.R. Grace and Co	02-25-85	C/F(157)		
T85-647	Northwest Central Pipeline Corp		02-25-85	F(157)		***************************************
T85-649	Texas Gas Transmission Corp	Texas Eastern Transmission Corp The Haywood Co.	02-20-85	G(HS)		
T85-650	Tennessee Gas Pipeline Co		02-26-85 02-26-85	F(157)		
T85-651	Consolidated Gas Transmission Corp Columbia Gas Transmission Corp	New Jersou Natural Gos Co	02-26-85	B		
T85-652				F(157)		

Docket No. 1	Transporter/seller	Recipient	Date filed	Subpart	Expiration date 3	Transports tion rate (cents pe MMBtu)
ST85-653	do	Industrial Platers, Inc.	02-26-85	F(157)		itiliani.
ST85-654	do			F(157)		
ST85-655				В		
ST85-656	do.			В		
ST85-657	do			В	Part of the same o	
ST85-658	do			G		
ST85-659	Columbia Gulf Transmission Co			F(157)		
ST85-660				8		O CONTRACTOR
ST85-661	Transcontinental Gas Pipe Line Corp.			F(157)	The state of the s	CONTRACTOR OF THE PARTY OF THE
ST85-662				B		
ST85-663	do			8		
ST85-664	do			8		Section Section 1
ST85-665	do			C		
	Valero Transmission Co					
ST85-666	Texas Eastern Transmission Corp			G	***************************************	
ST85-667	do			В		
ST85-668	Michigan Gas Storage Co			F(157)	***************************************	
ST85-669	Northwest Central Pipeline Corp			F(157)	ļ	
ST85-670	Arkansas Louisiana Gas Co			F(157)		-
ST85-672	Texas Gas Transmission Corp			8		
ST85-673	Valley Gas Transmission, Inc			8		
ST85-674	Natural Gas Pipeline Co. of America			G		
ST85-675	do	do		G		
ST85-676	do	Archer-Daniels-Midland Co	02-28-85	F(157)		
ST85-677	Montana-Dakota Utilities Co	Terra Chemicals	02-19-85	F(157)		
ST85-678	do			F(157)		

'The noticing of these filings does not constitute a determination of whether the filings comply with the Commission's Regulations.

'The intrastate pipeline has sought Commission approval of its transportation rate pursuant to Section 284.123(b)(2) of the Commission's Regulations (18 CFR 284.123(b)(2)). Such rates are deemed fair and equitable if the Commission does not take action by the date indicated.

[FR Doc. 85-12019 Filed 4-26-85; 8:45 am]

[Docket No. GP85-25-000]

Mississippi Fuel Co.; Petition for Declaratory Order

April 22, 1985.

Take notice that on April 3, 1985, Mississippi Fuel Company (Fuelco) tendered for filing a Petition For Declaratory Order. Fuelco requests that the Federal Energy Regulatory Commission (Commission) issue an order declaring that certain transportation by Fuelco of natural gas purchased by James River Norwalk, Inc. James River) from Koch Hydrocarbons, Inc. (Koch), which is subsequently transported by Transcontinental Gas Pipe Line Company (Transco) in interstate commerce, is not transportation by Fuelco in interstate commerce subject to the Commission's jurisdiction under section 1(b) of the Natural Gas Act and does not constitute transportation on behalf of eligible purchasers under section 311(a)(2) of the Natural Gas Policy Act (NGPA) and applicable Commission regulations.

In the event the Commission concludes that such transportation by Fuelco is not exempt from Commission jurisdiction, then in the alternative and pursuant to § 294.123(b)(2) of Commission regulations under the NGPA, Fuelco petitions for an order approving transportation charges. However, Fuelco is required to file separately a petition for approval of such charges in a separate proceeding

and to submit the fee required by § 381.403, 18 CFR § 381.403 (1984). Accordingly, Fuelco's alternate petition for rate approval is deficient and will not be processed pending receipt of the required fee.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal **Energy Regulatory Commission, 825** North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211. 385.214). All such motions or protests should be filed on or before May 22, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10220 Filed 4-26-85; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. RP83-68-009 et al.]

Natural Gas Pipe Line Co. of America et al.; Filing of Pipeline Refund Reports and Refund Plans

April 19, 1985.

Take notice that the pipelines listed in

the Appendix hereto have submitted to the Commission for filing proposed refund reports or refund plans. The date of filing, docket number, and type of filing are also shown on the Appendix.

Any person wishing to do so may submit comments in writing concerning the subject refund reports and plans. All such comments should be filed with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before April 29, 1985. Copies of the respective filings are on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

Appendix

Filing date	Company	Docket No.	Type
3/29/85	Natural Gas Pipe Line Co. of America.	RP83-68-009	Report.
3/29/85	Western Gas Interstate Co	RP85-127-000	Btu 1
4/1/85	Panhandle Eastern Pipe Line Co	RP85-96-002	Btu 1
1/4/84	Texas Eastern Transmission Corp.	RP874-41-035	Report.
7/6/84	Texas Eastern Transmission Corp.	RP874-41-036	Do.

¹ Retunds resulting from Btu Measurement Adjustments. Each Company will retain its basic Docket No. and Sub-Docket Nos. will be assigned to future related filings.

[FR Doc. 85-10221 Filed 4-26-85; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. RP85-13-001]

Northwest Pipeline Corp.; Motion To Make Effective Suspended Rates and Conditionally, Settlement Rates

Arpil 18, 1985.

Take notice that Northwest Pipeline Croporation (Northwest) on April 15, 1985, filed a motion in the above-captioned proceeding to place into effect as of May 1, 1985, subject to refund, the rates and tariff sheets proposed in Northwest's October 31, 1984 rate filing, which was suspended by Commission order issued November 30, 1984 (29 FERC § 61,264 (1984)).

Northwest moves, in the alternative, to place into effect as of May 1, 1985, subject to refund and conditions precedent, the rates and tariff sheets which would constitute the base tariff rates that would result from Commission approval of the offer of settlement filed by Northwest on April 5, 1985 for customers who consent to the settlement. The suspended rates will be effective for those customers who did not consent to the settlement. Northwest would define "consent" to mean either comments filed in support of the settlement of a failure to file any comments concerning the settlement, pursuant to Rule 602(f)(3) of the Commission's Rules of Practice and Procedure (18 CFR 385.602(f)(3)).

Northwest requests Commission authority to place its settlement rates into effect for consenting customers subject to the following conditions: (1) Any action by the Commission which Northwest construes to be a modification, disapproval, or conditionin an "unacceptable manner" of the offer of settlement, or a remand for further proceedings will permit Northwest to charge all customers the suspended rates as of the date of such order; and (2) if the settlement is not made effective in accordance with its terms. Northwest would collect from each customer the difference between the amounts collected pursuant to the settlement rates and the amounts that would have been collected pursuant to rates and charges ultimately approved by the Commission in this proceeding. together with interest determined pursuant to § 154.67(c) of the Commission's regulations (18 CFR 154.67(c)).

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure [18 CFR 385.211,

385.214). All such motions or protests should be filed on or before April 25, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10222 Filed 4-26-85; 8:45 am]

[Docket No. CP82-355-007]

Natural Gas Pipeline Co. of America; Compliance Filing

April 18, 1985.

Take notice that on April 9, 1985, Natural Gas Pipeline Company of America (Natural) submitted for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following revised tariff sheets to be effective April 1, 1985:

Second Revised Sheet No. 137 Original Sheet No. 137A Twenty-First Revised Sheet No. 301 Twentieth Revised Sheet No. 305 Ninth Revised Sheet No. 501

Natural states that the revised tariff sheets were filed to reflect the revisions required to implement the tariff provisions governing sales service to Entex, Inc. that became effective pursuant to Commission "Order Affirming Initial Decision." issued January 14, 1985, in Docket No. CP82–355–000.

Natural states that a copy of the filing was mailed to Natural's jurisdictional customers, interested state regulatory agencies, and all parties set out on the official service list at Docket No. CP82–355–000.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before April 26, 1985. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb.

Secretary.

[FR Doc. 85-10214 Filed 4-26-85; 8:45 am]

[Docket No. CS85-42-000 et al.]

Perrytop Operating Co. et al.; . Applications for "Small Producer" Certificates ¹

April 19, 1985.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make protest with reference to said applications should on or before May 6. 1985, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become a parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No.	Dated filed	Applicant
CS85-42-000	4/10/85	Perrytop Operating Co., Route 3, Box 68, Perryton, TX 79070.
CS85-50-000	3/14/85	Melinda Fly Wynn, 3545 Inter- First Two, Dallas, TX 75270.
CS85-58-000	3/22/85	Walter Oil & Gas Corp., 240 Main Bldg., 1212 Main Street, Houston, TX 77002
CS85-59-000	3/26/85	Thomas B. Reynolds, Individual Thomas Byvne Reynolds Trust, P.O. Box 2605, Fort Worth, TX 76113.

¹This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Dated filed	Applicant
CS85-60-000	3/26/85	Watt W. Reynolds, III Trust, Watt W. Reynolds, Individual, P.O. Box 2605, Fort Worth, TX 76113.
CS85-61-000	4/1/85	Southern Methodist University, c/o SMU, P.O. Box 114, Daltas, TX 75275.
CS85-62-000	4/1/85	SMACKCO, Ltd./Coastal States Exploration, Inc., P.O. Drawer 649, Brewton, Ala. 36427.
CS85-63-000	4/10/85	Earle M. Craig, Jr. Corp., P.O. Box 1351, Midland, TX 79702.
CS85-64-000	4/12/85	Guide Exploration Inc., 519 S. Broadway, Suite 201, Wichita, KS 67202.

[FR Doc. 85-10223 Filed 4-26-85; 8:45 am]

[Docket Nos. CP84-676-001 et al.] Seaquil Interstate Corp. et al.; Natural Gas Certificate Filings

Take notice that the following filing have been made with the Commission:

1. Seaguil Interstate Corporation

[Docket No., CP84-676-001] April 17, 1985.

Take notice that on March 25, 1985, ¹ Seagull Interestate Corporation (Seagull Interstate), 1100 Louisiana Street, Houston, Texas 77002, filed in Docket No. CP84-676-001 an amendment to the pending application for a certificate of public convenience and necessity filed on August 30, 1984, in Docket No. CP84-676-000 pursuant to section 7(c) of the Natural Gas Act so as to reflect the transportation of gas for an additional party, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

By the pending application in Docket No. CP84-676-000, authorization is requested for the construction and operation of seven miles of 16-inch pipeline from Matagorda Island Block 555-L, which lies in Federal waters in the outer continental shelf, to an existing intrastate pipeline referred to as the Cavallo line, owned by Seagull Energy Corporation (Seagull Energy) in Matagorda Island Block 526-L, which lies in Texas state waters, all in Matagorda Island Area, offshore Texas. The new facility would be referred to as the New Seagull Interstate Facility. Authorization is also requested in the pending application for the transportation of up to 75 billion Btu of natural gas per day, or greater quantities depending upon pipeline capacity

availability, for Florida Gas Transmission Company (FGT) from the Matagorda Island Block 555 Field, by utilizing the New Seagull Interstate Facility, to Seagull Energy's Cavallo line.

In Docket No. CP84-676-001, an amendment to the application was filed to include a request for authorization to provide transportation service also for Northern Natural Gas Company Division of InterNorth, Inc. (Northern). It is explained that pursuant to the terms of a March 21, 1985, transportation agreement, Seagull Interstate would transport up to 18.6 billion Btu of natural gas per day attributable to Exploration and Production, Division of InterNorth, Inc.'s interest in the Matogorda Island Block 555 Field through the New Seagull Interstate Facility for the account of Northern to Seagull Energy's Cavallo line. It is also explained that the total contract demand for the transportation of FGT's and Northern's gas would remain 75 billion Btu of natural gas per day. Seagull Interstate asserts that Northern's gas would then be delivered into the Cavallo line for transportation by Seagull Energy for the account of Seagull Interstate pursuant to 311(a) of the Natural Gas Policy Act of 1978 (NGPA) to a 6-inch pipeline owned by Houston Pipe Line Company (HPL) in Matagordo Island Block 520-L for measurement of the gas. It is explained that the gas would then be delivered to facilities of Valero Transmission Comapny (Valero) in Matagorda Island Block 485, which would provide the additional transportation service pursuant to Section 311(a) of the NGPA for final redelivery of the gas into Northern's system. Seagull Interstate submits that its transportation service for Northern would be for a primary term of 10 years commencing on the date of first deliveries and from year toyear thereafter unless and until terminated by either party giving 30 days prior written notice at the end of the primary term or at the end of any year thereafter.

It is stated that Seagull Interstate would charge Northern a rate not to exceed 13.0 cents for each million Btu of gas transported from Matagorda Island Block 555–L to the point of redelivery into the Valero line in Matagorda Island Block 485–L. It is asserted that the fees for transporting Northern's gas through the Cavallo line and the 6-inch HPL line are included within the 13-cent charge. Seaguli Interstate also states that it would also have the right to seek authorization for an adjustment to Seagull Interstate's rates and charges as may be needed to assure a just and

reasonable rate provided that it may not do so more than once during any twoyear period beginning after the first three years of service.

Comment date: May 1, 1985, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

2. ANR Pipeline Company

[Docket No. CP79-467-003] April 19, 1985.

Take notice that on March 28, 1985, ANR Pipeline Company (Petitioner), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP79-467-003 a petition pursuant to section 7(c) of the Natural Gas Act to amend the Commission's order issued June 10, 1981, so as to authorize a modification in the transportation service provided by Petitioner for Texas Eastern Transmission Corporation (TETCO), all as more fully set forth in the petition to amend which is on file with the Commission and open for public inspection.

Petitioner requests authority to modify the level of transportation for TETCO pursuant to the second amendment dated November 21, 1984, to the transportation agreement between the parties dated July 6, 1979, as previously modified by an amendment dated lanuary 16, 1981.

Petitioner states that the second amendment, extending for an additional contract year (November 1, 1984 through November 1, 1985) the full transportation volumes of 75,000 Mcf of gas per day, is consistent with various regulatory authorities TETCO has obtained, or is subject to, regarding the importation of the natural gas subject to transportation herein, which TETCO is purchasing from ProGas Limited (ProGas).

Petitioner requests authority to extend for an additional contract year, through November 1, 1985, the transportation of 75,000 Mcf of natural gas per day on behalf of TETCO. Petitioner states that the volumes subject to transport would be adjusted for the sixth through ninth contract years as set forth in the second amendment.

Petitioner states that its transportation service is provided in conjunction with service provided by Great Lakes Gas Transmission Company (Great Lakes). Great Lakes has filed with the Commission in Docket No. CP79-462-004, et al., a petition seeking companion authority to modify its level of transportation through November 1, 1985.

Comment date: May 10, 1985, in accordance with the first subparagraph

¹The amendment was initially tendered for filing on March 25, 1985; however, the fee required by \$ 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not paid until March 27, 1985; thus, filing was not completed until the latter date.

of Standard Paragraph F at the end of this notice.

3. Arkla Energy Resources, a division of Arkla, Inc.

[Docket No. CP85-391-000] April 19, 1985.

Take notice that on March 26, 1985, Arkla Energy Resources, a division of Arkla, Inc. (Arkla), P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP85-391-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to transport natural gas on behalf of Aluminum Company of America (ALCOA) under the certificate issued in Docket No. CP82-384-000 and CP82-384-001 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Arkla proposes to transport up to 2.64 million Btu equivalent of natural gas per day for ALCOA. It is stated that the gas to be transported would be purchased from Samson Resources Company (Samson) and would be used as boiler fuel and process gas in ALCOA's Bauxite, Arkansas, plant. It is further stated that Arkla would receive the gas from Samson at existing receipt points in Oklahoma and Arkansas and would redeliver the gas at an existing interconnection with ALCOA's plant in Saline County, Arkansas.

It is indicated that Arkla would charge the currently applicable transportation rate in accordance with its ECOSHARE Transportation Rate Schedule or Rate Schedule No. TRG-1, FERC Gas Tariff, First Revised Volume No. 2.

Arkla also requests flexible authority to add or delete receipt/delivery points associated with sources of gas acquired by the end-user. The flexible authority requested would apply only to points related to sources of gas supply, not to delivery points in the market area. Arkla would file a report providing certain information with regard to the addition or deletion of sources of gas as further detailed in the application and any additional sources of gas would only be obtained to constitute the transportation quantities herein and not to increase those quantities.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

4. Columbia Gas Transmission Corporation; Columbia Gulf Transmission Company

[Docket No. CP85-427-000] April 19, 1985.

Take notice that on April 10, 1985. Columbia Gas Transmission Corporation (Columbia Gas), 1700. MacCorkle Avenue, S.E., Charleston, West Virginia 25314, and Columbia Gulf Transmission Company (Columbia Gulf), 3805 West Alabama Avenue, Houston, Texas 77027, filed in Docket No. CP85-427-000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157,205) for authorization to transport natural gas on behalf of Jersey Central Power and Light Company (Jersey Central) under their certificates issued in Docket Nos. CP83-76-000 and CP83-496-000, respectively, pursuant to section 7 of the Natural Gas Act, as more fully set forth in the request on file with the Commission and open to public inspection.

Pursuant to a transportation agreement dated December 13, 1984, Columbia Gas and Columbia Gulf propose the transportation of up to 25 billion Btu of natural gas per day for Jersey Central. It is stated that the volumes to be transported are 25 billion Btu for peak day, 16,986 million Btu for an average day and 6,200 billion Btu on an angual basis

an annual basis. It is asserted that Jersey Central, through its agent Energy Marketing Exchange, Inc. (EME), has arranged for the purchase of quantities of natural gas from Rosewood Resources (POC) Inc., a producer located in Louisiana. It is further asserted that through its agent, EME, Jersey Central has arranged for such gas to be transported by Monterey Pipeline Company to Columbia Gulf which would in turn deliver the gas to Columbia Gas. Columbia Gulf, it is stated, woud receive the gas in Vermilion Parish, Louisiana. Columbia Gas, it is asserted, would deliver the gas to Texas Eastern Transmission Corporation (Texas Eastern) at existing points of interconnection in Chester County, Pennsylvania, and in Lancaster County, Pennsylvania. It is further stated that Texas Eastern would transport and redeliver the gas for the account of Jersey Central to Elizabethtown Gas Company (Elizabethtown) at existing points of interconnection in Middlesex County. Pennsylvania, and in Hunterdon County, New Jersey. It is explained that Elizabethtown would in turn deliver the gas to Jersey Central for utilization as fuel-oil displacement gas at Jersey Central's Gilbert generating plant at

Milford, New Jersey.

It is stated that Columbia Gulf would charge one of the rates set forth in its Rate Schedule T-2 which current rates are as follows: offshore to Kentucky-23.92 cents per dt and 1.69 percent retainage; lateral onshore to Kentucky-14.28 cents per dt and 1.50 percent retainage; Rayne, Louisiana, to Kentucky-12.76 cents per dt and 1.50 percent retainage; and Corinth, Mississippi, to kentucky-6.38 cents per dt and 0.75 percent retainage. It is further stated that Columbia Gas would charge one of the rates set forth in its Rate Schedule TS-2 which current rates are as follows: received from Columbia Gulf at Leach, Kentucky-32.50 cents per dt and received from receipt points other than Leach, Kentucky-41.27 cents per dt. It is submitted that Columbia Gas would retain 2.43 percent of the volumes received. In addition, it is stated that Columbia Gas would collect the General R & D Funding Unit of the Gas Research Institute for all quantities transported under this transportation arrangement.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

5. Northern Natural Gas Company, Division of InterNorth, Inc.

[Docket Nos. CP85-366-000, CP85-366-001] April 19, 1985.

Take notice that on March 15, 1985. Northern Natural Gas Company, Division on InterNorth, Inc. (Northern), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP85-366-000 a request, as amended April 12, 1985, in Docket No. CP85-366-001, pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to transport natural gas on behalf of a qualified end-user under the certificate issued in Docket No. CP82-401-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

The proposed transportation service would be performed pursuant to a transportation agreement dated January 28, 1985, between Northern and Marathon Oil Company (Marathon). Northern states that the agreement provides for the transportation of up to 10,000 Mcf of natural gas per day on an interruptible basis. It is explained that Marathon would have gas delivered to Northern at existing interconnections between Northern and Oklahoma Natural Gas Company (ONG) in Woodward and Roger Mills Counties, Oklahoma, and that Northern would transport equivalent volumes to

Marathon at the Yates Plant in Pecos County, Texas. It is stated that Northern would charge 4.65 cents per Mcf per 100 miles, as set forth in its Rate Schedule EUT-1. The gas would be used for compressor fuel, it is stated.

Northern also requests flexible authority to add or delete receipt/ delivery points associated with sources of gas acquired by the end-user. The flexible authority requested applies only to points related to sources of gas supply, not to delivery points in the market area. Northern will file a report providing certain information with regard to the addition or deletion of sources of gas as further detailed in the application and any additional sources of gas would only be obtained to constitute the transportation quantities herein and not to increase those quantities.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

6. Columbia Gulf Transmission Company; Columbia Gas Transmission Corporation; Tennessee Gas Pipeline Company, a Division of Tenneco Inc.

[Docket No. CP85-388-000]

April 19, 1985.

Take notice that on March 25, 1985, Columbia Gulf Transmission Company (Columbia Gulf), P.O. Box 683, Houston, Texas 77001, Columbia Gas Transmission Corporation (Columbia). P.O. Box 1273, Charleston, West Virginia 25325, and Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee) (jointly referred to as Applicants), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP85-388-000 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and exchange of natural gas offshore Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants propose to transport and exchange natural gas offshore Texas. It is stated that Tennessee has the right to purchase natural gas from High Island Block 281 A, offshore Texas, from Tenneco Oil Company, Samedan Oil Corporation, and New England Energy, Inc. (referred to jointly as Tenneco). It is further stated that Columbia has the right to purchase natural gas from wells in High Island Blocks 280 and 286, offshore Texas, from Exxon Company, U.S.A. (Exxon). Applicants claim that by agreements dated October 1, 1979, the gas reserves from High Island Blocks

280, 281 and 286 were unitized and that gas producted from Exxon well Nos. A-1, A-2 and A-3, and Tenneco well Nos. A-1, A-2, A-4 and A-6 would be allocated 50 percent to Tenneco and 50 percent to Exxon.

It is stated that Columbia Gulf would receive Tennessee's gas at High Island Block 287-A and Tennessee in exchange would receive Columbia's gas at High Island Block A-281. Applicants indicate that if on any day Tennessee has gas available in excess of the amount Columbia has available for delivery to Tennessee then Columbia Gulf would transport all of the excess gas, on a bestefforts basis, to an underwater side tap on the High Island Offshore System (HIOS) in Island Block 280, offshore Texas, for the account of Tennessee. It is further stated that if on any day Columbia has gas available in excess of the amount Tennessee has available for delivery to Columbia then Tennessee would transport all of the excess gas, on a best-efforts basis, to an underwater side tap on HIOS in High Island Block 281, offshore Texas, for the account of Columbia.

Appllicants state that for all excess gas transported by Columbia Gulf, Columbia Gulf would receive 1.82 cents per Mcf of gas at 14.73 psia and 60 °F. It is claimed that this rate is in accordance with the determination in Docket No. RP84-74. It is further stated that for all excess gas transported by Tennessee, Columbia would pay a transportation rate of 3.65 cents per Mcf of gas.

It is asserted that such rates would be subject to increase or decrease pursuant to the agreement among the Applicants and subject to any order issued in any rate proceeding affecting any of the Applicants.

Comment date: May 10, 1985, in accordance with Standard Paragraph F at the end of this notice.

7. K N Energy, Inc.

[Docket No. CP85-328-000] April 19, 1985.

Take notice that on March 4, 1985, K N Energy, Inc. (K N), P.O. Box 15265, Lakewood, Colorado 80215, filed in Docket No. CP85-326-000 an application, as supplemented March 28, 1985, pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to construct and operate two sales taps to permit the delivery of gas to end-users under the certificate issued in Docket Nos. CP83-140-000, CP83-140-001 and CP83-140-002 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the

Commission and open to public inspection.

K N states that it proposes to construct and operate two on-system sales taps for new or existing direct retail customers to the extent allowable under its FERC Tariff. K N is further proposing to deliver up to 30 Mcf on a peak day or up to 1,000 Mcf annually to Mr. Jerry Otte in Fillmore County. Nebraska for irrigation purposes and up to 10 Mcf on a peak day or up to 600 Mcf annually to Heah Hopa, Inc., in Clay County, Nebraska for commercial space heating. K N avers that the proposed new sales taps would not significantly impact K N's peak day or annual deliveries. K N explains that these volumes would be billed at the retail rate currently authorized by the applicable states and local regulatory agencies.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

8. K N Energy, Inc.

[Docket No. CP85-380-000] April 19, 1985.

Take notice that on March 22, 1985, K N Energy, Inc. (KN), P.O. Box 15265, Lakewood, Colorado 80215, filed in Docket No. CP85-380-000 a request pursuant to § 157.205 of the Commission's Regulations (18 CFR 157.205) for authority to construct and operate six new sales taps for the delivery of gas to end users in Kansas, Nebraska, and Wyoming under the certificate issued in Docket No. CP83-140-000, as amended in Docket Nos. CP83-140-001 and CP83-140-002, pursuant to section 7(c) of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public

K N states its blanket certificate in Docket Nos. CP83-140-000, et al., as amended, authorizes K N to use the prior notice procedure under § 157.205 of the Commission's Regulations in connection with requests to construct and operate on-system sales taps for new or existing direct retail customers to the extent permitted under K N's FERC Gas Tariff provisions concerning limitations on deliveries. It is further stated that § 157.211(b)(2) of the Regulations is waived as to such requests.

Consistent with its blanket authorization K N proposes to construct and operate new sales taps to make direct sales for residential, agricultural, and small commercial use. It is indicated that two of the taps would be located in Phelps County, Nebraska, and

the other four taps would be located in Chase and Hall Counties, Nebraska, Kearny County, Kansas, and Platte County, Wyoming. It is explained the gas would be used for domestic, irrigation, and small commercial purposes. K N asserts the sales taps are

not prohibted by any of K N's existing tariffs and would have no significant impact on K N's peak day and annual deliveries.

KN asserts that the proposed taps would be used to deliver volumes to the customers as indicated below:

Customer	Location of tap	Approximate quantity to be sold (Mcf's)		End use of gas
		Peak day	Annual	
Resident/occupant:	STATE OF THE PARTY			A WENT DAY
Excelsior Oil Corp	NE¼ Sec. 4-26-36, Kearny Co., KS	10	600	Small commercial.
Calla Wilson Trust	NW1/4 Sec. 20-6-18, Phelps Co., NE	25	800	Irrigation.
Robert Cain	NE1/4 Sec. 16-15-18, Phelps Co., NE	30	900	Do.
John Lancaster	NE 1/4 Sec. 17-29-68, Platte Co., WY	45	1,400	Do.
Ed Johnson	NW1/4 Sec. 11-6-39, Chase Co., NE	2	120	Domestic.
Gaylan Schuett	NE1/4 Sec. 30-12-11, Hall Co., NE	35	1,300	Domestic and irrigation.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

9. Mountain Fuel Resources, Inc.

[Docket No. CP85-385-000] April 19, 1985.

Take notice that on March 25, 1985, Mountain Fuel Resources Inc. (Resources), 79 South State Street, Salt Lake City, Utah 84147, filed in Docket No. CP85-385-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Resources to transport natural gas for Northwest Pipeline Corporation (Northwest), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Resources requests authority to transport natural gas for Northwest, as follows: (1) Up to 5,000 Mcf per day from the Gladhill Draw area of Moffat County, Colorado; (2) up to 1,500 Mcf per day from the Henry's Fork area of Uinta County, Wyoming; and (3) up to 2,000 Mcf per day from the Cave Creek area of Summit County, Utah. It is stated that Resources would redeliver the gas to Northwest at existing interconnections between the parties in Sweetwater County, Wyoming, and/or in Uintah County, Utah. It is also stated that Northwest would pay Resources the following transportation and gathering rates for gas transported from the above-described areas:

	Transporta- tion rate per Mcf (cents)	Gathering rate per McI (cents)
(1) Galdhill Draw	13.22	5.36
(2) Henry's Fork(3) Cave Creek	13.22	20.63

¹ With respect to gas transported from the Cave Creek area, it is stated that Northwest would pay Resources a transportation charge and furnish fuel and unaccounted-for

gas in accordance with the effective rates and provisions set forth from time to time in Resources' FERC Gas Tariff.

Resources also requests flexible authority to add and delete receipt and delivery points, subject to annual reporting requirements, in the areas of interest referred to above, i.e., Gladhill Draw, Henry's Fork and Cave Creek. Resources states that such authority is consistent with that already granted to Resources under its currently effective Rate Schedules X-17, X-19, X-21, X-22, X-23, X-24, X-25, X-31, X-32 and X-36.

Lastly. Resources states that its agreements with Northwest for transportation from the Gladhill Draw and Henry's Fork areas anticipate that Northwest may acquire gas from areas that are contiguous to, but not within, the areas of interest specified in the respective agreements. Therefore, Resources also requests flexible authority to add areas of interest, upon the amendment of such agreements, provided that the areas are contiguous to and reasonably related to the areas originally certificated and subject to annual reporting requirements. Alternatively, Resources requests that it be permitted to use the notice and protest procedures of § 157.205 of the Regulations to add acreage under the agreements should such additions be negotiated by Northwest and Resources.

No new facilities are proposed to be constructed at this time, it is stated.

Comment date: May 10, 1985, in accordance with Standard Paragraph F at the end of this notice.

10. Panhandle Eastern Pipe Line Company

[Docket No. CP84-656-002] April 19, 1985.

Take notice that on April 2, 1985, Panhandle Eastern Pipe Line Company (Panhandle), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP84656–002 a request pursuant to § 157.205 of the Regulations (18 CFR 157.205) for authorization to increase the quantity of natural gas to be transported for a shipper end-user, Sherex Chemical Company, Inc. (Sherex), under the certificate issued in Docket No. CP83–83–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Panhandle states it is currently authorized in Docket No. CP84-656-000 to transport for Sherex up to 900 Mcf of gas per day on an interruptible basis. It is explained that natural gas is received for Sherex's account at existing interconnection points between Panhandle and Consolidated Fuel sSupply, Inc., in Dewey, Beckham, Custer and Ellis Counties, Oklahoma, and ultimately delivered to Sherex by the distributor, Central Illinois Light Company, at Sherex's Mapleton, Illinois, plant. Panhandle requests an increase in the authorized daily transportation quantity to 1,200 Mcf from the existing 900 Mcf level in accordance with the second amendment dated March 12. 1985, to the July 12, 1984, transportation agreement.

Panhandle advises that it does not propose at this time any other change in the instant transportation activity as currently authorized, stating that the transportation service would continue to be on behalf of the same end-user, for gas delivered at the same end-user location within the same maximum annual volumes authorized by its blanket certificate, and subject to the same terms and conditions currently authorized.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

11. Southern Natural Gas Company

[Docket No. CP85-400-000] April 19 1985.

Take notice that on March 28, 1985, Southern Natural Gas Company (Southern), P.O. Box 2563, Birmingham, Alabama 35202-2563, filed in Docket No. CP85-400-000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to construct and operate a sales tap which would be used for delivery of gas to Mississippi Valley Gas Company (MVG), an exsiting customer, for resale under the certificate issued in Docket No. CP2-406-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Southern proposes to construct and operate a sales tap located at or near Mile Post 2.0 on its South Meridian 8-inch line in Clarke County, Mississippi, Southern states that MVG would resell the gas to certain school and residential customers which currently are not being supplied with natural gas. Southern asserts that the maximum annual deliveries MVG would be entitled to take through the proposed facilities would be 5,000 Mcf, which would not result in MVG receiving volumes greater than its certificated volumes.

Southern states that MVG would reimburse it for the total cost of the proposed sales tap, which is estimated to cost \$2500.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

12. Texas Gas Transmission Corporation

[Docket No. CP85-383-000]

April 19, 1985.

Take notice that on March 22, 1985, **Texas Gas Transmission Corporation** (Texas Gas), 3800 Frederica Street, Owensboro, Kentucky 42301, filed in Docket No. CP85-383-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 for authorization to transport natural gas for Indiana Gas Company, Inc. (Indiana Gas), as agent for Fairfield Manufacturing Company, Inc. (Fairfield). under the certificate issued in Docket No. CP82-407-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Texas Gas proposes to transport up to 900 million Btu of natural gas per day on an interruptible basis for Indiana Gas as agent for Fairfield until June 30, 1985, with an extension for a term to end no later than October 31, 1985, should the Commission extend the end-user transportation program beyond June 30, 1985. Texas Gas indicates that the gas to be transported would be purchased by Fairfield from EnTrade Corporation (EnTrade). Texas Gas further states it would deliver the above stated volumes to Fairfield at its Lafayette, Indiana, plant and that such gas would be used for low-priority boiler fuel at that plant. Texas Gas also states that Fairfield purchased said volumes of natural gas from EnTrade in a first sale and that such volumes were not dedicated to interstate commerce on November 8,

Texas Gas states that it would receive the gas for Fairfield's account from EnTrade in either Bossier or LaSalle Parish, Louisiana, and deliver said volumes of natural gas to Indiana Gas in Lawrence County, Indiana.

Texas Gas indicates that it would charge indiana Gas the rate provided in its Rate Schedule TSC for Rate Schedule G sales customers, which is currently 21.90 cents for each million Btu of natural gas transported, plus a 1.25 cents GRI surcharge, if applicable. Texas Gas further states it would retain 2.57 percent of the gas delivered to it for fuel, company-use, and accounted-for gas.

Texas Gas also requests flexible authority to add or delete receipt/delivery points associated with sources of gas acquired by Fairfield. The flexible authority requested applies only to points related to sources of gas supply not to delivery points in the market area. Texas Gas will file a report providing certain information with regard to the addition or deletion of sources of gas as further detailed in the application and any additional sources of gas would only be obtained to constitute the transportation guantities herein and not to increase those quantities.

Comment date: June 3, 1985, in accordance with Standard Paragraph G at the end of this notice.

13. Transcontinental Gas Pipe Line Corporation

[Docket No. CP85-401-000] April 22, 1985.

Take notice that on March 28, 1985, Transcontinental Gas Pipe Line Corporation (Transco), Post Office Box 1396, Houston, Texas 77251, filed in Docket No. CP85-401-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain pipline and appurtenant facilities in Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Transco proposes to construct and operate 0.78 mile of 36-inch pipeline and appurtenant facilities comprising an underwater crossing of the Mississippi River on Transco's main line between Compressor Station Nos. 50 and 60 located in Pointe Coupee and West Feliciana Parishes, Louisiana, respectively. It is explained that the 36inch line would be bored beneath the Mississippi riverbed by using directional drilling techniques and would join a 30inch bored line constructed in 1984 in supplementing two 30-inch lines, a 24inch line and an 18-inch line which cross the Mississippi River in trenches. The new line would assure adequate continuity of service in the event of an

outage of one or more of the existing trenched lines, it is asserted.

Transco states that the estimated cost of the facilities is \$5,026,000, which would be financed initially through revolving credit arrangements, short-term loans and funds on hand. Permanent financing would be undertaken as part of an overall long-term financing program at a later date.

Comment date: May 13, 1985, in accordance with Standard Paragraph F at the end of this notice.

14. Williston Basin Interstate Pipeline Company

[Docket No. CP85-373-000] April 19, 1985.

Take notice that on March 18, 1985, Williston Basin Interstate Pipeline Company (Applicant), Suite 200, 304 East Rosser Avenue, Bismarck, North Dakota 58501, filed in Docket No. CP85-373-000, an application for an order disclaiming jurisdiction, or in the alternative, an order pursuant to section 7(b) of the Natural Gas Act permitting and approving the abandonment of certain compression facilities used and associated with the purchase and gathering of natural gas in the Pumpkin Creek field, located in Custer and Powder River Counties, Montana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states the Pumpkin Creek field was permanently shut-in January 1981, rendering the compression facilities of no practical use. Applicant states it believes the facilities to be nonjurisdictional. Applicant further states the facilities were reported as nonjurisdictional gathering facilities in Montana-Dakota Utility Co.'s statement relative to construction in Docket No. CP75-166. Applicant states the facilities installed included one 139 rated horsepower field gathering compressor discribed as a Waukesha F817-GU driven Worthington HBGG compressor. On January 17, 1985, Montana-Dakota Utilities Co., Applicant's predecessor, entered into a sales contract to sell the compressor to Production Operators, Inc. Applicant states that there would be not effect on service to any of Applicant's customers by the abandonment of these facilities. Applicant request a disclaimer of jurisdiction, or in the alternative, an order permitting and approving the abandonment of the facilities.

Comment date: May 10, 1985, in accordance with Standard Paragraph F at the end of this notice.

15. Seagull Energy Corporation)

[Docket No. CP84-690-001] April 22, 1985.

Take notice that on March 25, 1985,2 Seagull Energy Corporation (Seagull Energy), 1100 Louisiana Street, Houston. Texas 77002, filed in Docket No. CP84-690-001 an amendment to the pending application filed August 30, 1984, in Docket No. CP84-690-000 pursuant to § 284.127 of the Commission's Regulations so as to reflect the transportation of natural gas for an additional party, on behalf of Seagull Interstate Corporation (Seagull Interstate), all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

By the pending application in Docket No. CP84-690-000, authorization is requested for the transportation of natural gas owned by Florida Gas Transmission Company (FGT) on behalf of Seagull Interstate. It is explained that Seagull Energy would transport up to 75 billion Btu per day of FGT's gas pursuant to section 311 (a) of the Natural Gas Policy Act of 1978 (NGPA) through its Cavallo line which extends from Matagorda Island Block 526-L to Matagorda Island Block 520-L, all in Texas state waters. The gas would then be delivered to a 20-inch line owned by Houston Pipe Line Company (HPL) for final transportation of FGT's gas into its system, also pursuant to section 311(a) of the NGPA.

In Docket No. CP84-690-001, an amendment to the application was filed to include a request for authorization also to transport up to 18.6 billion Btu of natural gas per day owned by Exploration and Production, Division of InterNorth, Inc. In order to receive the gas into its system, Northern Natural Gas Company, Division of InterNorth, Inc. (Northern), has entered into a gas transportation agreement with Seagull Interstate. It is explained that Seagull Energy would transport Northern's gas on behalf of Seagull Interstate through its Cavallo line. It is explained that the gas would then be delivered to a 6-inch line owned by HPL and transported by backhaul to the Kilroy Production Company (Kilroy) platform in Matagorda Island Block 485 for measuring the gas and the gas would then be delivered back into a new 6-inch line which would extend approximately 2,000 feet from the Kilroy platform to a

point of interconnection with a 12-inch line owned by Valero Transmission Company (Valero). The new 6-inch line would be owned and operated by Seagull Energy, it is stated. It is further explained that Valero would then provide the additional transportation in order to redeliver thermally equivalent volumes to Northern's system in Pecos and/or Midland Counties, Texas. It is asserted that the total contract demand for FGT's and Northern's gas would remain 75 billion Btu of gas per day of which the 18.6 billion Btu is included. Seagull Energy submits that the term of the transportation service would be for a primary term of 10 years commencing on the date of first deliveries and from year-to-year thereafter until terminated by either party upon 30 days prior written notice at the end of the primary term or at the end of any year thereafter.

It is stated that Seagull Energy proposes to charge Seagull Interstate for transporting the Northern gas the same rate it charges other interstate companies which utilize the Cavallo line for Section 311(a) service, which is currently 10.0 cents per million Btu. It is asserted that Seagull Energy would charge the same rate for transporting FGT's gas. Seagull Energy submits that said rate is fair and equitable for the service rendered.

Comment date: May 13, 1985, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

16. Penn-York Energy Corporation; National Fuel Gas Supply Corporation

[Docket No. CP76-492-036] April 22, 1985.

Take notice that on March 29, 1985, Penn-York Energy Corporation (Penn-York), 10 Lafayette Square, Buffalo, New York 14203, and National Fuel Gas Supply Corporation (National), 1100 State Street, Erie, Pennsylvania 16501, filed in Docket No. CP76-492-036 a tenth amendment in Docket No. CP76-492-036 to its pending application filed in Document No. CP76-492, as amended, pursuant to Section 7 of the Natural Gas Act requesting permanent authorization for Penn-York to operate underground gas storage facilities in Allegany County, New York, and to provide longterm storage service to various customers, and permanently authorizing National to provide storage and peaking service to Penn-York and to provide related transportation service for some of Penn-York's customers, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Penn-York requests permanent authorization to operate the East Independence, West Independence and Beech Hill storage fields at an aggregate volume of natural gas of 37,100,000 Mcf of which 19,400,000 Mcf would be top gas. Penn-York also requests permanent authorization to serve its customers at an annual storage level of 24,876,620 Mcf. It is indicated that Penn-York presently provides storage service to its customers at an annual level of 19.400,000 Mcf. The revised level of service would result from the net of increased service to five customers and reduced service to two customers (See attached Appendix for a list of Penn-York's customers and proposed service levels).

National requests permanent authorization to provide an annual level of storage service of 5,476,620 Mcf to Penn-York in order to assist Penn-York in meeting Penn-York's storage service obligations. It is indicated that National presently provides storage-service to Penn-York at an annual level of 5,100,000 and that National's proposed increase in storage service is attributable to Penn-York's proposed revised level of service. National further proposes to provide up to 33,200 Mcf annual peaking volumes with associated gas banking service to enhance Penn-York's deliverability to its customers. It is also indicated that the proposed peaking service would be utilized by Penn-York during the injection season to enhance Penn-York's ability to inject customer gas. National further requests permanent authorization to provide transportation service for Penn Fuel Gas, Inc., UGI Corporation, Delmarva Power & Light Company, Elizabethtown Gas Company and Transcontinental Gas Pipe Line Corporation in conjunction with the storage service provided by Penn-York to such customers. National also requests cancellation of the cerificate authorizing standby storage service to Penn-York pursuant to National's Rate Schedule X-37.

National proposes to charge Penn-York for peaking service a three-part rate consisting of (1) a monthly deliverability charge of 136.83 cents per Mcf of maximum daily peaking volume, (2) a monthly capacity charge of 0.88 cent per Mcf of maximum advanced quantity, (3) and injection, withdrawal and transportation charge of 23.16 cents for each Mcf of advanced volume and net credit volume delivered or returned. National proposes to charge Penn-York for increased storage service a rate of 61.69 cents per Mcf of annual storage volume. Penn-York proposes to charge for increased service to five customers a

³The amendment was initially tendered for filing on March 25, 1985, however, the fee required by § 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not poid until April 1, 1985; thus, filing was not completed until the latter date.

rate of 118.51 cents per Mcf of annual storage volume.

APPENDIX TO CP76-492-036

Customer 1	Temporary authorized service levels in Mcf	Proposed permanent service levels for year beginning Apr. 1, 1985 in Mcf
Berkshire	400,000	400,000
Boston	876,620	876,620
Central Hudson	500,000	500,000
Colonial	2,000,000	2,000,000
Conn. L&P 2	1,500,000	2,500,000
Conn. Natural	1,500,000	1,500,000
Delmarva	750,000	750,000
Elizabethtown	1,500,000	1,500,000
Essex	350,000	350,000
Fitchburg *	136,257	300,000
Gas Service 2	200,000	400,000
Granite	2,400,000	2,400,000
Manchester 2	135,000	250,000
0&R	1,500,000	1,500,000
Penn Fuel *	850,000	350,000
Penn & Souther	200,000	200,000
Southern Conn	150,000	150,000
Transco	5,000,000	5,000,000
UGI 2	4,000,000	5,300,000
Valley *	550,000	650,000
Total	24,497,877	24,876,620

The Berkshire Gas Company (Berkshire), Boston Gas Company (Boston), Central Hudson Gas & Electric Corporation (Central Hudson), Colonial Gas Company (Colonial), The Connecticut Light and Power Company (Conn. L&P), Connecticut Natural Gas Corporation (Conn. Natural), Delmarva Power & Light Company (Delmarva), Elizabethtown Gas Company (Elizabethtown Gas Company (Elizabethtown), Essex County Gas County (Essex), Fitchburg Gas and Electric Light Company (Fitchburg), Gas Service, Inc. (Gas Service), Granite State Gas Transmission, Inc. (Granite), Manchester Gas Company (Manchester), Orange and Rockland Utilities, Inc. (D&R), Penn Fuel Gas, Company (Southern Conn.), Transcontinental Gas Pipe Line Corporation (Transco), UGI Corporation (UGI) and Valley Gas Company (Valley).

*Customers for which changes in levels of service are proposed.

Comment date: May 13, 1985, in accordance with the first subparagraph of Standard Paragraph F at the end of

this notice.

17. El Paso Natural Gas Company

[Docket No. CP85-404-000]

April 22, 1985.

Take notice that on March 29, 1985, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP85-404-000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to install and operate a new sales tap to permit delivery of gas to Gas Company of New Mexico (Gas Company) for resale to consumers in the City of Alamogordo, and environs in Otero County, New Mexico, under the certificate issued in Docket No. CP85-435-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

It is asserted that the 1-inch O.D. sales tap and valve assembly, with appurtenances would supply an estimated average of 96,500 annually of natural gas for commercial and residential use under El Paso's Rate Schedule ABD-L.

El Paso states that the proposed service would have a neglible effect upon its gas deliveries based on past sales.

It is also stated that the proposed sales tap would be located on El Paso's existing 3½ inch O.D. Alamogordo line and the 4½ inch O.D. Alamogordo loop line in Otero County and would be referred to as the Alamogordo Airport No. 2 Tap.

El Paso has estimated the cost of the tap to be \$7,400; which would be paid for by Gas Company, but owned and operated by El Paso.

Comment date: June 6, 1985, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said filing should on or before the comment date file with the Federal **Energy Regulatory Commission, 825** North Capitol Street, N.E., Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal **Energy Regulatory Commission by** sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor. the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10226 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Docket Nos. QF85-339-000 et al.]

University Cogeneration Partners Ltd. et al.; Small Power Production and Cogeneration Facilities; Qualifying Status; Certificate Applicants, Etc.

Comment date: Thirty days from publication in the Federal Register, in accordance with Standard Paragraph E at the end of this notice.

April 23, 1985.

Take notice that the following filings have been made with the Commission.

1. University Cogeneration, Inc., Partners Ltd.

[Docket No. QF85-339-000]

On April 9, 1985, University
Cogeneration Partners, Ltd. (Applicant)
of 3430 Camino Del Rio North, San
Diego, California 92108 submitted for
filing an application for certification of a
facility as a qualifying cogeneration
facility pursuant to § 292.207 of the
Commission's regulations. No
determination has been made that the
submittal consitutes a complete filing.

The topping-cycle cogeneration facility will be located at Teledyne Ryan Electronic, 8650 Balboa Avenue, San Diego, California 92123. The electric power production capacity will be 800 kilowatts. The primary energy source will be natural gas. The facility will consist of one naturally aspirated reciprocating engine-generator, one low pressure (15 psig) steam heat recovery unit, one 250 nominal low absorption chiller and one 370 nominal ton cooling tower. Installation will begin on May 31, 1985.

2. Cargill, Incorporated

[Docket No. QF85-340-000]

On April 9, 1985, Cargill, Inc.
(Applicant), of Box 7506, Chesapeake,
Virginia 23324, submitted for filing an
application for certification of a facility
as a qualifying cogeneration facility
pursuant to § 292.207 of the
Commission's regulations. No
determination has been made that the
submittal constitutes a complete filing.

The proposed topping-cycle cogeneration facility will be located at the Applicant's Domestic Soybean processing facilities, Box 7506, Chesapeake, Virginia 23324. The facility will supply steam and electricity to the Applicant's soybean processing plant. The facility will consist of a coal-fired high pressure boiler and a steam-fired back-pressure turbine generator. The maximum electric power production capacity of the facility will be 1780 kW. The primary energy source will be coal. Installation of the facility is scheduled for completion June, 1985.

3. Intex Fuels and Chemical Corp.

[Docket No. QF85-337-001]

On April 8, 1985, Intex Fuels and Chemicals Corp. et al., P.O. Box 557. Springville, Utah 84663 submitted for filing an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping cycle cogeneration facility will be located in Glacier County, Montana. It will consist of a dual fuel engine generator system from which heat will be recovered for use in grain drying and alcohol production. The net electric power production capacity will be 8800 kilowatts. Installation will take place in 1985 and 1986.

4. Flowind Partners 3

[Docket No. QF85-347-000]

On April 15, 1985, Flowind Partners 3 (Applicant) of 1183 Quarry Lane, Pleasanton, California 94566 submitted for filing an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The 0.9 megawatt wind facility will be located in Kern County, California.

5. Flowind Partners 1984

[Docket No. QF85-346-000]

On April 15, 1985, Flowind Partners 1984 (Applicant) of, 1183 Quarry Lane, Pleasanton, California submitted for filing an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The 6.3 megawatt wind facility will be located in Kern County California.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure [18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-10228 Filed 4-26-85; 8:45 am] BILLING CODE 6717-01-M

[Project No. 1746-000]

Mrs. Virginia Kirk Cord; Application for Transfer of Minor License

April 22, 1985.

Public notice is hereby given that an application was filed on March 11, 1985, under the Federal Power Act, 16 U.S.C. 791(a)-825(r), by Mrs. Virginia Kirk Cord, Licensee and Four Rent, Inc., Transferee, for transfer of minor license for the Leidy Creek Project No. 1746. The project is located on Leidy Creek in Esmeralda County, Nevada. Correspondence should be directed to Mrs. Virginia Kirk Cord, c/o Nada Novakovich, 195 S. Sierra, Reno, Nevada 89501 and Four Rent, Inc., Mr. Donald H. Hatfield, President, 1801 E. Tropicana Avenue, Suite #29, Las Vegas, Nevada 89109.

Transferee states that it will comply with all applicable laws of the State of Nevada as required by Section 9(b) of the Federal Power Act.

Anyone desiring to be heard or to make any protest about this application should file a motion to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 385.211 or 385.214. Comments not in the nature of a protest may also be submitted by conforming to the procedures specified for protests. In

determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party or to participate in any hearings, a person must file a motion to intervene in accordance with the Commission's Rules. Any comments, protests, or motions to intervene must be received on or before June 3, 1985. The Commission's address is: 825 North Capitol Street, NE., Washington, DC 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb.

Secretary.

[FR Doc. 85-10225 Filed 4-26-85; 8:45 am]
BILLING CODE 6717-01-M

FEDERAL COMMUNICATIONS COMMISSION

Allocations Subgroup of Radio Advisory Committee; Meeting

The Allocations Subgroup of the Advisory Committee on Radio Broadcasting resumes its continuing meeting on Tuesday April 30, 1985, at 2:00 p.m. in the Vincent Wasilewski Room of the National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

The Subgroup will give consideration to the development of recommendations to the Federal Communications
Commission concerning matters pertinent to preparations for the upcoming Region 2 Conference on expansion of the AM band. In particular, these relate to identifying specific broadcast requirements and the means of addressing these requirements through use of the spectrum to become available through expansion of the AM band.

The Allocations Subgroup meeting, a continuing one, will be resumed after the April 30, 1985, session at such time and place as is decided at that session.

All meetings of the Allocations Subgroup are open to the public. All interested parties are invited to attend and participate in these meetings.

For further information, please call the Subgroup Chairman, Jonathan David, at (202) 632–7792.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 85-10254 Filed 4-26-85; 8:45 am] BILLING CODE 6712-01-M [Report No. 1510]

Petitions for Reconsideration of Actions in Rulemaking Proceedings

April 19, 1985.

The following listings of petitions for reconsideration filed in Commission rulemaking proceedings is published pursuant to § 1.429(e). Oppositions to such petitions for reconsideration must be filed within 15 days after publication of this Public Notice in the Federal Register. Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Establishment of a spectrum utilization policy for the fixed and mobile services' use of certain bands between 947 MHz and 40 GHz. (Gen

Docket No. 82-334).

Filed by: Jeffery A. Krauss, Vice President Corporate Affairs for M/A– COM Development Corp., on 3–22–85. (Supplemented on 4–1–85).

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 85–10255 Filed 4–26–85; 8:45 am]

[Report No. 1508]

Petitions For Reconsideration of Actions in Rulemaking Proceedings

April 12, 1985.

The following listings of petitions for reconsideration filed in Commission rulemaking proceedings is published pursuant to § 1.429(e). Oppositions to such petitions for reconsideration must be filed within 15 days after publication of this Public Notice in the Federal Register. Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Amendment of § 73.606(b) Table of Assignments, Television Broadcast Stations (Billings, Miles City, and Lewistown, Montana, and Lander, Wyoming) (BC Docket No. 82–276, RM–

4060).

Filed by: F. Joseph Brinig, Attorney for KOUS-TV, Inc., on 3–28–85. Robert G. Allen, Attorney for Yellowstone Valley Community Television, Inc., on 3–28–85.

Subject: Implementation of BC Docket No. 80–90 to Increase the Availability of FM Broadcast Assignments. (MM Docket No. 84–231). Filed by:

Donald Dean Willis on 1–4–85. (Herington, Kansas) Julian P. Freret, Attorney for Carroll Enterprises, Inc., on 1–18–85. (Oscoda, Michigan) Lauren A. Colby, Attorney for Spring Arbor College on 1–18–85. (Spring Arbor, Michigan)

Lauren A. Colby, Attorney for Plateau Broadcasting, Inc., on 1–30–85. (Crossville and Spencer, Tennessee)

Millard V. Oakley on 2-4-85. (Graysville and Spring City, Tennessee)

Richard A. Helmick, Attorney for F.E.M. Ray Incorporated on 2–11–85. (Tucson, Arizona)

Forbes W. Blair, Attorney for Osage Radio, Inc. (KZOC-FM), on 2-13-85. (Topeka, Kansas)

Jeffery D. Southmayd, Attorney for Willie Jefferson, on 2-13-85. (Shreveport, Louisiana)

Richard J. Hayes, Jr., Attorney for William S. Poorman on 2-20-85. (Indianapolis, Indiana)

William S. Green & Barbara L. Waite, Attorneys for RKO General, Inc., on 2–25–85. (Ocean Acres, New Jersey)

Robert W. Healy, Attorney for Florida Keys Radio Association on 2-13-85. (Key West, Summerland Key and Key Colony Beach, Florida)¹

Subject: Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (San Clemente, California) (MM Docket No. 84–442, RM–4724). Filed by:

Martin I. Levy, Attorney for Mount Wilson FM Broadcasters, Inc., (KKGO-FM) on 3-27-85.

Steven A. Lerman & Silvia L. Gonzalez, Attorneys for The Audio House, Inc. (KCBQ-FM) on 3-27-85.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 85-10249 Filed 4-26-85; 8:45 am]

Technical Subgroup of Radio Advisory Committee; Meeting

The technical subgroup of the Advisory Committee on Radio Broadcasting resumes its continuing meeting Tuesday, April 30, 1985, at 11:30 a.m. in the Vincent Wasilewski Room of the National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

The subgroup will continue its consideration of recommendations to the Federal Communications Commission concerning matters pertinent to preparations for the upcoming Region 2 Conference on expansion of the AM band.

The subgroup also may discuss matters relating to the ongoing discussions between the United States and Mexico looking toward the development of a new bilateral AM Agreement. In addition, the Subgroup also may consider other relevant matters of concern to the participants at the meeting.

The meeting, a continuing one, will be resumed after the April 30, 1985, session at such time and place as is decided at

that session.

All meetings of the Technical Subgroup are open to the public. All interested parties are invited to participate in these meetings.

For further information, please call the Subgroup Chairman, Mr. Wallace E. Johnson, at (703) 841–0500.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 85–10253 Filed 4–26–85; 8:45 am]
BILLING CODE 8712-01-M

FEDERAL RESERVE SYSTEM

Agency Forms Under Review

April 23, 1985.

Background

On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board of Governors of the Federal Reserve System (Board) its approval authority under the Paperwork Reduction Act of 1980, as per 5 CFR 1320.9, "to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board under conditions set forth in 5 CFR 1320.9." Board-approved collections of information will be incorporated into the official OMB inventory of currently approved collections of information. A copy of the SF 83 and supporting statement and the approved collection of information instrument(s) will be placed into OMB's public docket files. The following forms, which are being handled under this delegated authority. have received initial Board approval and are hereby published for comment. At the end of the comment period, the proposed information collection, along with an analysis of comments and recommendations received, will be submitted to the Board for final approval under OMB delegated authority.

DATE: Comments must be received on or before May 14, 1985.

ADDRESS: Comments, which should refer to the OMB Docket number (or Agency form number in the case of a new information collection that has not yet been assigned an OMB number), should be addressed to Mr. William W. Wiles,

¹ Corrected.

Secretary, Board of Governors of the Federal Reserve System, 20th and C Streets, NW., Washington, D.C. 20551, or delivered to room B-2223 between 8:45 a.m. and 5:15 p.m. Comments received may be inspected in room B-1122 between 8:45 a.m. and 5:15 p.m., except as provided in § 261.6(a) of the Board's Rules Regarding Availability of Information, 12 CFR 261.6(a).

A copy of the comments may also be submitted to the OMB desk officer for the Board: Robert Neal, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: A copy of the proposed form, the request for clearance (SF 83), supporting statement, instructions, and other documents that will be placed into

OMB's public docket files once approved may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Clearance Officer—Cynthia Glassman—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 (202-452-3829)

Proposal to approve under OMB delegated authority the extension without revision of the following report:

1. Report title: Allocation of Low Reserve Tranche and Reservable Liabilities Exemption

Agency form number: FR 2930, FR 2930a OMB Docket number: 7100-0088

Frequency: Annually

Reporters: Depository institutions. Small businesses are affected.

General description of report: This information collection is mandatory (12 U.S.C. 248(a) and 461) and is given confidential treatment (5 U.S.C.

552b(4) and b(8)).

The report provides information on the allocation of the low reserve tranche and reservable liabilities exemption among particular offices of those families of institutions that have offices located in more than one state or Federal Reserve district, which submit separate deposit reports instead of one single, nationally aggregated report. These data are needed for the calculation of required reserves.

Board of Governors of the Federal Reserve System, April 23, 1985

James McAfee.

Associate Secretary of the Board. [FR Doc. 85-10208 Filed 4-26-85; 8:45 am] BILLING CODE 6210-01-M

Compagnie Financiere de Suez and Banque Indosuez; Proposal to Deal in Foreign Currency Options Traded on a Stock Exchange Through a Joint Venture

Compagnie Financiere de Suez and its subsidiary, Banque Indosuez, both of Paris, France, have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.23(a)(3) of the Board's Regulation Y (12 CFR 225.23(a)(3)), for permission to engage in the activity of dealing in French franc options in the role of specialist in such foreign currency options traded on the Philadelphia Stock Exchange. Applicants would engage in the activity through a joint venture with Drexel Burnham Lambert Group Inc., New York, New York ("DBL"), an investment banking firm. Banque Indosuez and DBL would each own 50 percent of the shares of Indosuez-Drexel Burnham Lambert, Inc. ("Company"). the successor to Drexel Burnham Lambert (French) Options Inc., a company previously formed to serve as the vehicle for conducting the proposed activity through the proposed joint venture. The activity would be performed through Company's offices in Philadelphia and on the Philadelphia Stock Exchange, serving customers in the United States and abroad.

Section 4(c)(8) of the Bank Holding Company Act provides that a bank holding company may, with Board approval, engage in any activity "which the Board after due notice and opportunity for hearing has determined (by order or regulation) to be so closely related to banking or managing or controlling banks as to be a proper incident thereto." The Board has not previously approved the proposed activity. Applicants believe that the activity is so closely related to banking or managing or controlling banks as to be a proper incident thereto. In the Applicants' opinion, currency options are functionally equivalent to other aspects of foreign exchange traditionally and historically dealt in by commercial banks. In addition, Applicants state that at least one bank has been permitted to engage in the proposed activity of acting as a specialist in foreign currency options on a stock exchange.

Interested persons may express their views on whether the proposed activity. conducted through a joint venture on the basis proposed, is "so closely related to banking or managing or controlling banks as to be a proper incident thereto," and whether the proposal as a whole can "reasonably be expected to produce benefits to the public, such as greater convenience, increased

competition or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources. decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on these questions must be accompanied by a statement of the reasons why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 28, 1985.

Board of Governors of the Federal Reserve System, April 23, 1984.

William W. Wiles,

Secretary of the Board.

[FR Doc. 85-10209 Filed 4-26-85; 8:45 am]

BILLING CODE 6210-01-M

First Jersey National Corp. et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications

must be received not later than May 20,

- A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:
- 1. First Jersey National Corporation, Jersey City, New Jersey; to acquire an additional 8.88 percent of the voting shares of The Board Street National Bank, Trenton, New Jersey. Comments on this application must be received not later than May 13, 1985.
- B. Federal Reserve Bank of Philadelphia (Thomas K. Desch, Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:
- Atlantic Bancorporation, Vorhees, New Jersey; to become a bank holding company by acquiring 100 percent of the voting shares of Glendale National Bank of New Jersey, Vorhees, New Jersey.
- C. Federal Reserve Bank of Kansas City (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:
- 1. Butler County Financial Corp., Inc., Douglass, Kansas; to become a bank holding company by acquiring at least 80 percent of the voting shares of Exchange State Bank, Douglass, Kansas.
- 2. Keith County Corporation, Ogallala, Nebraska; to become a bank holding company by acquiring 99.7 percent of the voting shares of Keith County Bank and Trust Co., Ogallala, Nebraska.
- 3. Membancshares, Inc., Oklahoma City, Oklahoma; to become a bank holding company by acquiring 100 percent of the voting shares of Memorial Bank, N.A., Oklahoma City, Oklahoma.
- D. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas
- 1. BFW Financial Corporation, (formerly Burleson Bancshares, Inc.), Burleson, Texas; to acquire 80 percent of the voting shares of Shady Oaks National Bank, Lake Worth, Texas.
- E. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:
- 1. Centennial Bancshares, Inc., Yakima, Washington; to become a bank holding company by acquiring 100 percent of the voting shares of Pioneer National Bank, Yakima, Washington.

Board of Governors of the Federal Reserve System, April 23, 1985.

James McAfee.

Associate Secretary of the Board.
[FR Doc. 85–10210 Filed 4–26–85; 8:45 am]
BILLING CODE 6210–01-M

FEDERAL TRADE COMMISSION

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules; ITT Corp. et al.

Section 7A of the Clayton Act, 15
U.S.C. 18a, as added by Title II of the
Hart-Scott-Rodino Antitrust
Improvements Act of 1976, requires
persons contemplating certain mergers
or acquisitions to give the Federal Trade
Commission and the Assistant Attorney
General advance notice and to wait
designated periods before
consummation of such plans. Section
7A(b)(2) of the Act permits the agencies,
in individual cases, to terminate this
waiting period prior to its expiration and
requires that notice of this action be
published in the Federal Register.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period:

Transaction	Waiting period terminated effective—
(1) 85-0283—ITT Corporation's proposed acquisition of voting securities of Baylock Manufacturing Corporation, (Albert J. Basil and Russell B. Meloche, UPE's).	Apr. 8, 1985.
(2) 85-0284—ITT Corporation's proposed acquisition of voting securities of Baylock Manufacturing Corporation, (Albert J. Basl and Russell B. Meloche, UPE's).	Do.
(3) 85-0331—FPL Group, Inc.'s pro- posed acquisition of voting securities of Rinker Materials Corporation.	Do.
(4) 85-0345—The News Corporation's proposed acquisition of voting securi- ties of TCF Holdings, Inc.	Do.
(5) 85-0384—The Times Mirror Company's proposed acquisition of voting securities of The Times Mirror Company.	Do.
(6) 85-0314—Olin Corporation's pro- posed acquisition of voting securities of ROCKCOR, Inc.	Apr. 9, 1985.
(7) 85-0341—American Can Company's proposed acquisition of voting securi- ties of Financial Institution Services, Inc.	Do.
(8) 85-0344—BASF Aktiengesellschaft's proposed acquisition of voting securities of Narnco Materials, Inc.; Quantum, Incorporated; CCF, Inc.; Chemcell Corporation, (Celanese Corporation, UPE).	Do.
(9) 85-0353—Metal Box p.l.c.'s proposed acquisition of voting securities of Eyelet Co., Inc., (Robert W. MacWilliams, UPE).	Do.
(10) 85-0368—Florida Progress Corpora- tion's proposed acquisition of voting	Apr. 10, 1985.

	Transaction	Waiting period terminated effective—
	(11) 85-0373—Harvard Industries, Inc., (Dr. William D. Hurley, UPE)'s pro- posed acquisition of assets of ESNA and Caco-Pacific, Divisions of Amerace	Do.
	and Caco-Pacific, Divisions of Amerace Corp., and assets of Amerace Ltd., (Bass Investment Limited Partnership,	
0	UPE). (12) 85-0374—Pfizer, Inc.'s proposed acquisition of voting securities of Ameri-	Do.
	can Medical Systems, Inc. (13) 85-0310—Mutual Hospital Insur- ance, Inc.'s proposed acquisition of	Apr. 12, 1985.
de	assets of Mutual Medical Insurance, Inc.	
y	(14) 85-0360—Diversified Energies, Inc.'s proposed acquisition of voting securities of E. F. Johnson Company, (Western Union Corporation, UPE).	Do.
	(15) 85-0366—Good Products, Inc.'s proposed acquisition of voting securities of Opti-Ray, Inc., (Margdlog Indus-	Do.
nd	tries, Inc., UPE). (16) 85-0382—Robert S. Jepson, Jr.'s proposed acquisition of assets of	Do.
IIu	Brown Group, Inc. (17) 85-0403—Leandro P. Rizzuto's pro- posed acquisition of voting securities	Do.
ng	of Conair Corportion. (18) 85-0329—Pillowtex Corporation (John Silverthorne, UPE)'s proposed	Apr. 15, 1985.
ts	acquisition of Barclay Home Products and Briarty Products and Briarty Prod- ucts, Inc. (19) 85-0337—Bethlehem Steel Corpora-	Do.
ey	tion's proposed acquisition of voting securities of J. M. Tull Industries, Inc.	
he	(20) 85-0338—Scott Paper Company's proposed acquisition of voting securi- ties of Hoffmaster Company, Inc.,	Do.
t	(Thomas J. Hoffmaster, Caye C. Hoff- master, Leslie M. Hoffmaster, UPE's). (21) 85-0362—American Medical Interna- tional, Inc.'s proposed acquisition of	Do.
	assets of Prince George's Doctors' Hospital, Inc. (22) 85-0363—The Ohio Farmers Grain	Do.
iod d	and Supply Association's proposed ac- quisition of voting securities of Land- mark, Inc.	
	(23) 85-0367—Proven Properties, Inc.'s proposed acquisition of assets of Pennzoil Company.	Do.
	(24) 85-0388—Lumbermens Mutual Cas- ually Company's proposed acquisition of voting securities of Boettcher Invest-	Do.
	ment Corporation. (25) 85-0407—Tele-Communications, Inc.'s proposed acquisition of voting socurities of United Cable Television	Apr. 16, 1985.
	Corporation. (26) 85-0350—W. R. Grace & Co.'s proposed acquisition of voting securities of Taco Villa, Inc., (Bobby D. Cox,	Apr. 17, 1985.
	UPE). (27) 85-0352—Foremost Corporation of America's proposed acquisition of	Do.
	assets of Norwest Corporation. (28) 85-0354—Bobby D. Cox's proposed acquisition of voting securities of Creative Food 'N' Fun Company, (W. R.	Do.
	Grace & Co., UPE). (29) 85-0359—The Pillsbury Company's proposed acquisition of voting securities of Diversifoods Inc.	Do.
	(30) 85-0387—Owens-illinois, Inc.'s pro- posed acquisition of assets of Inc., Health Group Care Centers, Incorpo-	Do.
	rated, (Health Group, Inc., UPE). (31) 85-0370 and 85-0375—Tandy Corporation's proposed acquisition of assets of Scott Appliances, Inc. and 2	
1	subsidiaries, (McLeary Equities, Ltd. and Osceola Foods, Incorporated, UPE's).	
5.	(32) 85-0378—Fleming Companies, Inc.'s proposed acquisition of voting securities of Associated Grocers of Ari- zona, Inc.	Annual Control
	ZOTIG, INC.	

Transaction	Waiting period terminated effective—
(33) 85-0372—Apache Petroleum Com- pany's proposed acquisition of assets	Do.
of Davis Oil Company. (34) 85-0380—National Intergroup Inc.'s	Do.
proposed acquisition of voting securities of TranSouth Financial Corporation, (NCNB Corporation, UPE).	
(35) 85-0402-Nicor, Inc.'s proposed acquisition of assets of Petro-Lewis Cor-	Do.
poration. (36) 85-0429—Baxter Travenol Laborato- ries, Inc.'s proposed acquisition of	Do.
voting securities of Compucare, Inc.	Do.
(37) 85-0430—Ronald V. Aprahamian's proposed acquisition of voting securi- ties of Compuçare, Inc.	00.
(38) 85_0346.—Tolocom Phic Internation	Apr. 19, 1985.
al, Inc.'s proposed acquisition of voting securities of ALLTEL Systems, Inc., ALLTEL Communication Systems, Inc.,	THE POWER
Paccom, Inc., Tel-Logic Communica- tions, Inc. and Valley Telephone Com- munications, (ALEPAC National, UPE).	
(39) 85-0347—ALLPAC National—a part-	Do.
nership's proposed acquisition of voting securities of Telecom Plus Inter- national, Inc.	
(40) 85-0351—The Washington Post Company, (Katharine Graham, UPE)	Do.
proposed acquisition of voting securi- ties of Cowles Media Company.	
(41) 85-0376—Worthington Industries, Inc.'s proposed acquisition of voting securities of Jackson Steel Services,	Do.
Inc. (42) 85-0383—Castle & Cooke, Inc.'s	Do.
proposed acquisition of voting securi- ties of Flexi-Van Corporation.	TO DO STATE OF
(43) 85-0394 and 85-0395-Tom W. White's proposed acquisition of voting	Do.
securities of Miller Brands, Inc., (Philip Morris Incorporated, UPE) and Barry	
G. Andrews' proposed acquisition of voting securities of Miller Brands Incor-	
porated, (Philip Morris, Incorporated, UPE).	-
(43) 85-8398—Bennett S. LeBow's pro- posed acquisition of assets of Johnson Matthey Florida, Inc., (Johnson	Do.
Matthey Public Limited Company, UPE).	Do
Company, (The Ochs Trust, UPE) pro- posed acquisition of assets of Press Democrat Publishing Company, (Ruth	And the state of
Finley Chantable Unitrust, DPE).	
(45) 85-0418—Cox Enterprises, Inc.'s proposed acquisition of voting securi-	Do.
ties of Cox Communications, Inc. (46) 85-0434—Flexi-Van Corporation's proposed acquisition of voting securi-	00.
ties of Castle & Cooke, Inc.	Do.
proposed acquisition of voting securi- ties of Castle & Cooke, Inc.	
(48) 85-0436—Fiexi-Van Corporation's proposed acquisition of voting securi-	De.
ties of Castle & Cook, Inc. (49) 85-0437David H. Murdock's pro-	Do.
posed acquisition of voting securities of Castle & Cook, Inc.	

FOR FURTHER INFORMATION CONTACT:

Sandra M. Peay, Legal Technician, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580, (202) 523–3894.

By direction of the Commission.

Emily H. Rock.

Secretary.

[FR Doc. 85-10248 Filed 4-26-85; 8:45 am]
BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Health Education Assistance Loan Program; Maximum Interest Rates for Quarter Ending June 30, 1985 and Rate of Insurance Premium

Section 727 of the Public Health Service Act (42 U.S.C. 294) authorizes the Secretary of Health and Human Services to establish a Federal program of student loan insurance for graduate students in health professions schools.

A. Section 60.13(a)(4) of the program's implementing regulations (42 CFR Part 60, previously 45 CFR Part 126) provides that the Secretary will announce the interest rate in effect on a quarterly basis.

The Secretary announces that for the period ending June 30, 1985, two interest rates are in effect for loans executed through the Health Education
Assistance Loan (HEAL) program.

1. For loans made before January 27, 1981, the variable interest rate is 12 percent. Using the regulatory formula (45 CFR 126.13(a)(2) and (3)), in effect prior to January 27, 1981, the Secretary would normally compute the variable rate for this quarter by finding the sum of the fixed annual rate (7 percent) and a variable component calculated by subtracting 3.50 percent from the average bond equivalent rate of 91-day U.S. Treasury bills for the preceding calendar quarter (8.46 percent), and rounding the result (11.96 percent) upward to the nearest 1/8 percent (12 percent). However, the regulatory formula also provides that the annual rate of the variable interest rate for a 3month period shall be reduced to the highest one-eighth of 1 percent which would result in an average annual rate not in excess of 12 percent for the 12month period concluded by those 3 months. Because the average rate of the 4 quarters ending June 30, 1985 is not in excess of 12 percent, there is no necessity for reducing the interest rate. For the previous 3 quarters the variable interest at the annual rate was as follows: 12% percent for the quarter ending September 30, 1984; 11% percent for the quarter ending December 31. 1984; and 11% percent for the quarter ending March 31, 1985.

2. For fixed rate loans executed during the period of April 1, 1985 through June 30, 1985, and for variable rate loans executed after January 27, 1981, the interest rate is 12 percent. Using the regulatory formula (42 CFR 60.13 (a)(3)), in effect since January 27, 1981, the Secretary computes the maximum interest rate at the beginning of each calendar quarter by determining the average bond equivalent rate for the 91-day U.S. Treasury bills during the preceding quarter (8.46 percent); adding 3.50 percent (11.96 percent); and rounding that figure to the next higher one-eighth of 1 percent (12 percent).

B. Section 60.14(b) of the regulations provides that the rate of the insurance premium shall not exceed 2 percent per year of the loan principal and that the Secretary will announce the rate of the insurance premium on a quarterly basis through a notice published in the Federal Register.

The Secretary announces that for the period ending June 30, 1985, the rate of the insurance premium continues to be 2 percent per year of the loan principal for loans executed through the HEAL program.

(Catalog of Federal Domestic Assistance No. 13.108, Health Education Assistance Loans)

Dated: April 18, 1985.

Robert Graham.

Administrator, Assistant Surgeon General. [FR Doc. 85–10242 Filed 4126–85; 8:45 am] BILLING CODE 4160–16-M

National Institutes of Health

National Cancer Institute; Amended Notice of Meeting

The meeting of the Board of Scientific Counselors, Division of Cancer Prevention and Control, Prevention Subcommittee, National Cancer Institute, April 19, 1985, National Airport, Room 262, Washington, DC, which was published in the Federal Register on April 8, (50 FR 13882) was cancelled due to the conflict of schedules of the majority of the members.

This meeting is being rescheduled for May 9, 5:00 p.m. to 9:00 p.m., Building 1 Wilson Hall, and will be open from 5:00 p.m to 7:00 p.m.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6). Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 7:00 p.m. to 9:00 p.m. due to potential problems being experienced with certain grants which have been brought to the attention of the subcommittee for their advice on program direction. These awards and the discussion could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the awards. disclosure of which would constitute a

clearly unwarranted invasion of personal privacy.

Dated: April 17, 1985. Betty J. Beveridge,

Committee Management Officer, NIH. [FR Doc. 85–10239 Filed 4–26–85; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR 37655]

Realty Action; Exchange of Public and Private Lands in Malheur County, OR

The following described lands have been examined and determined to be suitable for disposal by exchange under section 206 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2756; 43 USC 1716):

Willamette Meridian

T. 19 S., R. 46 E.,

Sec. 3, SW1/4NW1/4, NW1/4SW1/4.

The area described aggregates 80 acres of public land.

In exchange for these lands, the United States will acquire the following described lands from Harry L. Smith:

Willamette Meridian

T. 20 S., R. 46 E.,

Sec. 6, SE4SW4, SW4SE4.

The area described aggregates 80 acres of private land.

The purpose of the exchange is to facilitate the resource management program of the Bureau of Land Management and to enhance the range management potential for the area. The Federal lands to be exchanged are hard to manage parcels completely surrounded by private lands.

This proposal is consistent with Bureau planning for the lands involved and has been discussed with State and local officials. The public interest will be well served by making this exchange. The comparative values of the lands exchanged are approximately equal and the acreage will be adjusted and/or a cash payment to the United States will be used to equalize the values upon completion of the final appraisal of the lands. Any monetary adjustments made will be for no more than 25% of the appraised value of Federal lands involved.

The exchange will be subject to: (1) A reservation to the United States of a right-of-way for ditches or canals under the Act of August 30, 1890.

(2) Valid, existing rights including but not limited to the North Canal and any other right-of-way, easement, or lease of record. Publication of this notice has the effect of segregating all of the above described Federal land from appropriation, under the public land laws and these lands are further segregated from appropriation under the mining laws, but not from exchange pursuant to section 206 of the Federal Land Policy and Management Act of 1976. The segregative effect of this notice will terminate upon issuance of patent or in two years from the date of the publication of this notice, whichever occurs first.

Detailed information concerning the exchange is available for review at the Vale Distict Office of the Bureau of Land Management, 100 Oregon Street, Vale, Oregon 97918.

For a period of 45 days, interested parties may submit comments to the Vale District Manager at the above address. Any adverse comments will be evaluated by the Oregon State Director, BLM, who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become the final determination of the Department of the Interior.

Date of Issue: April 17, 1985.
Fearl M. Parker,
District Manager.
[FR Doc. 85–10260 Filed 4–26–85; 8:45 am]
BILLING CODE 4310-33-M

Bureau of Reclamation

All-American Canal Relocation Project, California; Intent To Prepare an Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, as amended, the Department of the Interior, Bureau of Reclamation, intends to prepare an environmental impact statement on the potential All-American Canal Relocation Project located in southern California. The planning report/draft environmental impact statement is scheduled for completion in October 1985.

The All-American Canal system, authorized in 1928, conveys water from the Colorado River at Imperial Dam to the Imperial Valley of California. Previous canal relocation studies are described in the June 1980 special study for the Colorado River Basin Salinity Control Project, Title I Division, Reject Stream Replacement Study.

The purpose of the potential project is to conserve water seepage which occurs at an average rate of about 113,000 acrefeet a year from the unlined All-American Canal between Pilot Knob and the East Highline Canal. Most of this seepage would serve municipal and industrial water demands in southern California, reject stream replacement for the Yuma Desalting Plant, and industrial water demands in Imperial County, California.

The environmental impact statement will examine the impacts of project alternatives along the 30 miles of canal between Pilot Knob and Drop No. 4. The Alternatives include: (1) Seepage recovery through pumping ground water from a series of wells located along the canal between the sand hills area and Pilot Knob and discharging the water directly into the canal; (2) relocation of the existing canal and concrete lining from Pilot Knob to Drop No. 4; and (3) no action, the future conditions without the project.

A number of public involvement activities, including a meeting in El Centro, California, were carried out during the Reject Stream Replacement Study. More recently, meetings on All-American Canal lining have been held with Federal, State, and local entities. A public involvement program is being carried out to obtain public input and to keep the public informed about study progress and decisions. In November 1984, a newsletter was mailed to interested entities and individals including environmental groups. Since these activities did not generate public comment and no major opposition is expected, a scoping meeting is not planned. However, public involvement activities will continue to be conducted periodically to respond to any public concerns which may arise.

Comments are invited to assure that all significant impacts are identified and the full range of related issues is discussed in the environmental impact statement. Comments should be sent to: Regional Director, Bureau of Reclamation, Attention: Code LC-760, P.O. Box 427, Boulder City, Nevada 89005.

Please contact Mr. Gary Bryant, telephone (702) 293-8522 or FTS 598-7522, at the same address for additional information concerning the All-American Canal Relocation Project Draft Environmental Impact Statement or for a copy of the newsletter.

Dated: April 19, 1985.

Robert A. Olson,

Acting Commissioner. [FR Doc. 85-10259 Filed 4-26-85; 8:45 am]

BILLING CODE 4310-09-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-6 (Sub-249)

Rail Carriers, Burlington Northern Railroad Co., Inc.; Abandonment in Clatsop County, OR; Findings

The Commission has issued a certificate authorizing Burlington Northern Railroad Company, Inc. to abandon its 2.82-mile rail line between Warrenton (milepost 0.00) and Hammond (milepost 2.81) in Clatsop County. OR. The abandonment certificate will become effective 30 days after this publication unless the Commission also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and the applicant no later than 10 days from publication of this Notice. The following notation shall be typed in bold face on the lower left-hand corner of the envelope containing the offer: "Rail Section, AB—OFA". Any offer previously made must be remade within this 10-day

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR Part 1152.

James H. Bayne,

Secretary.

[FR Doc. 85-10353 Filed 4-26-85; 9:12 am]
BILLING CODE 7035-01-M

[Ex Parte No. 334]

Car Service Compensation—Basic Per Diem Charges; Postponement of the Annual Car-Hire Charge Update for 1983

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Suspension.

SUMMARY: The Interstate Commerce Commission has suspended the requirements that the railroads update, during 1983, the charges which they assess for the use of their cars while they are on the lines of other railroads.

DATES: The decision suspending the 1983 car-hire charge update is effective on April 29, 1985.

FOR FURTHER INFORMATION CONTACT:

Louis E. Gitomer. (202) 275-7245;

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Douglas Galloway. (202) 275-7278.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's full decision including a Final Regulatory Flexibility Analysis relating to impacts of the suspension on small entities. To purchase a copy of the decision, write to T.S. InfoSystem, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289–4357 (DC Metropolitan area) or toll free (800) 424–5403.

Authority: 5 U.S.C. 553; 49 U.S.C. 10321, 10327(g), and 11122.

Decided: April 4, 1985.

By the Commission, Chairman Taylor, Vice Chairman Gradison, Commissioners Sterrett, Andre, Simmons, Lamboley, and Strenio.

James H. Bayne,

Secretary.

[FR Doc. 85-10352 Filed 4-26-85; 9:13 am] BILLING CODE 7035-01-M

[Ex Parte No. 334 (Sub-7)]

Suspension of Car Hire Updates

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed suspension of annual car-hire updates.

SUMMARY: The Commission proposes to suspend the 1984 update of car hire charges and all subsequent updates pending completion of Ex Parte No. 334 (Sub-No. 6), Review of Car Hire Regulation, subject to the right of affected parties to petition for a future update should circumstances change sufficiently to warrant such action.

DATES: Comments are due on May 29, 1985.

ADDRESSES: An original and 15 copies of any comments, referring to Ex Parte No. 334 (Sub-No. 7), should be sent to: Office of the Secretary, Case Control

Branch, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT:

Louis E. Gitomer, (202) 275-7245.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's full decision in Ex Parte No. 334 (Sub-No. 7), Suspension of Car Hire Updates, served concurrently with the issuance of this notice. The decision includes an Initial Regulatory Flexibility Analysis finding that suspension of the car-hire updates for 1984 and later years may have a significant although minor impact on possible small entities such as short line railroads, and firms and individuals investing in railroad freight cars, but that exclusion of cars owned by any such entities from the suspension is not warranted. Related proceedings, in

which the decisions are also served concurrently, are Ex Parte No. 334, Car Service Compensation—Basic Per Diem Charges (Postponement of the Annual Car-Hire Charge Update for 1983), and Ex Parte No. 334 (Sub-No. 6), Review of Car Hire Regulation. To purchase a copy of any of these decisions, write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289–4357 (DC Metropolian area) or toll free (800) 424–5403.

This action will not significantly affect the quality of the human environment or energy conservation.

Authority: 5 U.S.C. 553; 49 U.S.C. 10321, 10327(g), and 11122.

Decided: April 4, 1985.

By the Commission Chairman Taylor, Vice Chairman Gradison, Commissioners Sterrett, Andre, Simmons, Lamboley, and Strenio.

James H. Bayne,

Secretary.

[FR Doc. 85-10356 Filed 4-26-85; 9:12 am] BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 83-37]

Levorphanol; Grant of Registration

On May 10, 1983, Mallinckrodt, Inc., made application to the Drug Enforcement Administration (DEA) for registration pursuant to 21 U.S.C. 823(a) as a bulk manufacturer of the basic class of the controlled substance known as levorphanol. Levorphanol is a Schedule II controlled substance under the Controlled Substances Act. 21 U.S.C. 801, et seq. As required by 21 CFR 1301.43(a), notice of this filing was duly published in the Federal Register, 48 FR 50806, on November 3, 1983. The notice advised that any registered bulk manufacturer of levorphanol and any other person who then had pending an application for similar registration could file written comments or objections to the granting of Mallinckrodt's application and could request a hearing based on its objections to Mallinckrodt's registration.

By letter dated December 23, 1983, Hoffman-LaRoche, Inc., (Roche) filed objections to Mallinckrodt's application and requested a hearing. Roche is the only entity currently registered by DEA as a bulk manufacturer of levorphanol and therefore, it is entitled to object to the granting of Mallinckrodt's application and to request a hearing on its objections. Accordingly, this matter

was placed on the docket of Administrative Law Judge Francis L. Young.

There were four participants or parties in this proceeding: the applicant, Mallinckrodt; the objector or opposer. Roche; the DEA staff; and the Antitrust Division of the Department of Justice. On February 22, 1984, Roche submitted a Motion for Summary Denial of Mallinckrodt's Application on the ground that Mallinckrodt had no lawful commercial outlet for levorphanol and therefore, to produce the drug in commercial quantities would be inconsistent with the public health and safety as required under the Controlled Substances Act. After considering Roche's Motion and the written responses of both Mallinckrodt and DEA counsel the Administrative Law Judge concluded that genuine issues of material fact did exist. Accordingly, by order dated March 12, 1984, Judge Young denied Roche's Motion for Summary Denial of Mallinckrodt's Application.

Initially, in its request for a hearing, Roche stated eight issues or objections to Mallinckrodt's proposed registration as a bulk manufacturer of levorphanol. Subsequently, in a paper filed on March 16, 1984, Roche undertook to withdraw all of its objections except for the first one. The other parties objected to this withdrawal. After receiving memoranda from the other parties, the Administrative Law Judge ruled that Roche's objections two through eight would be considered withdrawn, such withdrawal to be with prejudice as to conditions extant in 1984. The proceeding then continuned with respect to the one remaining issue raised by Roche; "Whether it is consistent with the public interest to register Mallinckrodt as a bulk manufacturer of levorphanol when Mallinckrodt has no legitimate medical, scientific, research or industrial outlets for the substance."

The testimony of four witnesses on direct examination was prepared and submitted in written narrative form. under oath. A number of documents were also submitted by the parties. Thereafter, a one-day evidentiary hearing session was held before Judge Young on May 15, 1984, in Washington, D.C., to provide an opportunity for cross-examination of the witnesses. Counsel for Mallinckrodt, Roche and the DEA staff then submitted proposed findings of fact, conclusions of law and written arguments or briefs in support of their respective positions.

On December 7, 1984, the Administrative Law Judge issued his opinion and recommended ruling, findings of fact, conclusions of law and decision in this matter. Both

Mallinckrodt and Roche filed written exceptions to that document pursuant to 21 CFR 1316.66. These written exceptions and responses were made part of the formal record. The entire record was certified to the Administrator by the Administrative Law Judge on January 14, 1985 pursuant to 21 CFR 1316.65. The Acting Administrator has considered this record in its entirety and, pursuant to 21 CFR 1316.67, hereby issues his final order in this matter, based upon findings of fact and conclusions of law as hereinafter set forth.

The Administrative Law Judge found that only Roche has an approved New Drug Application (NDA) from the Food and Drug Administration (FDA) for levorphanol at the present time. No other pharmaceutical company can lawfully purchase bulk levorphanol, process it into dosage forms and ship it in interstate commerce without first obtaining an NDA of its own.

Roxane Laboratories, Inc. (Roxane) wants to produce dosage form levorphanol, but at this point does not have an approved NDA for such production. Roxane asserts that it must expend approximately \$50,000 or \$60,000 to prepare itself for producing dosage form levorphanol. It claims that it is unwilling to go to this expense unless it is reasonably certain that it will be able to obtain the bulk levorphanol it will

The Administrative Law Judge noted that Roxane first approached Roche in an effort to obtain bulk levorphanol. Roche manufactures levorphanol in bulk form and also markets this drug in dosage form. If Roche were to sell some of its bulk product to Roxane, Roche would be supplying a potential competitor at the dosage-formulator level. Indeed, Roche refused to sell levorphanol to Roxane. Roxane then approached Mallinckrodt which is a bulk manufacturer of many controlled substances. Although Mallinckrodt does not presently manufacture levorphanol, it has the capability to do so, and has asserted that it will do so if it is granted DEA registration.

Section 823 of Title 21, United States Code, provides that the Administrator of DEA, "shall register an applicant to manufacture controlled substances in Schedule I or II if he determines that such registration is consistent with the public interest. . . . " It further provides. that in determining the public interest, one of the enumerated factors to be considered is, "such other factors as may be relevant to and consistent with the public health and safety." Roche asserts that Mallinckrodt's registration as a bulk manufacturer of levorphanol is

inconsistent with the public interest in that Mallinckrodt has no legitimate outlet, i.e., no customer possessing its own approved NDA, for such levorphanol as it might produce once it is registered. Since there is no such legitimate outlet, Roche argues that the challenged registration would be inconsistent with "the public health and safety," because Mallinckrodt's registration would either: (1) Encourage production which could not be used legally by any drug formulator, or (2) result in the registration of a company that has no legitimate need for the substance it is registered to produce-a meaningless regulatory act.

Roche has the burden to establish, by a preponderance of the evidence, that any issue or objection it raised should bar Mallinckrodt's application. 21 CFR 1301.55(a); McNeilab, Inc. Docket No. 78-13, 46 FR 22089 (1981); Olin Construction Co. v. OSHRC, 525 F.2d 464, 467 (2d Cir. 1975). The Administrator Law Judge found that Roche did not meet this burden. The position of Mallinckrodt and Roxane is wholly reasonable. The mere fact that Mallinckrodt will have no customer for its bulk product as of the time it is registered to produce it, is not a reasonable ground for denying the registration. Mallinckrodt is an established pharmaceutical manufacturer. There is no evidence in the record that Mallinckrodt has failed in the past to give DEA complete cooperation in complying with controls imposed to prevent diversion of controlled substances. No cause is shown for assuming that Mallinckrodt will not conduct itself in an ethical and lawful manner if the registration is granted.

Roche suggested that a researcher registration would be more appropriate than bulk manufacturer registration. Judge Young concluded that Roche did not introduce sufficient evidence to establish that a researcher registration for Mallinckrodt would be more likely to preserve the "public health and safety than a bulk manufacturer registration.

Roche asserts that Mallinckrodt's application should be denied because neither Mallinckrodt, nor its potential customer, Roxane, have obtained an approved NDA for levorphanolcontaining products from the FDA. Roche states that such approval is a prerequisite to the introduction of a drug product into interstate commerce and should also be considered a prerequisite to registration of a manufacturer under the Controlled Substances Act. Judge Young again concluded that Roche did not meet its burden of proof. It did not

produce sufficient evidence to establish that Roxane's present lack of an approved NDA in this instance is likely to be detrimental to the "public health and safety.

Section 303(a) of the Controlled Substances Act (21 U.S.C. 823(a)) does not require that an applicant or its potential customer possess an approved NDA from FDA as a condition precedent to registration by DEA. There is no DEA regulation which requires an applicant to hold an approved NDA as prerequisite to registration. M.D. Pharmaceutical, Inc., [No Docket number], 42 FR 25389 (1977); MBH Chemical Corp., Docket Nos. 73-17, 73-18, 39 FR 12364 (1974).

Based on the foregoing reasons, the Administrative Law Judge recommended that Mallinckrodt's application be granted. After reviewing the entire record, including the exceptions filed by Mallinckrodt and by Roche, the Acting Administrator adopts the recommended ruling, findings of fact, conclusions of law and decision of the Administrative

Law Judge in their entirety.

The objections to the granting of Mallinckrodt's application raised by Roche based upon the premise that the application is contrary to the public interest have been considered by the Acting Administrator and rejected. Accordingly, the Acting Administrator of the Drug Enforcement Administration pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b) hereby orders that the application of Mallinckrodt, Inc. to be registered as a bulk manufacturer of levorphanol under the Controlled Substance Act be, and it hereby is granted.

Dated: April 19, 1985. John C. Lawn,

Acting Administrator.

[FR Doc. 85-10264 Filed 4-26-85; 8:45 am]

BILLING CODE 4410-09-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Federal Council on the Arts and the **Humanities**; Arts and Artifacts Indemnity Panel; Advisory Committee;

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that a meeting of the Arts and Artifacts Indemnity Panel of the Federal Council on the Arts and the Humanities will be held at 1100 Pensylvania Avenue, NW., Washington, D.C. 20506 in Room M-14, from 9:30 a.m. to 5:00 p.m., on May 23, 1985.

The purpose of the meeting is to review applications for certificates of indemnity submitted to the Federal Council on the Arts and the Humanities for exhibits beginning after July 1, 1985.

Because the proposed meeting will consider commercial and financial data and because it is important to keep values of objects, methods of transportation and security methods confidential, pursuant to the authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated April 16, 1978, I have determined that the meeting would fall within exemptions (4) and (9) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Stephen I. McCleary, 1100 Pennsylvania Avenue, NW., Washington, D.C. 20506, or call 202/786-1322.

Stephen J. McCleary,

Advisory Committee Management Officer. [FR Doc. 85-10284 Filed 4-26-85; 8:45 am] BILLING CODE 7536-01-M

Humanities Panel Meetings

AGENCY: National Endowment for the Humanities.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meetings of the Humanities Panel will be held at the Old Post Office, 1100 Pennsylvania Avenue, NW., Washington, D.C. 20506: Date: April 29-30, 1985 Time: 8:30 a.m. to 5:00 p.m.

Room: 415

Program: This meeting will review applications submitted for the Humanities Projects in Media, Division of General Programs, for projects beginning after October 1, 1985. Date: May 2-3, 1985

Time: 8:30 a.m. to 5:00 p.m. Room: 415

Program: This meeting will review applications submitted for the Humanities Projects in Media, Division of General Programs, for projects beginning after October 1, 1985.

The proposed meetings are for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. Because the proposed meetings will consider information that is likely to disclose: (1) Trade secrets and commercial or financial information obtained from a person and privileged or confidential; (2) information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and (3) information the disclosure of which would significantly frustrate implementation of proposed agency action; pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that these meetings will be closed to the public pursuant to subsections (c)(4). (6) and (9)(B) of section 552b of Title 5. United States Code. These are not regularly scheduled panel meetings but panel meetings convened to review applications for which review was anticipated. In light of the unexpected nature of these panel meetings, the National Endownment for the Humanities is unable to provide the notice within the time required.

Further information about these meetings can be obtained from Mr. Stephen J. McCleary, Advisory Committee Management Officer. National Endownment for the Humanities, Washington, D.C. 20506, or call (202) 786-0322.

Stephen J. McCleary,

Advisory Committee Management Officer. [FR Doc. 85-10282 Filed 4-26-85; 8:45 am] BILLING CODE 7536-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-414]

Duke Power Co. et al., (Catawba Nuclear Station, Unit 2); Exemption

On July 24, 1972, Duke Power Company tendered an application for licenses to construct Catawba Nuclear Station, Units 1 and 2 (Catawba or the facility) with the Atomic Energy Commission (currently the Nuclear Regulatory Commission or the Commission). Following a public hearing before the Atomic Safety and Licensing Board, the Commission issued Construction Permit Nos. CPPR-116 and CPPR-117 permitting the construction of Units 1 and 2, respectively, on August 7. 1975. Each unit of the facility is a

pressurized water reactor, containing a Westinghouse Electric Company nuclear steam supply system, located in York County, South Carolina.

On March 21, 1979, Duke Power Company tendered an application for operating licenses for each unit of the facility. On January 17, 1985, the Director of the Office of Nuclear Reactor Regulation issued a full power license for Catawba Unit 1. Catawba Unit 2 remains in the licensing review process.

By letters dated May 15, 1978, and April 8, 1981, Duke Power Company transmitted two applications for amendment to Construction Permit No. CPPR-117 to add respectively North Carolina Municipal Power Agency No. 1 (NCMPA-1) and Piedmont Municipal Power Agency (PMPA) as co-owners of Catawba Unit 2. By letters dated October 19, 1978, and November 24, 1981, the staff has amended CPPR-117 to reflect the two changes in ownership.

The Construction Permit issued for constructing the facility provides, in pertinent part, that the facility is subject to all rules, regulations and orders of the Commission. This includes General Design Criterion (GDC) 4 of Appendix A to 10 CFR Part 50. GDC 4 requires that structures, systems and components important to safety shall be designed to accommodate the effects of, and to be compatible with, the environmental conditions associated with the normal operation, maintenance, testing and postulated accidents, including loss-ofcoolant accidents. These structures, systems and components shall be appropriately protected against dynamic effects, including the effects of missiles, pipe whipping, discharging fluids that may result from equipment failures, and from events and conditions outside the nuclear power unit.

In a submittal dated December 20, 1983, the applicants enclosed Westinghouse Report MT-SME-3166 (Reference 1) containing the technical basis for their request to: (1) Eliminate the need to postulate circumferential and longitudinal pipe breaks in the RCS primary loop (hot leg, cold leg, and cross-over leg piping); (2) eliminate the need for associated pipe whip restraints in the RCS primary loop and eliminate the requirement to design for the structural effects associated with RCS primary loop pipe breaks including jet impingement; and (3) eliminate the need to consider dynamic effects and loading conditions associated with previously postulated primary loop pipe breaks. These effects include blowdown loads. jet impingement loads, and reactor cavity and subcompartment

pressurization. Attachment 3 to the December 20, 1983, submittal identified the primary loop break locations and the erection status of the associated pipe whip restraints. By letter dated February 14, 1985, the applicants updated the installation status for those restraints. Furthermore, by letter (from W.H. Owen, Duke, to H.R. Denton, NRC) dated April 17, 1985, the applicants withdrew that portion of the December 20, 1983, exemption request that related to the leak-before-break effects on reactor cavity and subcompartment pressurization. Also, by the same letter the applicants requested that a partial exemption to GDC-4 be granted for the first two cycles of operation.

The applicants also stated in their submittals that employment of the leakbefore-break concept would not eliminate pipe breaks in the RCS primary loop as a design basis for the following: (1) Containment design; (2) sizing of Emergency Core Cooling System; (3) environmental qualification of equipment; and (4) supports for heavy

components.

Based on its review of the applicants' December 20, 1983, submittal, the NRC staff requested additional information and provided comments on the reports (References 1 and 9) which were transmitted to the applicants in the form of questions by NRC letter dated April 10, 1984 (Reference 2).

By a submittal dated May 11, 1984, the applicants responded to the staff's questions, providing a new report identified as Westinghouse Report WCAP-10546 (Reference 3). In the same submittal, the applicants requested an exemption from a portion of the requirements of GDC 4 of Appendix A to

10 CFR Part 50.

By letter dated September 14, 1984, the applicants submitted an analysis of the occupational radiation dose reduction which, together with the information contained in the December 20, 1983, and May 11, 1984, submittals, constituted the value-impact analysis for Catawba Unit 2. The technical information contained in references 1 and 3, together with the value-impact analysis, provided a comprehensive justification for requesting a partial exemption from the requirements of GDC 4.

From the deterministic fracture mechanics analysis contained in the technical information furnished, the applicants contend that the postulated double-ended guillotine breaks (DEGB) of the primary loop coolant piping in Catawba Unit 2 will not occur and, therefore, need not be considered as a design basis for installing protective devices, such as pipe whip restraints and jet impingement shields, to guard

against the dynamic effects associated with such postulated breaks. No other changes in design requirements are addressed within the scope of the referenced reports; e.g., no changes to the definition of a LOCA nor its relationship to the regulations addressing design requirements for ECCS (10 CFR 50.46), containment (GDC 16, 50), other engineered safety features and the conditions for environmental qualification of equipment (10 CFR 50.491.

III

The Commission's regulations require that applicants provide protective measures ". . . against dynamic effects, including the effects of missiles, pipe whipping, and discharged fluids, that may result from equipment failures and from events and conditions outside the nuclear power unit." (GDC 4) Protective measures include physical isolation from postulated pipe rupture locations if feasible or the installation of pipe whip restraints, jet impingement shields or compartments. In 1975, concerns arose as to the asymmetric loads on pressurized water reactor (PWR) vessels and their internals which could result from these large postulated breaks at discrete locations in the main primary coolant loop piping. This led to the establishment of Unresolved Safety Issue (USI) A-2, "Asymmetric Blowdown Loads on PWR Primary Systems."

The NRC staff, after several review meeting with the Advisory Committee on Reactor Safeguards (ACRS) and a meeting with the NRC Committee to Review Generic Requirements (CRGR), concluded that an exemption from the regulations would be acceptable as an alternative for resolution of USI A-2 for sixteen facilities owned by eleven licensees in the Westinghouse Owners' Group (one of these facilities, Fort Calhoun has a Combustion Engineering nuclear steam supply system). This NRC staff position was stated in Generic Letter 84-04, published on February 1, 1984 (Reference 4). The generic letter states that the affected licensees must justify an exemption to GDC 4 on a plant-specific basis. Other PWR applicants or licensees may request similar exemptions from the requirements of GDC 4 provided that they submit an acceptable technical basis for eliminating the need to postulate pipe breaks.

The acceptance of an exemption was made possible by the development of advanced fracture mechanics technology. These advanced fracture mechanics techniques deal with

relatively small flaws in piping components (either postulated or real) and examine their behavior under various pipe loads. The objective is to demonstrate by deterministic analyses that the detection of small flaws by either inservice inspection of leakage monitoring systems is assured long before the flaws can grow to critical or unstable sizes which could lead to large break areas such as the DEGB or its equivalent. The concept underlying such analyses is referred to as "leak-beforebreak" (LBB). There is no implication that piping failures cannot occur, but rather that improved knowledge of the failure modes of piping systems and the application of appropriate remedial measures, if indicated, can reduce the probability of catastrophic failure to insignificant values.

Advanced fracture mechanics technology was applied in topical reports (References 5, 6 and 7) submitted to the staff by Westinghouse on behalf of the licensees belonging to the USI A-2 Owners Group. Although the topical reports were intended to resolve the issue of asymmetric blowdown loads that resulted from a limited number of discrete break locations, the technology advanced in these topical reports demonstrated that the probability of breaks occurring in the primary coolant system main loop piping is sufficiently low such that these breaks need not be considered as a design basis for requiring installation of pipe whip restraints or jet impingement shields. The staff's Topical Report Evaluation is included as Enclosure 1 to Reference 4.

Probabilistic fracture mechanics studies conducted by the Lawrence Livermore National Laboratories (LLNL) on both Westinghouse and Combustion Engineering nuclear steam supply system main loop piping (Reference 8) confirm that both the probability of leakage (e.g., undetected flaw growth through the pipe wall by fatigue) and the probability of a DEGB are very low. The results given in Reference 8 are that the best-estimate leak probabilities for Westinghouse nuclear steam supply system main loop piping range from 1.2×10^{-8} to 1.5×10^{-7} per plant year and the best-estimate DEGB probabilities range from 1×10⁻¹² to 7×10⁻¹² per plant year. Similarly, the best-estimate leak probabilities for Combustion Engineering nuclear steam supply system main loop piping range from 1×10-8 per plant year to 3×10-8 per plant year, and the best-estimate DEGB probabilities range from 5×10-14 to 5×10-13 per plant year. These results do not affect core melt probabilities in any significant way.

During the past few years it has also become apparent that the requirement for installation of large, massive pipe whip restraints and jet impingement shields is not necessarily the most cost effective way to achieve the desired level of safety, as indicated in Enclosure 2, Regulatory Analysis, to Reference 4. Even for new plants, these devices tend to restrict access for future inservice inspection of piping; or if they are removed and reinstalled for inspection, there is a potential risk of damaging the piping and other safety-related components in this process. If installed in operating plants, high occupational radiation exposure (ORE) would be incurred while public risk reduction would be very low. Removal and reinstallation for inservice inspection also entail significant ORE over the life of a plant.

The primary coolant system of Catawba, Unit 2, described in Reference 3, has four main loops each comprising a 33.9 inch diameter hot leg, a 36.2 inch diameter crossover leg and 32.14 inch diameter cold leg piping. The material in the primary loop piping is cast stainless steel (SA 351 CF8A). In its review of Reference 3, the staff evaluated the Westinghouse analyses with regard to:

-the location of maximum stresses in the piping, associated with the combined loads from normal operation and the SSE;

-potential cracking mechanisms; size of through-wall cracks that would leak a detectable amount under normal loads and pressure;

-stability of a "leakage-size crack" under normal plus SSE loads and the expected margin in terms of load;

-margin based on crack size; and -the fracture toughness properties of thermally-aged cast stainless steel piping and weld material.

The NRC staff's criteria for evaluation of the above parameters are delineated in its Topical Report Evaluation, Enclosure 1 to Reference 4, Section 4.1, "NRC Evaluation Criteria", and are as follows:

(1) The loading conditions should include the static forces and moments (pressure, deadweight and thermal expansion) due to normal operation, and the forces and moments associated with the safe shutdown earthquake (SSE). These forces and moments should be located where the highest stresses, coincident with the poorest material properties, and induced for base materials, weldments and safe-ends.

(2) For the piping run/systems under evaluation, all pertinent information

which demonstrates that degradation or failure of the piping resulting from stress corrosion cracking, fatigue or water hammer is not likely, should be provided. Relevant operating history should be cited, which includes system operational procedures; system or component modification; water chemistry parameters, limits and controls; resistance of material to various forms of stress corrosion, and performance under cyclic loadings.

(3) A through-wall crack should be postulated at the highest stressed locations determined from (1) above. The size of the crack should be large enough so that the leakage is assured of detection with adequate margin using the minimum installed leak detection capability when the pipe is subjected to

normal operational loads.

(4) It should be demonstrated that the postulated leakage crack is stable under normal plus SSE loads for long periods of time; that is, crack growth, if any, is minimal during an earthquake. The margin, in terms of applied loads, should be determined by a crack stability analysis, i.e., that the leakage-size crack will not experience unstable crack growth even if larger loads (larger than design loads) are applied. This analysis should demonstrate that crack growth is stable and the final crack size is limited, such that a double-ended pipe break will not occur.

(5) The crack size margin should be determined by comparing the leakagesize crack to critical-size cracks. Under normal plus SSE loads, it should be demonstrated that there is adequate margin between the leakage-size crack and the cirtical-size crack to account for the uncertainties inherent in the analyses, and leakage detection capability. A limit-load analysis may suffice for this purpose, however, on elastic-plastic fracture mechanic (tearing instability) analysis is preferable.

(6) The materials data provided should include types of materials and materials specifications used for base metal, weldments and safe-ends, the materials properties including the I-R curve used in the analyses, and longterm effects such as thermal aging and other limitations to valid data (e.g. I

maximum crack growth)

Based on its evaluation of the analysis contained in Westinghouse Report WCAP-10546 (Reference 3), the staff finds that the applicants have presented an acceptable technical justification, addressing the above criteria, for not installing protective devices to deal with the dynamic effects of large pipe ruptures in the main loop primary coolant system piping of Catawba, Unit 2. This finding is predicated on the fact that each of the parameters evaluated for Catawba Unit 2 is enveloped by the generic analysis performed by Westinghouse in Reference 5, and accepted by the staff in Enclosure 1 to Reference 4. Specifically:

(1) Although the moment associated with the highest stressed location in the main loop primary system piping (which for Catawba Unit 2 occurs in cross over leg piping) is lower than the bounding moment used by Westinghouse in Reference (5) for the hot leg piping, it is slightly higher than established by the staff as a limit (i.e., a moment of 42,000 in-kips in Enclosure 1 to Reference 4). However, this is compensated for in that the pipe diameter and thickness are larger than those analyzed by Westinghouse and the staff for the reference case. Thus, the resultant net stresses are within the bounds established by the staff in Enclosure 1 to Reference (4). The Catawba loads are 1,864 kips (axial) and 43,407 in-kips

(bending moment).
(2) For Westinghouse plants, there is no history of cracking failure in reactor primary coolant system loop piping. The Westinghouse reactor coolant system primary loop has an operating history which demonstrates its inherent stability. This includes a low susceptibility to cracking failure from the effects of corrosion (e.g., intergranular stress corrosion cracking), water hammer, or fatigue (low and high cycle). This operating history totals over 400 reactor-years, including five (5) plants each having 15 years of operation and 15 other plants with over 10 years of

(3) The results of the leak rate calculations performed for Catawba, using an initial through-wall crack of 7.5 inches are identical to those of Enclosure 1 to Reference (4). The Catawba plant has an RCS pressure boundary leak detection system which is consistent with the guidelines of Regulatory Guide 1.45, and it can detect leakage of one (1) gpm within one hour. The calculated leak rate through the postulated flaw is at least 10 gpm. Therefore, the Catawba plant leak detection system is capable of detecting leaks one-tenth that of the calculated leak rate.

(4) The margin in terms of load for Catawba Unit 2, based on fracture mechanics analyses for the leakage-size crack under normal plus SSE loads, is within the bounds calculated by the staff in Section 4.2.3 of Enclosure 1 to Reference 4. Based on a limit-load

analysis, the load margin is about 2.4 and based on the I limit discussed in (6) below, the margin is at least 1.3.

(5) The margin between the leakagesize crack and the critical-size crack was calculated by a limit-load analysis. Again, the result demonstrated that a margin of at least 3 of crack size exists and is within the bounds of Section 4.2.3 of Enclosure 1 to Reference (4).

(6) As an integral part of its review. the staff's evaluation of the material properties data of Reference (9) is enclosed as Appendix I to this Safety Evaluation Report. In Reference 9, data for ten (10) plants, including the Catawba Units, are presented, and lower bound or "worst case" materials properties were identified and used in the analysis performed in the Reference (3) report by Westinghouse. The applied I for Catawba in Reference (3) was less than 3000 in-lb/in 2 and, hence, the staff's upper bound on the applied I (refer to Appendix I, page 6) was not exceeded.

In view of the analytical results presented in Reference 3 and the staff's evaluation findings related above, the staff concludes that the probability or likelihood of large pipe breaks occurring in the primary coolant system loop of Catawba Unit 2 is sufficiently low such that protective devices associated with postulated pipe breaks at the eight (8) locations per loop in Catawba Unit 2 primary coolant system (as specified in the applicants' submittals of December 20, 1983, and May 11, 1984) need not be installed. However, in order to provide the Commission with an opportunity to consider the long term aspects of the NRC staff's recent acceptance criteria of the "leak-before-break" approach, this exemption is limited to a period extending until the completion of the second refueling outage of Catawba Unit 2, pending the outcome of Commission rulemaking on this issue.

The applicant's request does not affect the design bases for the containment, the emergency core cooling system, the environmental qualification for equipment for Catawba Unit 2, or the supports for heavy equipment, and does not propose to the alter the design basis of reactor cavity and subcompartment pressurization from that originally performed which was based on a limited displacement DEGB. The staff agrees that this schedular exemption does not affect these matters.

The staff also reviewed the valueimpact analysis provided by the applicants in their December 20, 1983, May 11, and September 14, 1984, submittals for not providing protective devices against postulated reactor

coolant system loop pipe breaks to assure as low as reasonably achievable (ALARA) exposure to plant personnel. Consideration was given to design features for reducing doses to personnel who must operate, service and maintain the Catawba Unit 2 instrumentation, controls, equipment, etc. The Catawba Unit 2 value-impact analysis shows that the elimination of protective devices for RCS pipe breaks will save an occupational dose for plant personnel of approximately 600 person-rem for Catawba Unit 2 over its operating lifetime. The staff review of the analysis shows it to be a reasonable estimate of dose savings. Therefore, with respect to occupational exposure, the staff finds that there is a radiological benefit to be gained by eliminating the need for the protective structures.

In view of the staff's evaluation findings, conclusions, and recommendations above, the Commission has determined that. pursuant to 10 CFR 50.12(a), the following exemption is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest. The Commission hereby approves the limited schedular exemption from GDC 4 of Appendix A to 10 CFR Part 50, to permit the applicants not to install protective devices and not to consider dynamic effects and loading conditions as detailed in Part II of this exemption associated with postulated pipe breaks of the eight (8) locations per loop in the Catawba Unit 2 primary coolant system, for a period ending at the completion of the second refueling outage, pending the outcome of rulemaking on this subject.

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the Exemption will have no significant impact on the environment (50 FR 15802).

Dated at Bethesda, Maryland, this 23rd day of April 1985.

This Exemption will become effective upon date of issuance.

For the Nuclear Regulatory Commission.

Frank J. Miraglia,

Deputy Director, Division of Licensing, Office of Nuclear Reactor Regulation.

References

(1) Westinghouse Report MT-SME-3166, "Technical Bases for Eliminating Large Primary Loop Pipe Ruptures as the Structural Design Basis for Catawba, Units 1 and 2. November 1983, Westinghouse Class 2 proprietary.

(2) Letter to H. B. Tucker of Duke Power Company, "Request for Additional

Information Concerning Leak-Before-Break Analysis for Catawba Nuclear Station Unit 2,

dated April 10, 1984.

(3) Westinghouse Report WCAP-10546, "Technical Bases for Eliminating Large Primary Loop Pipe Rupture as the Structural Design Basis for Catawba Unit 2," April 1984, Westinghouse Class 2 proprietary.

(4) NRC Generic Letter 84-04, "Safety Evaluation of Westinghouse Topical Reports Dealing with Elimination of Postulated Breaks in PWR Primary Main Loops,"

February 1, 1984.

(5) Mechanistic Fracture Evaluation of Reactor Coolant Pipe Containing a Postulated Circumferential Throughwall Crack, WCAP-9558, Rev. 2, May 1981, Westinghouse Class 2 proprietary.

(6) Tensile and Toughness Properties of Primary Piping Weld Metal for Use in Mechanistic Fracture Evaluation, WCAP-9787, May 1981, Westinghouse Class 2

proprietary.

(7) Westinghouse Response to Questions and Comments Raised by Members of ACRS Subcommittee on Metal Components During the Westinghouse Presentation on September 25, 1981, Letter Report NS-EPR-2519, E. P. Rahe to Darrell G. Eisenhut, November 10, 1981, Westinghouse Class 2 proprietary.

(8) Lawrence Livermore National Laboratory Report, UCRL-86249, "Failure Probability of PWR Reactor Coolant Loop Piping," by T. Lo, H. H. Woo, G. S. Holman and C. K. Chou, Presented at the ASME PVP Conference and Exhibition, June 17–21, 1984,

San Ontonio, Texas.

(9) Westinghouse Report WCAP-10456, "The Effects of Thermal Aging on the Structural Integrity of Cast Stainless Steel Piping for Westinghouse Nuclear Steam Supply Systems," November 1983, Westinghouse Class 2 proprietary.

Note.—Non-proprietary versions of References 1, 3, 5, 6, 7 and 9 are available in the NRC Public Document Room as follows:

(1) MT-SME-3179, non-proprietary

(3) WCAP 10547

(5) WCAP 9570 (6) WCAP 9788

(7) Non-proprietary version attached to the Letter Report

(9) WCAP 10457

Appendix I—Evaluation of Westinghouse Report WCAP 10456, "The Effects of Thermal Aging on the Structural Integrity of Cast Stainless Steel Piping for Westinghouse Nuclear Steam Supply Systems"

Introduction

The primary coolant piping in some Westinghouse Nuclear Steam Supply System (NSSS) contain cast stainless steel base metal and weld metal. The base metal and weld metal are fabricated to produce a duplex structure of delta (8) ferrite in an austenitic matrix. The duplex structure produces a material that has a higher yield strength, improved weldability and greater resistance to intergranular stress corrosion cracking than a single phase

austenitic material. However, as early as 1965 (Ref. 1), it was recognized that long time thermal aging at primary loop water temperature (550 °F-650 °F) could significantly affect the Charpy impact toughness of the duplex structured alloys. Since the Charpy impact test is a measure of a material's resistance to fracture, a loss in Charpy impact toughness could result in reduced structural stability in the piping system.

The purpose of Report WCAP 10456 is to evaluate whether cast stainless steel base metal and weld metal containing postulated cracks will be sensitive to unstable fracture during the 40 year life of a nuclear power plant. In order to determine whether a piping system will behave in such a fashion, the pipe materials' mechanical properties, design criteria and method of predicting failure must be established. In this evaluation, we will assess the mechanical properties of thermally aged cast stainless steel pipe materials, which are reported in Report WCAP 10456.

Discussion

1. Weld Metal

Report WCAP 10456 refers to test results reported in a paper by Slama, et. al. (Ref. 2) to conclude that the weld metal in primary loop piping would not be overly sensitive to aging and that the aged cast pipe base metal material would be structurally limiting. In the Slama report eight (8) welds were evaluated. The tensile properties were only slightly affected by aging. The Charpy U-notch impact energy in the most highly sensitive weld decreased from 7da]/cm2 (40 ft-lbs) to near 4da]/ cm2 (24 ft-lbs) after aging for 10,000 hours at 400 °C (752 °F). This change was not considered significant. The relatively small effect of aging on the weld, as compared to cast pipe material was reported to be casued by a difference in microstructure and lower levels of ferrite in the weld than in the cast pipe material.

2. Cast Stainless Steel Pipe Base Metal

Report WCAP 10456 contains mechanical property test results from a number of heats of aged cast stainless steel material and a metallurgical study. which was performed by Westinghouse. to support a statistically based model for predicting the effect of thermal aging on the Charpy impact test properties of cast stainless steel. As a result of these tests and the proposed model, Westinghouse concludes that the fracture toughness test results from one heat of material tested represents endof-life conditions for the ten (10) plants surveyed. The ten (10) plants surveyed are identified as Plants A through I.

a. Mechanical Property Test Results
Reported in WCAP 10456. Mechanical
property test results on aged and unaged
cast stainless steel materials which
were reported in a paper by Landerman
and Bamford (Ref. 3), Bamford.
Landerman and Diaz (Ref. 4), Slama et.
al. (Ref. 2) were discussed in Report
10456. In addition, Westinghouse
performed confirmatory Charpy V notch
and J-integral tests on aged cast
stainless material, which was tested and
evaluated by Slama et. al.

The results of these tests indicate that:
(1) The fatigue crack growth rate of

aged or unaged material in air and pressurized water reactor environments were equivalent.

(2) Tensile properties were essentially unaffected except for a slight increase in tensile strength and a decrease in ductility.

(3) J-integral test results indicate that the J_{1C} and tearing modulus, T, are

affected by aging.

b. Mechanism Study in WCAP 10456. The tests and literature survey conducted by Westinghouse indicate that the proposed mechanism of aging occurs in the range of operating temperatures for pressurized water reactors and the data from accelerated aging studies can be used to predict the behavior at operating temperatures.

c. Cast Stainless Steel Pipe Test. The materials data discussed in the previous section of this evaluation were obtained from small specimens. As a consequence, the J-R results are limited to relatively short crack extensions. To investigate the behavior of cast stainless steel in actual piping geometry, Westinghouse performed two experiments, one of which was with thermally aged cast stainless steel and the other test was identical except that the steel was not thermally aged.

Each pipe tested contained a throughwall circumferential crack to the extent specified in WCAP 10456. The pipe sections were closed at the ends, pressurized to nominal PWR operating pressure and then bending loads were applied.

The results of the tests were very similar, in that both pipes displayed extensive ductility, and stable crack extension. There was no observed unstable crack extension or fast fracture.

The results of the Westinghouse pipe experiments indicate that cast stainless steel, both aged and unaged, can withstand crack extensions will beyond the range of the J-R results with small specimens. However, if crack extension is predicted in an actual application of thermally aged cast stainless steel in a

piping system, we believe that it is prudent to limit the applied J to 3000 inlbs/in 2 or less unless further studies and/or experiments demonstrate that higher values are tolerable. Loss of initial toughness due to thermal aging of cast stainless steels at normal nuclear facility operating temperatures occurs slowly over the course of many years; therefore, continuing study of the aging phenomenon may lead to a relaxation of this position. Conversely, in the unlikely event that the total loss of toughness and the rate of toughness loss are greater than those projected in this evaluation, the staff will take appropriate action to limit the values to that which can be justified by experimental data. Because the aging is a slow process, the staff believes there would be sufficient time for the staff to recognize the problem and to rectify the situation. However, the staff believes this situation is highly unlikely because the staff has accepted only the lower bounds of data that were gathered among ten plants encompassing the range of materials in use.

d. Effects of Thermal Aging on Westinghouse Supplied Centrifugally Cast Reactor Coolant Piping Reported in WCAP 10456. The reactor collant cast stainless steel piping materials in the plants identified in WCAP 10456 as A through J, were produced to the specification SA-351, Class CF8A as outlined in ASME Code Section II, Part A and also to Westinghouse Equipment Specification G-678864, as revised. For these materials, Westinghouse has calculated the predicted end-of-life Charpy U-notch properties, based on their proposed model. The two (2) standard deviation end-of-life lower limit value for all the plants surveyed was greater than the Charpy U notch properties of the aged reference materials, which Westinghouse indicates represents end-of-life properties for all the plants. As a result, Westinghouse concluded that the amount of embrittlement in the aged reference material exceed the amount projected at end-of-life for all cast stainless steel pipe materials in Plants A through J.

Conclusions

Based on our review of the information and data contained in Westinghouse Report WCAP 10456, we conclude that:

1. Weld metal that is used in cast stainless steel piping system is initially less fracture resistant than the cast stainless steel base metal. However, the weld metal is less susceptible to thermal aging than the cast stainless steel base metal. Hence, at end-of-life the cast

stainless steel base metal is anticipated to be the least fracture resistant material.

- 2. The Westinghouse proposed model may be used to predict the relative amount of embrittlement on a head of cast stainless steel material. The two standard deviation lower confidence limit for this model will provide a useful engineering estimate of the predicted end-of-life Charpy impact properties for cast stainless steel base metal.
- 3. Since there is considerable scatter in I-integral test data for the heats of material tested, lower bound values for It and T should be used as engineering estimates for the fracture resistance of the aged reference material. We believe these values should also provide a lower bound for the fracture resistance of aged and unaged weld metal. If crack extension is predicted in an actual application of cast stainless steel in a piping system, we conclude that the applied I should be limited to 3000 inlbs/in 2 or less unless further studies and tests demonstrate that higher values are tolerable. The Westinghouse pipe tests demonstrate that this may be possible.
- 4. Since the predicted end-of-life Charpy impact values for the materials in Plants A through J are greater than the value measured for the aged reference material, the lower bound fracture properties for aged reference material may be used to determine the fracture resistance for the cast stainless steel material in Plants A through J.

References

(1) F. H. Beck, E. A. Schoefer, J. W. Flowers, M. E. Fontana, "New Cast High Strength Alloy Grades by Structural Control," ASTM STP 369 (1965)

(2) G. Slama, P. Petrequin, S. H. Masson, T.R. Mager, "Effects of Aging on Mechanical Properties of Austenitic Stainless Steel Casting and Welds," presented at SMIRT 7 Post Conference Seminar 6—Assuring Structural Integrity of Steel Reactor Pressure Boundary Components, August 29/30, 1983, Monterey, Ca.

(3) E. I. Landerman and W. H. Bamford,
"Fracture Toughness and Fatigue
Characteristics of Centrifugally Cast Type
316 Stainless Steel After Simulated Thermal
Service Conditions. Presented at the Winter
Annual Meeting of the ASME, San Francisco,
Ca., December 1978 (MPC-8 ASME)

(4) W. H. Bamford, E. I. Landerman and E. Diaz, "Thermal Aging of Cast Stainless Steel and Its Impact on Piping Integrity." Presented at ASME Pressure Vessel and Piping Conference, Portland, Oregon, June 1983.

[FR Doc. 85-10318 Filed 4-28-85; 8:45 am]

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Losses and Goals Advisory Committee; Meeting

AGENCY: Losses and Goals Advisory Committee of the Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1—4. Activities will include:

- Summary of losses and goals work plan
- Role of committee, format, minutes
 - · Losses statement
 - · Accounting modeling issue paper
- Systemwide distribution policy issue paper
 - · Other
 - Public comment
 Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Losses and Goals Advisory Committee.

DATE: April 30, 1985. 9:00 a.m.

ADDRESS: The meeting will be held at Columbia River Inter-Tribal Fish Commission in Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: John Marsh, 503–222–5161.

Edward Sheets,

Executive Director.

[FR Doc. 85-10257 Filed 4-26-85; 8:45 am]
BILLING CODE 0000-00-M

State Agency Advisory Committee; Regular Meeting

AGENCY: State Agency Advisory
Committee of the Pacific Northwest
Electric Power and Conservation
Planning Council (Northwest Power
Planning Council).

ACTION: Notice of meeting to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1– 4. Activities will include:

- Draft Load Forecast
- Issue Paper—Role of Power
 Institutions in the 1985 Plan
- Discussion on Resource Portfolio Analysis and Decision Analysis Model
- Discussion of Strategies for Developing Better Utilization of Nonfirm Energy
- Other Issue Papers that the Task Force may wish to discuss that are available at the time of the meeting Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its State Agency Advisory Committee.

DATE: Thursday, May 2, 1985. 9:00 a.m. ADDRESS: The meeting will be held at the Council Conference Room at 850 SW. Broadway; Suite 1100, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Jim Litchfield, (503) 222-5161.

Edward Sheets,

Executive Director.

[FR Doc. 85-10258 Filed 4-26-85; 8:45 am]

POSTAL RATE COMMISSION

Notice of Visits

April 24, 1985.

Notice is hereby given that Chairman Steiger, Vice Chairman Folsom, Commissioners Crutcher, Duffy and Guiton, and Commission staff members will visit the Postal Service Bulk Mail Center and the Headquarters of Federal Express in Memphis, Tennessee on May 2, 1985.

In the morning the Commission will visit the Bulk Mail Center to observe the mail processing, dock, sack sorting and transportation operations. In the afternoon they will visit Federal Express to observe their airport operations and package processing.

A report of both visits will be filed in the Commission's Docket Room.

Cyril J. Pittack,

Acting Secretary.

[FR Doc. 85-10207 Filed 4-26-85; 8:45 am]

BILLING CODE 7715-01-M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.
ACTION: In accordance with the
Paperwork Reduction Act of 1980 (44
U.S.C. Chapter 35), the Board has
submitted the following proposal(s) for
the collection of information to the
Office of Management and Budget for
review and approval.

Summary of Proposal(s)

- (1) Collection title: Railroad Service and Compensation Reports
- (2) Form(s) submitted: BA-3a, BA-4, BA-5
- (3) Type of request: Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.
- (4) Frequency of use: Monthly, Quarterly and Annually

- (5) Respondents: Businesses or other for profit and small businesses or organizations
- (6) Annual responses: 3,927
- (7) Annual reporting hours: 47,353
- (8) Collection description: Under the Railroad Unemployment Insurance and Railroad Retirement Acts, employers are required to report service and compensation for each emplyee to update Board records for payment of benefits.

Additional Information or Comments

Copies of the proposed forms and supporting documents may be obtained from Pauline Lohens, the agency clearance officer (312–751–4692). Comments regarding the information collection should be addressed to Pauline Lohens, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Robert Fishman (202–395–6880), Office of Management and Budet, Room 3201, New Executive Office Building, Washington, D.C. 20503.

Pauline Lohens,

Director of Information and Data Management.

[FR Doc. 85-10261 Filed 4-26-85; 8:45 am]
BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

CoElco, Ltd.; Order of Suspension of Trading

April 23, 1985.

It appears to the Securities and Exchange Commission ("Commission") that CoElco, Ltd. ("CoElco") has filed a Form 10 registration statement which inadequately and inaccurately represents, among other things, CoElco's assets, its financial condition and its transactions with affiliated companies and that CoElco has disseminated to the marketplace financial statements which inadequately and inaccurately represent, among other things, CoElco's assets, its financial condition, its transactions with affiliated companies, and the preparation and certification of the statements, the Commission is of the opinion that the public interest and the protection of investors require summary suspension of trading in the securities of CoElco.

Therefore, it is ordered pursuant to section 12(k) of the Securities and Exchange Act of 1934, that over-the-counter trading of the securities of CoElco be suspended for the ten-day period beginning at 2:00 p.m. on April 23, 1985 and terminating at midnight on May 2, 1985.

By the Commission. John Wheeler,

Secretary

[FR Doc. 85-10266 Filed 4-26-85; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 35-23671; 70-7101]

Indiana & Michigan Electric Co.; Notice of Proposed Sale of Electric Utility Assets

April 22, 1985.

Indiana & Michigan Electric Company ("I&M"), One Summit Square, P.O. Box 60, Fort Wayne, Indiana 48801, an electric utility subsidiary of American Electric Power Company, Inc., a registered holding company, has filed a declaration with this Commission pursuant to section 12(d) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 44 promulgated thereunder.

I&M proposes to sell to the City of Mishawaka, Indiana, certain electrical distribution facilities located in the service territory of the City of Mishawaka, for a total price of \$341,969 to be paid in cash. The replacement cost, less observed depreciation, for the equipment is \$341,969. The facilities involved are installed in place in the City of Mishawaka; are presently employed by I&M for providing service to customers whose service will be transferred to the City of Mishawaka pursuant to an order of the Public Service Commission of Indiana dated August 18, 1983, regarding the assignment of electrical service territories in the State of Indiana; and are not adaptable, at that location, for use in serving any other customers of

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by May 20, 1985, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be

amended, may be permitted to become effective.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-10268 Filed 4-26-85; 8:45 am]

[Release No. 35-23669; 70-6892]

Middle South Energy, Inc.; Supplemental Notice of Proposed Short-Term Borrowing

Middle South Energy, Inc. ("MSE"), 225 Baronne Street, New Orleans, Louisiana 70112, a special purpose subsidiary of Middle South Utilities, Inc., a registered holding company, has filed a post-effective amendment to its declaration in this proceeding with this Commission under sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(2) under the Act.

By order dated November 4, 1983, MSE was authorized to issue and sell its unsecured promissory notes or other evidences of indebtedness ("notes") to various commercial banks in an amount not to exceed \$225 million outstanding at any one time through May 1, 1985. The notes would mature within 12 months of issuance, be renewable upon approval by the bank, and be prepayable without penalty at the option of MSE. The interest rate for each borrowing would be set by negotiation and be either a fixed or variable rate. MSE may be required to maintain compensating balances not expected to exceed 10% of any borrowing. In no event would the total borrowing cost per annum, including the effective cost of compensating balances and any fees, exceed 200 basis points over the prevailing New York prime rate at the time of borrowing.

MSE does not expect that the outstanding amount of notes will at any time exceed 5% of its total capitalization, including long-term debt, common stock and retained earnings. Net proceeds from the sale of the notes will be used to fund MSE's construction program and for other corporate purposes, including repayment of other indebtedness.

By this post-effective amendment, MSE proposes to extend the period to May 1, 1987 during which MSE may issue and sell notes pursuant to the terms of the original authorization and to increase the maximum which may be sold to \$300 million. MSE continues to expect that the outstanding amount of notes will not at any time exceed 5% of its total capitalization, including long-term debt, common stock and retained earnings and, in addition, any preferred stock outstanding during this period.

The amended declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by May 13, 1985 to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the amended declaration, as filed or as it may be further amended, may be permitted to become effective.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-10314 Filed 4-26-85; 8:45 am]

[Release No. IC-14480; File No. 812-6070]

Southeastern Growth Fund, Inc.; Notice of Application for Exemptive Order Permitting Imposition and Waiver of Contingent Deferred Sales Charge

April 22, 1985.

Notice is hereby given that Southeastern Growth Fund, Inc. ("Applicant"), 707 East Main Street, Richmond, Virginia 23219, an open-end, diversified management investment company registered under the Investment Company Act of 1940 (the "Act"), filed an application on March 13, 1985, and amendments thereto on March 29 and April 9, 1985, for a Commission order, pursuant to section 6(c) of the Act, exempting Applicant from the provisions of sections 2(a)(32), 2(a)(35), 22(c) and 22(d) of the Act and Rule 22c-1 thereunder to permit Applicant to assess (and waive in certain cases) a contingent deferred sales charge on redemptions of its shares. All interested

persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below, and to the Act and the rules thereunder for the text of the applicable provisions.

According to the application, Wheat Investment Advisors, Inc. (the "Adviser"), a Virginia corporation wholly-owned by WFS Financial Corporation ("WFS"), will serve as Applicant's investment adviser. It is further stated that Wheat, First Securities, Inc. (the "Distributor"), a wholly-owned subsidiary of WFS, will serve as Applicant's distributor.

Applicant proposes to deduct a contingent deferred sales charge from the proceeds of certain redemptions of its shares. The contingent deferred sales charge would be imposed if an investor redeems an amount which causes the value of the investor's account with Applicant to fall below the total dollar amount of purchase payments made by the investor during the preceding five years. Applicant represents that no contingent deferred sales charge would be imposed to the extent that the net asset value of Applicant's shares redeemed does not exceed (1) the net asset value of shares purchased more than five years prior to the redemption, plus (2) the current net asset value of shares purchased through reinvestment of dividends or capital gains distributions, plus (3) increases in the net asset value of the investor's shares above the total amount of payments for the purchase of Applicant's shares made during the preceding five years. Applicant proposes to waive the contingent deferred sales charge on redemptions made in connection with: (a) The death or disability of a shareholder, (b) certain distributions from Individual Retirement Accounts or other qualified retirement plans, (c) distributions from pension or profit sharing plans sponsored by WFS, and (d) distributions from any pension, profit sharing or similar employee benefit plan for which the Adviser or any of its affiliates serves as investment adviser or is otherwise a fiduciary respecting the plan.

Applicant represents that, in determining the applicability of a contingent deferred sales charge to each redemption, the amount which represents an increase in the net asset value of the investor's shares within the last five years will first be redeemed. In the event the redemption amount exceeds such increase in value, the next

portion of the amount redeemed will represent the net asset value of the investor's shares purchased more than five years prior to the redemption and/or shares purchased through reinvestment of dividends or distributions. Any portion of the amount redeemed which exceeds both such increase in value and the value of shares purchased through reinvestment of dividends or distributions will be subject to a contingent deferred sales charge.

Applicant states that, where a contingent deferred sales charge is imposed, the amount of the charge will depend on the number of years since the investor made the purchase payment comprising the source of the redemption. During the first year after purchase, the charge would be five percent of the amount redeemed. Thereafter, the charge would decrease one percent annually until the expiration of five years, at which time no charge would be

imposed

Applicant states that the amount of the contingent deferred sales charge (if any) is calculated by determining the date on which the relevant purchase payment was made and applying the appropriate percentage to the amount of the redemption subject to the charge. In determining the rate of any applicable deferred sales charge, Applicant will assume that the investor is redeeming shares held for the longest period within five years preceding the redemption.

Applicant will reimburse the Distributor for its expenses in offering Applicant's shares according to a distribution plan adopted pursuant to Rule 12b-1 under the Act which generally permits investment companies to finance their own distribution expenses. Applicant states that the proposed distribution fee will accrue daily and be paid monthly at the annual rate of one percent of Applicant's average daily net assets. The Distributor also will receive the proceeds of the contingent deferred sales charge imposed upon redemptions of Applicant's shares. Applicant represents, however, that the amount of such contingent deferred sales charge will never exceed five percent of the aggregate purchase payments made by the investor.

Applicant requests an exemption from section 2(a)(32) of the Act which defines "redeemable security" to the extent necessary to permit Applicant to continue to qualify as an open-end company under section 5(a)(1) of the Act. Applicant asserts that imposition of a contingent deferred sales charge in no way restricts a shareholder from receiving a proportionate share of a

fund's current net assets, but merely defers deduction of the sales charge and makes it contingent upon an event which may never occur.

Applicant further requests an exemption from sections 2(a)(35) and 22(c) of the Act and Rule 22c-1 thereunder to permit implementation of the contingent deferred sales charge. Applicant submits that the proposed charge is consistent with the intent of the definition of sales charge contained in the Act and that the deferral of the charge and its contingency upon an event which might not occur does not change the nature of the charge. Applicant further submits that when a redemption of its shares is effected, the price of the shares will be based on their current net asset value. The contingent deferred sales charge will merely be deducted from redemption proceeds in arriving at the shareholder's net proceeds payable at the time of redemption.

Applicant also requests an exemption from section 22(d) of the Act to permit it to waive the contingent deferred sales charge under the circumstances described above. Applicant submits that the proposed waiver of the charge will not harm Applicant or its remaining shareholders or unfairly discriminate among shareholders or purchasers. Applicant further intends to fully disclose the waiver provisions in its prospectus.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than May 17, 1985, at 5:30 p.m., do so by submitting a written request setting forth the nature of his interest, the reasons for his request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of the request should be served personally or by mail upon Applicant at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. After said date, an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-10315 Filed 4-28-85; 8:45 am]

[File No. 81-718]

Application and Opportunity for Hearing; Sears Mortgage Securities Corp.

April 19, 1985.

Notice is hereby given that Sears
Mortgage Securities Corporation
("Applicant") has filed an application
pursuant to section 12(h) of the
Securities Exchange Act of 1934, as
amended, (the "1934 Act") for an order
exempting Applicant from certain
reporting requirements under section 13
and the operation of section 16 of the
1934 Act.

For a detailed statement of the information presented, all persons are referred to the application which is on file at the offices of the Commission in the Public Reference Room, 450 Fifth Street, NW., Washington, D.C. 20549.

Notice is further given that any interested person not later than May 14. 1985, may submit to the Commission in writing his views or any substantial facts bearing on the application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 450 Fifth Street. NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing. the reason for such request, and the issues of fact and law raised by the application which he desires to controvert.

Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponement thereof. At any time after that date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-10287 Filed 4-26-85; 8:45 am] BILLING CODE 8010-01-M

[Release No. IC-14479; File No. 812-5895]

Application and Opportunity for Hearing; The Union Central Life Insurance Co. et al.

April 22, 1985.

Notice is hereby given that The Union Central Life Insurance Company ("the Company"), Carillon Account ("Account"), and Carillon Investments, Inc. (collectively, "Applicants"), P.O. Box 179, Cincinnati, Ohio, filed an application on July 11, 1984, and amendments thereto on February 5 and March 29, 1985, for an order pursuant to section 6(c) of the Act granting exemptions from the provisions of sections 26(a) and 27(c)(2) of the Act to the extent necessary to permit the transactions described in the application. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below, and are referred to the Act for a statement of the relevant provisions.

The Company is a mutual life insurance company organized under the laws of the State of Ohio and is licensed to do business in all states and the District of Columbia. Applicants state that the Company is the sponsor-depositor for the Account, which is a segregated investment "separate account" of the Company established in connection with the proposed issuance of certain flexible premium individual deferred variable annuity contracts ("Contracts"). The Account is registered under the Act as a unit investment trust.

Applicants state that Carillon Investments, Inc., a registered brokerdealer, is the principal underwriter of the Contracts and investment adviser of Carillon Fund (the "Fund"), the underlying investment vehicle for the Account. Net payments made on the contract will be allocated to one or more of the Account subdivisions that invest solely in the shares of a particular portfolio of the Fund. The Fund is registered under the Act as an open-end, diversified management investment company of the series type and currently consists of three portfolios.

According to the application, the Company does impose an initial sales charge on purchase payments. If a Contract is partially or totally surrendered during the first eight years, however, a contingent deferred sales load is deducted as a means for the Company to recover its sales expense. The sales load is assessed as a percentage of the amount withdrawn, and decreases from 7% in the first two contract years to zero at the end of the eighth year. Applicants represent that the surrender charge was designed to produce sufficient revenue to cover distribution expenses. They state, however, that any deficiency will be met from the Company's general corporate funds, which includes amounts derived from the mortality and expense risk charge. Applicants state that for assuming mortality and expense risks

described in the application (including the risk that the surrender charges will be insufficient to cover distribution expenses), the Company will make a daily charge of 1.20% on an annual basis of the value of the Account's assets which will be added to the Company's general funds. The charge is allocable 0.80% for mortality risks and 0.40% for expense risks and Applicants state that the Company currently expects a profit from this charge.

According to the application, there is currently a \$10 transaction charge for each transfer between the subdivisions which may be increased to a maximum of \$15 based on increases in expected costs. Applicants state there is a two part administration fee guaranteed for the life of the contract which is designed to reimburse the Company for actual expenses, without profit. The first, is an annual fee of \$30 deducted from the Contract value: the second part is a daily deduction from the Contract value at an annual rate of 0.25%. Finally, certain premium taxes are deducted from the Contract value when incurred.

Requested Relief

Applicants request relief from sections 26(a) and 27(c)(2) to the extent necessary to permit (1) the Company to enter into a custodial agreement with a bank under which shares of the Fund will be held under an open account arrangement without the use of stock certificates; and (2) the deduction of the mortality and expense risk charge at the rate of 1.20% annually.

With respect to (1) above, Applicants represent that Union Central is subject to extensive supervision and control by state insurance regulatory officials, that the custodian bank will have the qualifications prescribed by section 26(a)(1) of the Act, and the Fund will provide the Company with a written verification of each purchase or redemption transaction and will provide the custodian with a written confirmation of each transaction. Applicants argue that, for these reasons. the assets will be protected and requiring the issuance of fund certificates would impose an unnecessary administrative burden.

With respect to (2) above, Applicants assert that the mortality and expense risk charge meets the standard set forth in section 6(c) because it is reasonable as determined by industry practice with respect to comparable annuity products. The Company states that this representation is based upon an analysis of publicly available information about similar industry products, taking into consideration such

factors as current charge levels and the existence of expense guarantees and guaranteed annuity rates, and that the analysis has been supplied by an outside expert consultant employed by the Company for the purpose of designing variable annuity products and assisting in developing necessary administrative systems for variable annuity contracts. The Company represents that as a further condition for this relief, it will maintain at it Home Office and available to the Commission, a memorandum which identifies the products analyzed and the methodology used to support this representation.

With respect to (2) above, the Company also represents that its has concluded there is a reasonable likelihood that the use of the asset charge for distribution expenses has a reasonable likelihood of benefiting the Account and the contract-owners. As a further condition of relief, Applicants represent that a memorandum setting forth the basis for this representation will be maintained at the Company's Home Office and available to the Commission. Applicants also represent that as a condition of this relief, the Account will invest only in funds which undertake to have a board of directors with a disinterested majority formulate and approve any plan pursuant to Rule 12b-1 under the Act to finance distribution expenses.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than May 14, 1985, at 5:30 p.m., do so by submitting a written request setting forth the nature of his interests, the reasons for his request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of the request should be served personally or by mail upon the Applicants at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. After said date an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-10313 Filed 4-26-85; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-21975; SR-NYSE-85-4]

Self-Regulatory Organizations; New York Stock Exchange, Inc.; Order Approving Proposed Rule Change

April 23, 1985.

The New York Stock Exchange, Inc. ("NYSE") submitted on February 26, 1985, copies of a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") and Rule 19b-4 thereunder, that would authorize a six-month pilot program to determine the feasibility of formally amending NYSE Rule 64, and NYSE policies thereunder, in order to provide for alternative settlement periods, where both parties to a transaction agree to such alternative periods. The NYSE has indicated in its filing that it intends to initiate the pilot program by testing next day settlement but may also determine during the pilot program to test two. three and four day (T+2, T+3, T+4) settlement as well. The NYSE states in its filing that its members have requested certain alternative settlement periods and that, in particular, they have requested a one-day settlement period.2 The NYSE further states in its filing that several regional exchanges currently permit settlement on a one day basis.3

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by the issuance of a Commission Release (Securities Exchange Act Release No. 21836, March 11, 1985) and by publication in the Federal Register (50 FR 11472, March 21, 1985). No comments have been received with respect to the

proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of sections 6(b)(5) in that the proposed rule change fosters cooperation and coordination among persons engaged in setting and facilitating securities transactions.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change referenced above be, and it hereby is, approved.⁴

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 85-10312, Filed 4-26-85; 8:45 am] BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Region VIII Advisory Council; Public Meeting

The U.S. Small Business
Administration Region VIII Advisory
Council, located in the geographical area
of Casper, Wyoming, will hold a public
meeting from 8:30 a.m. to 4:30 p.m., on
Wednesday, June 12, 1985, at the Dunbar
Inn, Highway 30 West, Evanston,
Wyoming, to discuss such matters as
may be presented by members, staff of
the U.S. Small Business Administration,
or others present.

For further information, write or call Paul Nemetz, District Director, U.S. Small Business Administration, 100 East B Street, Room 4001, Casper, Wyoming, (307) 261–5761.

Jean M. Nowak,

Director, Office of Advisory Councils. April 22, 1985.

[FR Doc. 85-10279 Filed 4-26-85; 8:45 am] BILLING CODE 8025-01-M

Region X Advisory Council; Public Meeting

The Small Business Administration Region X Advisory Council, located in the geographical area of Boise, Idaho, will hold a public meeting at 9:30 a.m., Tuesday, May 7, 1985, at the Owhyee Plaza "Green Room", 1109 Main Street, Boise, Idaho, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Joseph G. Kaeppner, District Director, U.S. Small Business Administration, 1020 Main Street, Suite 290, Boise, Idaho, (208) 334-1096.

Jean M. Nowak,

Director, Office of Advisory Councils. April 22, 1985.

[FR Doc. 85-10280 Filed 4-26-85; 8:45 am] BILLING CODE 8025-01-M

SYNTHETIC FUELS CORPORATION

Draft Solicitation for Eastern Province or Eastern Region of the Interior Province Bituminous Coal Gasification Projects

Entity: Synthetic Fuels Corporation.

ACTION: Invitation of public comments.

SUMMARY: The Corporation has prepared a draft solicitation for Eastern Province or Eastern Region of the Interior Province Bituminous Coal Gasification Projects and invites public comment on said draft solicitation.

For Copies of the Draft Solicitation, Contact: Catherine McMillan, Director of Public Disclosure, United States Synthetic Fuels Corporation, 2121 K Street, NW., Washington, D.C. 20586; (202) 822–6460.

DATE: Comments must be received on or before May 15, 1985.

ADDRESS: Comments should be sent to Richard V. Shanklin, Project Officer, United States Synthetic Fuels Corporation, 2121 K Street, NW., Washington, D.C. 20586.

FOR FURTHER INFORMATION CONTACT: Richard V. Shanklin, Project Officer, (202) 822-6463.

Dated: April 24, 1985. United States Synthetic Fuels Corporation. March Coleman,

Assistant Secretary.

[FR Doc. 85-10263 Filed 4-26-85; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 85-032]

Bridges, Proposed Construction; South Litchfield Beach, Georgetown County, SC

AGENCY: Coast Guard, DOT.
ACTION: Notice of Public Hearing.

SUMMARY: Notice is hereby given that the Commandant has authorized a public hearing to be held by the Commander, Seventh Coast Guard District, at Pawleys Island, South Carolina. The purpose of the hearing is

^{*}The Commission expects that the NYSE will monitor trade volume for transactions settled within alternative settlement periods during the pilot program, and that it will continue to review precedures under the pilot and to respond to concerns expressed by member firms in connection with alternative settlement periods.

NYSE Rule 64, captioned "Bonds, Rights and 100-Share-Unit Stocks," deals with settlement periods.

The NYSE states in its filing that currently, under its Rule 64, only three settlement periods are available: (1) "Cash" or same day settlement, (2) "regular way" or settlement on the fifth business day after a transaction, and (3) "seller's option" providing for settlement in six to 60 business days after a transaction.

The Commission notes that some regional exchanges, by rule or practice, do permit one day settlement, at least under certain circumstances. See, e.g., Pacific Stock Exchange, Inc., Rule 1, section 13(a), paragraph 4.

to consider the application by Trippsco Inc., for Coast Guard approval of location and plans of a proposed fixed highway bridge across Midway Creek (also known as Clubhouse Creek) from the mainland to South Litchfield Beach, Georgetown County, South Carolina.

All interested persons may present data, views and comments, orally or in writing, concerning the impact of the proposed bridge on navigation and the human environment. Of particular concern at this time are the effects that a fixed bridge with a vertical clearance of 8 feet above mean high water would have on navigation. Comments that the proposed clearance is inadequate should, if possible, recommend a specific minimum vertical clearance and include appropriate justification. Desirable information would include: Description of vessel, owner's name and address, height of highest fixed point above the waterline (exclusive of appurtenances unessential to navigation or easily lowered), mooring location, and frequency of operation upon the waterway.

DATE: May 30, 1985 commencing at 7:00 p.m. unitl all speakers in attendance wishing to comment have provided comments.

ADDRESS: The hearing will be held at Waccamaw School, Shell Road, Pawleys Island, South Carolina.

FOR FURTHER INFORMATION CONTACT:

Mr. Gary D. Pruitt, Bridge Administration Specialist, Seventh Coast Guard District, 51 SW. First Avenue, Miami, Florida 33130, (305) 350– 4103.

SUPPLEMENTARY INFORMATION: The proposed bridge would be approximately 1183 feet in length and 30 feet in width and would provide navigation with a minimum vertical clearance of 8 feet above mean high water and 10.8 feet above mean low water with a horizontal clearance of 28 feet between pile caps normal to the axis of the waterway. The reason for the proposed bridge under consideration is to provide access to the proposed Cape Litchfield Development at South Litchfield Beach. Part of the proposed residential development will be located in the designated Coastal Barrier Resource area. The entire area to be developed will be located within the base 100-year flood plain. The Coast Guard as lead federal agency has determined that the project is a major federal action for the purposes of the National Environmental Policy Act of 1969.

Written comments on this proposal were previously solicited by Public Notice 13–85 issued by the Commander, Seventh Coast Guard District, on March 5, 1985.

The hearing will be informal. A Coast Guard representative will preside at the hearing, make a brief opening statement describing the proposed bridge project, and announce the procedures to be followed at the hearing. Each person who wishes to make an oral statement should notify the Commander (oan). Seventh Coast Guard District, at the above address by May 24, 1985. Such notification should include the approximate time required to make the presentation. It may be necessary to limit the time available to individual speakers in order to provide all commenters the opportunity to speak. Speakers are encouraged to provide written copies of their oral statements to the hearing officer. A transcript will be made of the hearing and may be purchased or reviewed by the public in the Seventh Coast Guard District office approximately 30 days after the hearing date.

Interested persons who are unable to attend the hearing may also participate in the consideration of this bridge permit application by submitting their comments at the hearing, or by July 1, 1985. Each written comment should identify the proposed project, clearly state the reasons for any objections, comments or proposed changes to the plans, and include the name and address of the person or organization submitting the comment. Copies of all written communications will be available for examination by interested persons at the office of the Commander (oan), Seventh Coast Guard District, between 7:30 a.m. and 4:00 p.m., Monday through Friday, except holidays.

All comments received, whether in writing or presented orally at the public hearing, will be considered before final agency action is taken on the proposed bridge permit application. After the time set for the submission of comments, the Commander (oan), Seventh Coast Guard District, will evaluate all comments resulting from the hearing and the previous public notice to determine a vertical clearance to provide for the reasonable needs of navigation. If its is determined that a greater vertical clearance is necessary, the applicant will be invited to sumbit revised plans with the requisite clearance. In such event, a new public notice will be issued inviting public comment on the proposed higher bridge.

(Sec. 502.60 Stat 847, as amended; 33 U.S.C. 525, 49 U.S.C. 1655(g)(6)(C); 49 CFR 1.46(c)

Dated: April 24, 1985.

H. H. Kethe,

Captain, U.S. Coast Guard, Acting Chief, Office of Navigation.

[FR Doc. 85-10296 Filed 4-26-85; 8:45 am]

BILLING CODE 4910-14-M

[CGD 85-033]

Bridges; Proposed Construction; Oak Island Canal, Charleston, County, SC

AGENCY: Coast Guard, DOT.

ACTION: Notice of public hearing.

SUMMARY: Notice is hereby given that the Commandant has authroized a public hearing to be held by the Commander, Seventh Coast Guard District, at James Island, South Carolina. The purpose of the hearing is to consider the application by Coggins Investment and Trading Company for Coast Guard approval of location and plans of a proposed fixed highway bridge across Oak Island Canal, Long Island Drive near Folly Beach, Charleston County, South Carolina.

All interested persons may present data, views and comments, orally or in writing, concerning the impact of the proposed bridge on navigation and the human environment. Of particular concern at this time are the effects that a fixed bridge with a vertical clearance of 14.2 feet above mean high water would have on navigation. Comments that the proposed clearance is inadequate should, if possible, recommend a specific minimum vertical clearance and include appropriate justification. Desirable information would includes: Description of vessel, owner's name and address, height of highest fixed point above the waterline (exclusive of appurtenances unessential to navigation or easily lowered), mooring location, and frequency of operation upon the waterway.

p.m. until all speakers in attendance wishing to comment have provided comments.

ADDRESS: The hearing will be held at Ft. Johnson Middle School, 1825 Camp Road, James Island, South Carolina.

FOR FURTHER INFORMATION CONTACT:

Mr. Gary D. Pruitt, Bridge Administration Specialist, Seventh Coast Guard District, 51 S.W. First Avenue, Miami, Florida 33130, (305) 350– 4103.

SUPPLEMENTARY INFORMATION: The proposed bridge would be approximately 160 feet in length and 12 feet in width and would provide

navigation with a minimum vertical clearance of 14.2 feet above mean high water and 19.4 feet above mean low water with a horizontal clearance of 30 feet between pile caps normal to the axis of the waterway. The Coast Guard as lead federal agency has determined that the project is a major federal action for the purposes of the National Environmental Policy Act of 1969.

Written comments on this proposal were previously solicited by Public Notice 8–85 issued by the Commander, Seventh Coast Guard District, on

February 5, 1985.

The hearing will be informal. A Coast Guard representative will preside at the hearing, make a brief opening statement describing the proposed bridge project, and announce the procedures to be followed at the hearing. Each person who wishes to make an oral statement should notify the Commander (oan), Seventh Coast Guard District at the above address by May 24, 1985. Such notification should include the approximate time required to make the presentation.

It may be necessary to limit the time available to individual speakers in order to provide all commenters the opportunity to speak. Speakers are encouraged to provide written copies of their oral statements to the hearing officer. A transcript will be made of the hearing and may be purchased or reviewed by the public in the Seventh Coast Guard District office approximately 30 days after the hearing date.

Interested persons who are unable to attend the hearing may also participate in the consideration of this bridge permit application by submitting their comments at the hearing or to the Commander (oan), Seventh Coast Guard District, by July 1, 1985. Each written comment should identify the proposed project, clearly state the reasons for any objections, comments or proposed changes to the plans, and include the name and address of the person or organization submitting the comment. Copies of all written communications will be available for examination by interested persons at the office of the Commander (oan), Seventh Coast Guard District, between 7:30 a.m. and 4:00 p.m., Monday through Friday, except holidays.

All comments received, whether in writing or presented orally at the public hearing, will be considered before final agency action is taken on the proposed bridge permit application. After the time set for the submission of comments, the Commander (oan), Seventh Coast Guard

District, will evaluate all comments resulting from the hearing and the previous public notice to determine a vertical clearance to provide for the reasonable needs of navigation. If it is determined that a greater vertical clearance is necessary, the applicant will be invited to submit revised plans with the requisite clearance. In such event, a new public notice will be issued inviting public comment on the proposed higher bridge.

(Sec. 502.60 Stat 847, as amended; 33 U.S.C. 525, 49 U.S.C. 1655(g)(6)(C); 49 CFR 1.46(c))

Dated: April 24, 1985.

H.H. Kothe.

Captain, U.S. Coast Guard, Acting Chief, Office of Navigation.

[FR Doc. 85-10297 Filed 4-26-85; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

Date: April 24, 1985.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB (listed by submitting bureau(s)). for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of these submissions may be obtained by calling the Treasury Bureau Clearance Officer listed under each bureau. Comments regarding these information collections should be addressed to the OMB reviewer listed at the end of each bureau's listing and to the Treasury Department Clearance Officer, Room 7221, 1201 Constitution Avenue, NW., Washington, D.C. 20220.

Internal Revenue Service

OMB Number: 1545–0143
Form Number: IRS Form 2290
Type of Review: Revision
Title: Heavy Vehicle Use Tax
Clearance Officer: Garrick Shear (202)
566–6150, Room 5571, 1111
Constitution Avenue, NW.,
Washington, D.C. 20224

OMB Reviewer: Robert Neal (202) 395–6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

Joseph F. Maty,

Departmental Reports Management Office. [FR Doc. 85–10302 Filed 4–28–85; 8:45 am]

BILLING CODE 4810-25-M

Fiscal Service

[Dept. Circ. 570, 1984 Rev., Supp. No. 17]

Surety Companies Acceptable on Federal Bonds: Termination of Authority; Union Indemnity Insurance Co. of New York

Notice is hereby given that the Certificate of Authority issued by the Treasury to Union Indemnity Insurance Company of New York, of New York City, New York, under sections 9304 to 9308 of Title 31 of the United States Code, to qualify as an acceptable surety on Federal bonds is hereby terminated effective this date.

The company was last listed as an acceptable surety on Federal bonds at

49 FR 27261, July 2, 1984.

With respect to any bonds currently in force with Union Indemnity Insurance of New York, bond-approving officers for the Government should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding.

Questions concerning this notice may be directed to the Surety Bond Branch, Finance Division, Financial Management Service, Department of the Treasury, Washington, D.C. 20226, telephone (202) 634–2319.

Dated: April 18, 1985.

Marcus W. Page,

Deputy Commissioner, Financial Management Service.

[FR Doc. 85-10206 Filed 4-26-85; 8:45 am]

VETERANS ADMINISTRATION

Privacy Act of 1974; Amendment of Systems Notices; Additional Routine Use Statements

AGENCY: Veterans Administration.
ACTION: Correction notice.

SUMMARY: On pages 13448 and 13449 of the Federal Register of April 4, 1985, the VA published a notice amending 3 systems of records. There is an error in the added routine use number 17 in the system identified as 38 VA 23. This notice corrects that routine use by removing the words "and address" in the two places the words appear in routine use number 17.

FOR FURTHER INFORMATION CONTACT: Gina Abate (202) 389-5100.

Dated: April 23, 1985.

Nancy C. McCoy,

Chief, Directives Management Division.
[FR Doc. 85–10274 Filed 4–26–85; 8:45 am]
BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol. 50, No. 82

Monday, April 29, 1985

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

1

FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS

TIME AND DATE: 2:30 p.m., Thursday, May 2, 1985.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE
INFORMATION: Mr. Joseph R. Coyne,
Assistant to the Board; (202) 452–3204.
You may call (202) 452–3207, beginning
at approximately 5 p.m. two business
days before this meeting, for a recorded
announcement of bank and bank
holding company applications scheduled
for the meeting.

Dated: April 24, 1985.

James McAfee,

Associate Secretary of the Board.
[FR Doc. 85–10316 Filed 4–24–85; 4:32 pm]
BILLING CODE 6210–01–M

2

FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 50 FR 15808, April 22, 1985.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 2:30 p.m., Wednesday, April 24, 1985.

CHANGES IN THE MEETING: One of the items announced for inclusion at this meeting was consideration of any agenda items carried forward from a

previous meeting; the following such closed item(s) was added: Proposed purchase of computers within the Federal Reserve System. (This item was originally announced for a closed meeting on April 22, 1985.)

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: April 24, 1985.

James McAfee,

Associate Secretary of the Board.
[FR Doc. 85–10317 Filed 4–24–85; 4:32 pm]
BILLING CODE 6210–01–M

3

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 9:30 a.m., Thursday, May 2, 1985.

LOCATION: Third Floor Hearing Room, 1111 18th Street, NW., Washington, D.C. STATUS: Closed to the Public.

MATTERS TO BE CONSIDERED:

Commission Procedures Review.

The Commission and staff will review internal procedures relating to Commission decisionmaking. (This is a continuation of the March 6, 1985 meeting)

FOR A RECORDED MESSAGE CONTAINING THE LATEST AGENDA INFORMATION, CALL: 301–492–5709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Avenue, Bethesda, Md, 20207, 301–492–6800.

Sheldon D. Butts,

Deputy Secretary.

[FR Doc. 85-10396 Filed 4-25-85; 2:55 p.m.] BILLING CODE 6355-01-M

4

LEGAL SERVICES CORPORATION, SPECIAL COMMITTEE ON PRESIDENTIAL SEARCH

Recess and Reconvening of Meeting

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Tuesday, April 16, 1985, 50 FR 15036.

PREVIOUSLY ANNOUNCED TIME AND DATE: Tuesday, April 23, 1985, 8:00 p.m.

STATUS: Closed.

PLACE: Capitol Holiday Inn, Jupiter Roem, 550 C Street, SW., Washington, D.C. 20024.

NOTICE OF RECESS AND RECONVENING:

The Special Committee on Presidential Search of the Legal Services Corporation previously published notice of its meeting for Tuesday, April 23, 1985, to commence at 8:00 p.m. and to "continue until all official business is completed." The meeting commenced as noticed. At 9:45 p.m., the meeting was recessed until 3:30 p.m., the following day, April 24, 1985, to allow the completion of official business of the Committee. The meeting reconvened at 3:30 p.m. on April 24, 1985, and continued until all official business was completed at 5:30 p.m., April 24, 1985. The place of the reconvened meeting was changed to: **Legal Services Corporation** Headquarters, Seventh Floor Conference Room, 733 Fifteenth Street, NW., Washington, D.C. 20005.

The meeting continued to be a closed meeting as previously announced. There was no change in the matters to be considered from the matters previously announced.

Dated: April 25, 1985. Dennis Daugherty,

Acting Secretary.

[FR Doc. 85-10421 Filed 4-25-85; 3:43 pm]

BILLING CODE 6820-35-M

5

OVERSEAS PRIVATE INVESTMENT CORPORATION

Meeting of the Board of Directors

TIME AND DATE: 9:00 a.m. (closed portion). 10:30 a.m. (open portion). Tuesday, May 7, 1985.

PLACE: Offices of the Corporation seventh floor Board Room, 1129 20th Street, NW., Washington, D.C.

STATUS: The first part of the meeting from 9:00 a.m. to 10:30 a.m. will be closed to the public. The open portion of the meeting will start at 10:30 a.m.

matters to be considered (Closed to the public 9:00 a.m. to 10:30 a.m.):

- Insurance Project in South Asian Country.
- 2. Insurance Project in African Country.
- 3. Insurance Project in African Country.
- Insurance Project in East Asian Country.
 Insurance Project in South American
- Country.
 6. Finance Project in South American
 - 7. Finance Project in Middle East Country.
 - 8. Policy Guidelines: Review.
 - 9. Claims Report.
 - 10. Information Report: Finance Projects.
 - 11. Information Report: General.
 - 12. China Projects; Status Reports.

16772-17070

FURTHER MATTERS TO BE CONSIDERED

(Open to the public 10:30 a.m.):

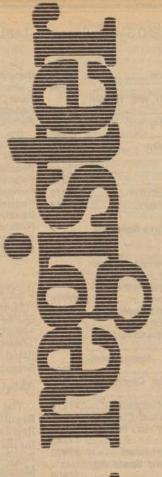
- 1. Approval of the Minutes of the Previous Meeting.
- 2. Confirmation of Scheduled Board Meetings.
 - 3. Project Monitoring.
 - 4. Personnel Actions.
- 5. Financial Statements as of March 31, 1985 and for the First Half of FY 1985.
 - 6. Information Reports.

CONTACT PERSON FOR INFORMATION:

Information with regard to this meeting may be obtained from the Secretary of the Corporation at (202) 653-2925. Elizabeth A. Burton,

Corporate Secretary. April 25, 1985.

[FR Doc. 85-10397 Filed 4-25-85; 2:55 pm] BILLING CODE 3210-01-M

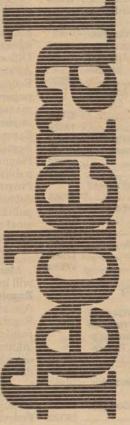


Monday April 29, 1985

Part II

Regulatory Information Service Center

Introduction to the Unified Agenda of Federal Regulations



REGULATORY INFORMATION SERVICE CENTER

Unified Agenda of Federal Regulations

AGENCY: Regulatory Information Service Center.

ACTION: Introduction to the Unified Agenda of Federal Regulations.

SUMMARY: Executive Order 12291 (Federal Regulation) and the Regulatory Flexibility Act (5 USC 605) require that agencies publish semiannual regulatory agendas describing regulatory actions they are developing. Office of Management and Budget (OMB) Bulletin 85-6 (December 13, 1984) requires that each agency agenda include, at a minimum, specific types of information for each entry, and that all agendas be published together in a uniform format as a Unified Agenda of Federal Regulations.

The following Parts in this issue of the Federal Register are the agency agendas, which together comprise the April 1985 edition of the semiannual Unified Agenda of Federal Regulations.

ADDRESS: Regulatory Information Service Center, Room 5216, New Executive Office Building, 726 Jackson Place, N.W., Washington, D.C. 20503.

FOR FURTHER INFORMATION
CONTACT: For further information
about specific regulatory projects,
please refer to the Agency Contact listed
for each entry. To provide comment on
or to obtain further information about
the Unified Agenda of Federal
Regulations, contact: Mark G.
Schoenberg, Executive Director,
Regulatory Information Service Center,
Room 5216, New Executive Office
Building, 726 Jackson Place, N.W.,
Washington, D.C. 20503, (202) 395-6993.

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(NOTE: The Civil Aeronautics Board was disbanded December 31, 1984. Some of its regulatory activities were absorbed by the Department of Transportation (DOT) and are now listed within DOT's Office of the Secretary.)

About the Unified Agenda

The Unified Agenda of Federal Regulations is compiled by the Regulatory Information Service Center for the Office of Information and Regulatory Affairs, Office of Management and Budget. The Center provides information about federal regulatory activity to the President and his Executive Office, the Congress, agency managers, and the public. The Office of Information and Regulatory Affairs is responsible for overseeing the Federal Government's regulatory, paperwork, and informationmanagement activities and for implementing President Reagan's Executive Orders 12291 (Federal Regulation) and 12498 (Regulatory Planning). Under EO 12498, OMB will publish the Administration's Regulatory Program that will state the Administration's overall regulatory policies, and describe in more detail the most significant regulatory actions planned by 17 Federal agencies during the coming year.

Many of the regulatory actions that will be described in the Administration's Regulatory Program are included in this Agenda. Because OMB will publish the Regulatory Program at a later date, that publication may contain revised information concerning the continuance or modification of regulatory activities described in this edition of the Agenda.

This edition of the Unified Agenda includes 56 regulatory agendas from all Federal departments, agencies, and commissions that publish agendas.
Agencies of the United States Congress are not included. The Unified Agenda provides uniform reporting of data on regulatory activities under development throughout the Federal Government.

The Unified Agenda is produced through a computer system designed by the Center with the advice and assistance of the Government Printing Office. The system was designed to save agencies time and money by automating the preparation and printing of their agendas in a uniform format and to make the Agenda easier to use. In the future, the system may provide computer-generated indices and appendices of the information in the Agenda. For now, the Center provides for those agencies that request it a computer-produced Table of Contents that appears after the preamble of the agency's Agenda and includes Agenda Sequence Numbers. These numbers also appear before the title of the regulation in the Agenda. The Tables of Contents help readers locate quickly those entries that may be of most interest to them.

All agendas contain uniform data elements--regulation title, agency contact, small business effects, CFR citation, legal authority, abstract, and timetable. Agencies also include any additional information they consider important. If any of the data elements is not included, the agency either did not report the information or may provide an explanation in its preamble. For further information, please contact the individual agency.

The Unified Agenda of Federal Regulations is published in April and October of each year. We welcome comments on this edition and suggestions for improving future ones.

DATED: April 1, 1985. Mark G. Schoenberg, Executive Director.

How to Use the Unified Agenda

Each agency agenda appears as a separate Part in this edition of the Federal Register. The Parts are organized alphabetically in three groups: cabinet departments, other executive agencies, and independent agencies. Departments are divided into agencies, which may in turn be divided into subagencies.

Each agency begins its agenda with a preamble providing information specific to its agenda. Each agency was asked to list its rules in three groups:

- 1. Current and Projected Rulemakings--regulations the agency is currently developing or plans to develop during the next 12 months;
- 2. Existing Regulations Under Review-existing regulations the agency is reviewing to determine whether to propose modifications through rulemaking; and
- 3. Completed Actions—actions or reviews the agency completed or withdrew since publishing its last agenda. This section also includes items that were begun and completed between issues of the Unified Agenda.

An agency may use a subheading to identify regulations that it has grouped according to a particular topic. When these subheadings are used, they appear above the title of the first regulation in the group.

A dot (•) preceding an entry indicates that the entry appears in its present section of the agenda for the first time.

A number preceding an entry indicates that the agency chose to provide a Table of Contents at the beginning of its agenda. The numbers in the Table of Contents correspond to the numbers preceding the entries. These Agenda Sequence Numbers should help readers easily locate items of most interest to them.

The regulatory activities included in the agency agendas are those currently planned for the next 12 months. The agendas do not include regulations excluded from review under EO 12291 such as military regulations and regulations related to internal agency management.

OMB Bulletin 85-6 states that entries describing regulations under development and review should contain, at a minimum, the following information:

- . Title of the Regulation.
- Priority -- the priority status of the entry. Priority entries include:
 - a. Any regulations designated for priority development or review by the agency;
 - b. All regulations designated as "major" under Section 1(b) of Executive Order 12291; and
 - c. All regulations that were designated for review by the Presidential Task Force on Regulatory Relief.

Each entry for a priority action indicates which of the above criteria were used in determining its priority status. The priority heading appears only if the agency has designated the entry as a priority action.

Under EO 12291, a major rule is any regulation that is likely to result in:

- a. An annual effect on the economy of \$100 million or more;
- A major increase in costs or prices for consumers, individual industries, Federal, state, or local government agencies, or geographic regions; or
- c. Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.
- Legal Authority the section(s) of the United States Code (USC) or Public Law (PL) or the Executive Order that authorize(s) the regulatory action (agencies may provide common name references to laws in addition to USC or PL references).
- CFR Citation -- the section(s) of the Code of Federal Regulations which affect or will be affected by the action.
- Abstract a description of the problem the regulation will address; to the extent available, the alternatives that the agency is considering to address the problem; and the potential costs and benefits of the action.
- Timetable the dates and citations (if available) for all past stages and at least the next future stage of rulemaking. If a date appears in this section as 00/00/00, it means the date of the action is presently undetermined. Similarly, 10/00/85 means the agency can predict the month and year the action will take place, but not the date it will occur.
- Effects on Small Businesses and Other Small Entities – indicates whether the rule is expected to have a significant economic impact on a substantial number of "small entities" as defined by the Regulatory Flexibility Act (5 USC 601(6)).
- Agency Contact the name, title, address, and phone number of a person in the agency who is knowledgeable about the regulation.

Some agencies have provided other optional information at their discretion.

Data Limitations

Agencies prepared entries for this edition of the Unified Agenda to give the public notice of their plans to review, propose, and issue regulations. They

have tried to predict their activities over the next 12 months as accurately as possible, but dates and schedules are subject to change. Agencies may withdraw some of the regulations now under development, and they may issue or propose other regulations not included in their agendas. Agency actions in the rulemaking process may occur before or after the dates they have listed. The Agenda does not create a legal obligation on agencies to adhere to schedules within it or to confine their regulatory activities to those regulations that appear in it. The information in this edition is accurate as of February 27, 1985, in the judgment of the submitting agencies, except as otherwise noted in individual agency preambles.

List of Abbreviations

The following abbreviations appear throughout this edition of the Agenda:

ANPRM -- An Advance Notice of Proposed Rulemaking is a preliminary notice that an agency is considering a regulatory action. The agency issues an ANPRM before it develops a detailed proposed rule, describing the general area that may be subject to regulation and asking for public comment on the issues and options being discussed. An ANPRM is issued only when an agency believes it needs to gather more information before proceeding to a formal regulatory proposal.

CFR -- The Code of Federal
Regulations is an annual codification of
the general and permanent regulations
published in the Federal Register by the
departments and agencies of the Federal
Government. The Code is divided into
50 titles and each title covers a broad
area of Federal regulatory law. The CFR
is keyed to and kept up-to-date by the
daily issues of the Federal Register.

EO -- An Executive Order is a directive from the President to an executive agency, issued under Constitutional or statutory authority. Executive Orders are published in the

Federal Register and in Title 3 of the Code of Federal Regulations.

FR -- The Federal Register is a daily Federal Government publication that provides a uniform system for publishing Presidential documents, all proposed and final regulations, notices of meetings, and other official documents required by statute to be published.

FY -- The Federal fiscal year runs from October 1 to September 30.

NPRM - A Notice of Proposed
Rulemaking is the document an agency
issues and publishes in the Federal
Register that describes and solicits
public comments on a proposed
regulatory action. Under the
Administrative Procedure Act, an NPRM
must include, at a minimum:

 A statement of the time, place, and nature of the public rulemaking proceeding;

 A reference to the legal authority under which the rule is proposed; and

 Either the terms or substance of the proposed rule or a description of the subjects and issues involved.

PL — A Public Law is a law passed by Congress and signed by the President or enacted over his veto. It has general applicability, as opposed to a private law that applies only to those persons or entities specifically designated. Public laws are numbered in sequence throughout the two-year life of each Congress; for example, PL 97-17 would be the seventeenth public law of the 97th Congress.

RFA -- A Regulatory Flexibility
Analysis (RFA) describes the impact of
a proposed rule on small entities, as
required by the Regulatory Flexibility
Act (5 USC 601). An RFA describes why
the agency is considering the action; the
objectives of and legal basis for the
proposed rule; an estimate of the
number of small entities that could be
affected and the compliance
requirements they would have to fulfill;

any other duplicative, overlapping, or conflicting Federal rules; and alternatives to the proposed action. When required, an initial RFA accompanies an NPRM and a final RFA accompanies a final rule.

RIA -- A Regulatory Impact Analysis is required by EO 12291 for all major rules and other regulations designated by the Office of Management and Budget. An RIA is prepared to determine whether a proposed regulatory action meets the requirements of Section 2 of EO 12291, namely that it:

 Be based on adequate information concerning the need for and consequences of the action;

 Not be undertaken unless the potential benefits outweigh the potential costs to society;

· Maximize net benefits to society;

 Entail the least net cost to society of the alternatives considered; and

 Take into account the condition of particular affected industries, the national economy, and contemplated future regulatory actions.

RIN -- The Regulatory Information Service Center assigns a Regulation Identifier Number to identify each regulatory action listed in the Agenda.

USC -- The United States Code is a consolidation and codification of all general and permanent laws of the United States. The USC is divided into 50 titles and each title covers a broad area of Federal law.

Information About Additional Copies

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Monday April 29, 1985

Part III

Department of Agriculture

Semiannual Regulatory Agenda

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Subtitle A, Chs. I-VII, IX-XII, XIV-XVIII, XXI, XXIV-XXIX

9 CFR Chs. I-IV

36 CFR Ch. II

41 CFR Ch. 4

Semiannual Regulatory Agenda: Spring 1985

AGENCY: Office of the Secretary, USDA.

ACTION: Semiannual regulatory agenda.

SUMMARY: This Agenda provides summary descriptions of major and non-major regulations being developed in agencies of the U.S. Department of Agriculture in conformance with Executive Order 12291, Federal Regulation. The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Pub. L. 96-354.

USDA has attempted to list all regulations and regulatory reviews pending at the time of publication except for minor and routine or repetitive actions, but some may have been inadvertently missed. There is no legal significance to the omission of an

item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

FOR FURTHER INFORMATION CONTACT: For further information on any specific entry shown in this agenda, please contact the person listed for that action.

Requests for copies of the Agenda should include a self-addressed, stamped envelope and be directed to: Regulatory Agenda, OBPA, Office of the Secretary, Room 148-E, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 382-1270.

DATED: March 11, 1985. John R. Block, Secretary.

Agricultural Marketing Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Mohair Standards Wool Standards	0581-AA06
. 3	Plant Variety Protection Board Meeting	0581-AA12 0581-AA17
4	Establishment of User Fees for Cotton Market News Service	0581-AA18
5	Fees for Service for Voluntary and Mandatory Programs	0581-AA19
6	Milk Marketing Orders	0581-AA25
7	Revision of the Official Grade Standards for American Pima Cotton	0581-AA27

Agricultural Marketing Service—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
8	Cotton Research and Promotion	0581-AA08
9	Review: Voluntary Grading of Poultry Products and Rabbit Products	0581-AA21
10	Review: Mandatory Inspection of Eggs and Egg Products	0581-AA22
11	Review: Grading of Shell Eggs	0581-AA23
12	Review: Voluntary Inspection and Grading of Egg Products	0581-AA24
13	Proposed Regulations for Fruits, Vegetables and Related Commodities as Authorized by Federal Marketing Orders	0581-AA26

Agricultural Marketing Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
14 15 16	Tobacco Inspection Standards	0581-AA05 0581-AA07 0581-AA13

Agricultural Stabilization and Conservation Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation / Identifier Number
17	Standards for Approval of Warehouses for Cotton or Cotton Linters	0560-AA14
18	Standards for the Approval of Dry and Cold Storage Warehouses for Processed Agricultural Commodities, Extracted	
	Honey, and Bulk Oils	0560-AA15
19	Standards for Approval of Warehouses of Grain, Hice, Dry Edible Beans, and Seed	0560-AA17
20	1985-Crop Peanut Price Support Program Differentials	0560-AA22
21	General Regulations Governing 1982 Through 1985 Crops Peanut Warehouse Storage Loans and Handler	0560-AA27
enurate	Operations (Amendment 3)	0560-AA28
22		0560-AA29
23	Poundage Quota and Marketing Regulations for the 1983 Through 1985 Crops of Peanuts (Amendment 1)	0560-AA29
24	National Average Loan Rates for 1985-Crop Quota and Additional Peanuts and Minimum Commodity Credit Corporation (CCC) Export Edible Sales Price for Additional Loan Peanuts	0560-AA31
25	1985 Price Support Level for Honey	0560-AA32
26	*1984-85 Milk Price Support Program - Notice of Price Support Level (effective 4/1/85)	0560-AA36
27	Commodity Credit Corporation (CCC) Claims Regulations	0560-AA38
28	1985 Price Support Levels for All Kinds of Tobacco	0560-AA39
29	Minor Kinds Tobacco Marketing Quotas 1985 Crop	0560-AA44
30	Fees for Voluntary Examinations	0560-AA45
31	*1984-85 Milk Price Support Program - Notice of Price Support Level (effective 7/1/85)	0560-AA48
32	*1985 Sugar Beet and Sugarcane Loan Rates	0560-AA49
33	Regs. Relating to the Referral of Delinquent Debts to Credit Reporting Agencies	0560-AA50
34	1985-86 Milk Price Support Program (effective 10/1/85)	0560-AA51
35	*Proclamation of National Marketing Quota and Acreage Allotment; Conducting a Referendum; and Determination of Commercial Areas for the 1986-Crop of Wheat	0560-AA52

^{*}Indicates priority regulation.

Agricultural Stabilization and Conservation Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
36	*Price Support Loan Program for 1983 Through 1985 Crops Sugar Beets and Sugarcane	0560-AA07
37	Disregarding Small Claims of \$9.99 or Less.	0560-AA16
38	Flue-Cured Tobacco Marketing Quota RegulationsCash Renters and Lease Considerations Prior to Marketing	0560-AA18 0560-AA21
40	Marketing Quota Review Regulations General Regulations Governing Price Support for the 1978 and Subsequent Crops of Grains and Similarly Handled Commodities (Amendment 3)	0560-AA24
41	1985-Crop Rice Loan and Purchase Rates for Whole Kernels by Class and Broken Kernels for All Classes	0560-AA25
42	Determination of the Loan and Purchase Rate for the 1984 Soybean Crop	0560-AA30
43	1985 Extra Long Staple (ELS) Cotton Program	0560-AA33
44	Flue-Cured Tobacco Marketing Quotas1985 Crop	0560-AA34
45	Durlan Tahanan Markatina Overton 1005 Crop	0560-AA35
46	*1984 Sugar Beet and Sugarcane Loan Rates	0560-AA37
47	*1984 Sugar Beet and Sugarcane Loan Rates. *1985-Crop Rice Program. *1985 Upland Cotton Program. *The 1985 Wheat Program. *1985 Feed Grain Program.	0560-AA40
48	*1985 Upland Cotton Program	0560-AA41
49	*The 1985 Wheat Program	0560-AA42
50	*1985 Feed Grain Program	0560-AA43
51	Charges for Examinations of Additional Warehouse Sections Definition of "Eligible Country" for Export of Peanut Products	U56U-AA46
52	Definition of "Eligible Country" for Export of Peanut Products	0560-AA47
53	General Regulations Governing 1982 Through 1985 Crop Peanut Warehouse Loans and Handler Operations (Amendment 4)	0560-AA53

^{*}Indicates priority regulation.

Animal and Plant Health Inspection Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
54	*Revision of 7 CFR 319.56 - Fruits and Vegetables	0579-AA12

^{*}Indicates priority regulation.

Farmers Home Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
55	Suspension and Debarment Regulations	0575-AA02
56	Property Management	0575-AA03
57	Revisions to Regulations Mandated by 1983 Housing Amendments (P.L. 98-181)	0575-AA04
58	Revision of FmHA Instruction 1944-A, "Section 502 Rural Housing Loan Policies, Procedures and Authorizations," to Implement the Requirements of the Rural Housing Amendments of 1983	0575-AA05
59	Development Grants for Community Domestic Water and Waste Disposal System	0575-AA06
60	*Mobile/Manufactured Housing Parks/Communities for Rental Purposes	0575-AA08
61	*FmHA Guarantees of Commercial Lenders' Farm Ownership (FO) and Operating (OL) Loans with Accompanying Lender "Write-Down"	
62	*Special Debt Set-Aside of a Portion of the Indebtedness of Farmer Program Borrowers	0575-AA09

^{*}Indicates priority regulation.

Farmers Home Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
63	Multiple Housing Loan Servicing Procedure	0575-AA07

Federal Grain Inspection Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
64	Fees for Official Services Performed by Official Agencies.	0580-AA01
65	Kinds of Official Services	0580-AA02
66	Recordkeeping and Access to Facilities	0580-AA05
67	Licenses and Authorizations	0580-AA06
68	Official Records and Forms	0580-AA07

Federal Grain Inspection Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
69 70	Appeal Inspection Services Official Certificates	0580-AA03 0580-AA04

Food and Nutrition Service—Current and Projected Rulemakings

Se- quence lumber	Title	Regulation Identifier Number
71	Monthly Reporting and Retrospective Budgeting 1982 and 1983 Amendments	0584-AA02
72	OBRA 1982	0584-AA04
73	Issuance Loss Liability	0584-AA05
74	Food Distribution Program	0584-AA07
75	Food Distribution Program on Indian Reservations	0584-AA09
76	Food Stamp Program: Revision of Parts 271, 272, 273 and 274	0584-AA10
77	Temporary Emergency Food Assistance Program For Fiscal Years 1984 and 1985	0584-AA15
78	Alaska Thrifty Food Plan	0584-AA16
79	Amendments to Requirements for State Agency Reporting	0584-AA19
80	Emergency Food Assistance for Victims of Disasters	0584-AA24
81	Miscellaneous Amendments - Child Care Food Program	0584-AA28
82	Audit Requirements in the Child Care Food Program	0584-AA30
83	Rewrite of Regulations on Determining Eligibility for Free and Reduced Price Benefits	0584-AA3
84	NSI P Verification Monitoring	0584-AA3
85	Management Evaluations and Corrective Action Plans	0584-AA3
	Competitive Foods	0584-AA3
86	Forfeiture Procedures/Unredeemed Credit Slips/Bonding	0584-AA4
87	Rewrite of National School Lunch Program Regulations	0584-AA4
88	*Documentation and Verification of Eligibility in the Child Care Food Program	0584-AA4
89	Proposed Rule Concerning State Processing of USDA-Donated Foods	0584-AA5
90	Food Stamp Program: TFP/Deduction Update	0584-AA5
91	Food Stamp Program: Conformance with AFDC Rules	0584-AA5
92	Food Stamp Program: Deficit Reduction Act	0584-AA5
93	Food Stamp Program: Reimbursing Workfare's Administrative Costs	0584-AA5

^{*}Indicates priority regulation.

Food and Nutrition Service—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier 'Number
95 96	National Commodity Processing System	0584-AA26 0584-AA46

Food and Nutrition Service—Completed Actions

Se- quence Number	Title Constitution of the	Regulation Identifier Number
97 98 99 100 101 102 103 104	Work Registration 1981 and 1982 Work Registration and Voluntary Quit Amendments Disclosure of Information and Noncompliance with Other Programs Duplicate Participation Nutrition Assistance Program in the Commonwealth of Puerto Rico. Special Supplemental Food Program for Women, Infants and Children (WIC). Wage-Match/Wage Request States Summer Food Service Program State Agency Budgetary and Program Activity Reporting.	0584-AA03 0584-AA20 0584-AA21 0584-AA22 0584-AA25 0584-AA31 0584-AA34 0584-AA41

Food Safety and Inspection Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
105 106 107	Pizza Standard (78-733)	0583-AA07 0583-AA08 0583-AA09

Food Safety and Inspection Service—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
108	Definitions and Standards for Cooked Poultry Sausage.	
109	Protein Requirements for Turkey Ham	0583-AA11 0583-AA12
111	Requirements Regarding Poultry Products Made by Mechanical Deboning	0583-AA15
112	Production Under Total Quality Control	0583-AA16

Food Safety and Inspection Service—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
113	Records, Registration, and Reports	0583-AA00
114	Administrative Regulations	0583-AA02
115	*Red Meat Slaughter Regulations	0583-AA03
116	Label Approval Regulations	0583-AA05
117	Poultry Slaughter Regulations	0583-AA18
118	Transportation	0583-AA19

^{*}Indicates priority regulation.

Food Safety and Inspection Service—Completed Actions

Se- quence Number	Numerical State of Company and Proper Title	Regulation Identifier Number
119 120	New Line Speed Inspection System for Broilers and Cornish Hens	0583-AA14 0583-AA17

Foreign Agricultural Service—Current and Projected Rulemakings

Se- quence Number	Line Title	Regulation Identifier Number
121 122 123 124	Revision of 7 CFR Part 6, Section 22 Import Quotas; Certain Dairy Products Revision of Public Law 480 Regulations, 7 CFR, Sections 17.1 through 17.8 and 17.16 Revision of Public Law 480 Regulations, 7 CFR Sections 17.6, 17.8 and 17.9 Quarterly Sugar Import Fee Determination	0551-AA02 0551-AA04 0551-AA05 0551-AA06 0551-AA07 0551-AA01 0551-AA11 0551-AA12
125 126 127 128 129	Quarterly Sugar Import Fee Determination *African Food Assistance Program *U.S. Meat Imports Amendment to 7 CFR Part 6, Section 22 Import Quotas; Certain Dairy Products *Emergency Relief from Injurious Perishable Product Imports from Israel *Review of the United States Sugar Import Quota System	

^{*}Indicates priority regulation.

Forest Service—Current and Projected Rulemakings*

Se- quence Number	Title	Regulation Identifier Number
400		
130	Sale of Lands Pursuant to Section 10 of the Act Approved March 1, 1911	0596-AA04
131	Sale of National Forest Townsites to Government Entities	0596-AA08
132	Debarment and Suspension of Timber Sale Contractors	0596-AA09
133	Recovery of Federal Costs Associated with User Reservation Systems on Some National Forest Recreation Areas	0596-AA16
134	*Revision of Advertisements for Sale of National Forest Timber	0596-AA18

USDA

Forest Service—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
135 136	Administration of Cooperative or Federal Sustained Yield Units	0596-AA19 0596-AA24
130	To Require (Disqualified) High Bidders on Timber Sale Contracts, to Reimburse the Forest Service for the	0330-AA24
	Administrative Costs Incurred in Readvertising the Sale	0596-AA27
138	Cash Down Payments, Periodic Payments for National Forest Timber Contracts	0596-AA29
139	Add Section to 36 CFR 251.53 - Special Uses to Include Alaska National Interest Land and Conservation Act as an Authority and Add Regulation 36 CFR 251.70 on Ingress and Egress to ETC	0596-AA31

^{*}Indicates priority regulation.

Forest Service—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
140	Administration of the Forest Development Transportation System	0596-AA00
141	Locatable Minerals	0596-AA01
142	Use of Motor Vehicles Off Forest Development Roads	0596-AA05
143	Range Management-Grazing and Livestock Use and Management of Wild, Free-Roaming Horses and Burros	0596-AA14
144	Special Uses of National Forest System Lands	0596-AA20
145	Exercise of Timber, Mineral and Water Rights, of Rights-of-Way, and of Rights to Use and Occupy Lands Conveyed to the U.S.	0596-AA21
146	Management of Municipal Watersheds	0596-AA22
147	Management of Municipal Watersheds Entrance into Petersburg Watershed	0596-AA23
148	Young Adult Conservation Corps	0596-AA26
149	Young Adult Conservation Corps Experimental Areas and Research Natural Areas.	0596-AA30
150	Youth Conservation Corps	0596-AA32

Forest Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
151	Revision of Special Terms and Conditions in Special Use Authorizations for Electric Power Transmission Facilities of 66 Kilovolts.	0596-AA15
152	Claims Collection Under the Debt Collection Act of 1982	0596-AA25
153	Sale and Disposal of Timber	0596-AA10
154	Proposed Rule to Revise 36 CFR 223 to Establish the Buy-out Procedures Authorized by the Federal Timber Contract Payment Modification Act.	0596-AA28

Office of Finance and Management—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
155	Amend USDA Uniform Federal Assistance Regulations	0505-AA01
156	Amend USDA Uniform Federal Assistance Regulations, 7 CFR 3015, Subpart I, Audits	0505-AA03
157	Amend USDA Uniform Federal Assistance Regulations, 7 CFR 3015 Subpart Q, Application for Federal Assistance	0505-AA04

USDA

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Office of	Finance and	Managemen	t-Completed	Actions

Se- quence Number	Title	Regulation Identifier Number
158	*Amend USDA Uniform Federal Assistance Regulations, 7 CFR 3015 Subpart U, Miscellaneous	0505-AA02

^{*}Indicates priority regulation.

Office of the Secretary—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
159 160	Acquisition Regulation	0503-AA01 0503-AA02

Office of the Secretary—Completed Actions

Se- quence Number	Title Title	Regulation Identifier Number
161	Certification of Food-Grade Citric Acid and Food-Grade Enzymes as Essential Agricultural Uses of Natural Gas Under the Natural Gas Policy Act of 1978	0503-AA00

Packers and Stockyards Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
162	Scales and Weighing and Examination of Records	0590-AA03

Rural Electrification Administration—Current and Projected Rulemakings

Se- quence Number	Title Title	Regulation Identifier Number
163	REA Bulletin 320-23, Construction Certification Procedures for Designated Telephone Borrowers	0572-AA04
164	REA Bulletin 50-1, Electric Transmission Specifications and Drawings (T-805)	0572-AA06
165	REA Bulletin 50-4, Specifications and Drawings for 34.5/19.9 kV Distribution Line Construction (D-801)	0572-AA13

Rural Electrification Administration—Existing Regulations Under Review

Se- quence Number	Title Title The state of the st	Regulation Identifier Number
166	REA Bulletin 345-67, REA Specification for Filled Telephone Cable (PE-39)	0572-AA05
167	REA Bulletin 345-76, REA Specification for Spring Action Type Bonding Connectors Within Buried Plant Housings (PE-57)	0572-AA07
168	REA Bulletin 345-6, REA Standard for Splicing Plastic-Insulated Cables (PC-2)	0572-AA08
169	REA Bulletin 345-22, REA Specification for Voice Frequency Loading Coils (PE-26)	0572-4409
170	REA Bulletin 345-65, REA Specification for Cable Shield Bonding Connectors (PE-33)	0572-AA10
171	REA Bulletin 345-72, REA Specification for Filled Splice Enclosures (PE-74)	0572-AA15

Soil Conservation Service—Current and Projected Rulemakings

Se- quence Number	Title Title	Regulation Identifier Number
172 173 174	Soil Surveys	0578-AA00 0578-AA09 0578-AA10

Soil Conservation Service—Existing Regulations Under Review

Se- quence Number	Title Title	Regulation Identifier Number
175 176	Snow Surveys and Water Supply Forecasts	0578-AA01 0578-AA03

DEPARTMENT OF AGRICULTURE (USDA) Agricultural Marketing Service (AMS)

Current and Projected Rulemakings

1. MOHAIR STANDARDS

Legal Authority: Agricultural Marketing Act of 1946; 60 Stat. 1087-1091; 7 USC 1621 et seq

CFR Citation: 7 CFR 32

Abstract: Combine grade standards for mohair and mohair top into one standard. (AMS 84-014)

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: No

Agency Contact: Harold S. Ricker, Reg. Review Staff, Department of Agriculture, Agricultural Marketing Service, Room 3525-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA06

2. WOOL STANDARDS

Legal Authority: 7 USC 1621 et seq; 7 USC 1622; 7 USC 1624; 29 FR 16210; 30 FR 1260, as amended; 30 FR 2160

CFR Citation: 7 CFR 31

Abstract: Combine grade standards for grease wool and wool top into one standard. (AMS 84-016)

Timetable:

Action Date FR Cite

NPRM 06/00/85

Small Entity: No

Agency Contact: Harold S. Ricker, Reg. Rev. Staff, Department of Agriculture, Agricultural Marketing Service, Room 3525-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA12

3. PLANT VARIETY PROTECTION BOARD MEETING

Legal Authority: 7 USC 2330 CFR Citation: 7 CFR 180.2

Abstract: The Plant Variety Protection Board may meet one or more times in 1985 to advise the Secretary on administration of the PVP Act and to advise the Secretary on any appeals of the Commissioner's decisions. [AMS 84-

Timetable:

Action Date FR Cite
Final Action 12/00/85

Small Entity: No

Agency Contact: Harold S. Ricker, Reg. Review Staff, Department of Agriculture, Agricultural Marketing Service, Room 3525-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA17

4. ESTABLISHMENT OF USER FEES FOR COTTON MARKET NEWS SERVICE

Legal Authority: 7 USC 471 to 476

CFR Citation: 7 CFR 28

Abstract: To establish fees to recover costs of postage, reproduction and handling of cotton market news reports requested by mail by the general public. (AMS 84-009)

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/01/85

Small Entity: No

Agency Contact: Harold S. Ricker, Reg. Review Staff, Department of Agriculture, Agricultural Marketing Service, Room 3525-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA18

5. FEES FOR SERVICE FOR VOLUNTARY AND MANDATORY PROGRAMS

Legal Authority: 7 USC 1621 to 1627 Agricultural Marketing Act of 1946; 21 USC 1031 to 1056 Egg Products Inspection Act; Reorganization to ASCS; 7 USC 51 et seq Cotton Standards Act

CFR Citation: 7 CFR 26 to 209

Abstract: Fees for the voluntary inspection, grading and classing of agricultural commodities and certain mandatory inspection rates are reviewed periodically and changes are made to reflect cost of providing the service. (AMS 84-008)

USDA-AMS

Current and Projected Rulemakings

Timetable:

Action Date FR Cite

NPRM 12/00/85

Small Entity: No

Agency Contact: Harold S. Ricker, Reg. Review Staff, Department of Agriculture, Agricultural Marketing Service, Room 3525-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA19

6. MILK MARKETING ORDERS

Legal Authority: 7 USC 601 to 674 CFR Citation: 7 CFR 1000 to 1199

Abstract: Specific actions unknown. As industry problems develop, actions will be requested by the industry. USDA-AMS will respond, where warranted, through formal or informal rulemaking proceedings as appropriate. (AMS 85-016)

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Harold S. Ricker, Regulatory Review Staff, Department of Agriculture, Agricultural Marketing Service, Market Research and Development, Washington, DC 20250, 202 447-2704

RIN: 0581-AA25

7. REVISION OF THE OFFICIAL

GRADE STANDARDS FOR AMERICAN PIMA COTTON

Legal Authority: 7 USC 56 CFR Citation: 7 CFR 28

Abstract: To revise the grade standards for American Pima cotton, primarily by reducing the number of standards.

(AMS 85-018)

Timetable:

Action Date FR Cite

NPRM 05/01/85

Small Entity: No

Agency Contact: Harold S. Ricker, Regulatory Review Staff, Department of Agriculture, Agricultural Marketing Service, Market Research and Development, Room 3524-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA27

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Marketing Service (AMS)

Existing Regulations Under Review

8. COTTON RESEARCH AND PROMOTION

Legal Authority: 7 USC 2114 Sec 15, 80 Stat 285; 7 USC 2106 Sec 7, 80 Stat 281

CFR Citation: 7 CFR 1205

Abstract: Procedures including rules of practice necessary to implement the Cotton Research and Promotion Act. Includes procedures for the cotton research and promotion order and the Cotton Board rules and regulations.

(AMS 83-101)

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	HI TRALLOW
End Review	03/00/85	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA08

9. • REVIEW: VOLUNTARY GRADING OF POULTRY PRODUCTS AND RABBIT PRODUCTS

Legal Authority: 7 USC 1621 to 1627 Agricultural Marketing Act of 1946

CFR Citation: 7 CFR 70

Abstract: This regulation describes the basis, requirements, and administration of the voluntary grading service for poultry products and rabbit products and U.S. classes, standards and grades. (AMS 85-015)

Timetable:

Action	Date	FR Cite
Begin Review	01/00/85	With Ol Orea
End Review	11/01/85	
Small Entity: I	No	

Agency Contact: Harold S. Ricker, Regulatory Review Staff, Department of Agriculture, Agricultural Marketing Service, Market Research & Development Division, Room 3524-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA21

10. • REVIEW: MANDATORY INSPECTION OF EGGS AND EGG PRODUCTS

Legal Authority: 21 USC 1031 to 1056 Egg Products Inspection Act

CFR Citation: 7 CFR 59

Abstract: This regulation describes the basis, requirements, and administration

of the mandatory inspection program for eggs and egg products. (AMS 85-014)

Timetable:

Small Entity: No

Action	Date	FR Cite
Begin Review	01/00/85	September 1
End Review	11/01/85	

Agency Contact: Harold S. Ricker, Regulatory Review Staff, Department of Agriculture, Agricultural Marketing Service, Market Research & Development Division, Room 3524-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA22

11. • REVIEW: GRADING OF SHELL EGGS

Legal Authority: 7 USC 1621 to 1627 Agricultural Marketing Act of 1946

CFR Citation: 7 CFR 56

Abstract: This regulation describes the basis, requirements, and administration of the service for grading shell eggs and U.S. standards, grades, and weight classes. (AMS 85-013)

USDA-AMS

Existing Regulations Under Review

Timetable:		P. Pagel
Action	Date	FR Cite
Begin Review	01/00/85	CONTRACTOR OF THE PARTY OF THE
End Review	11/01/85	with the

Small Entity: No

Agency Contact: Harold S. Ricker, Regulatory Review Staff, Department of Agriculture, Agricultural Marketing Service, Market Research & Development Division, Room 3524-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA23

12. • REVIEW: VOLUNTARY INSPECTION AND GRADING OF EGG PRODUCTS

Legal Authority: 7 USC 1621 to 1627 Agricultural Marketing Act of 1946

CFR Citation: 7 CFR 55

Abstract: This regulation describes the basis, requirements, and administration of voluntary inspection and grading services for egg products. (AMS 85-012)

Timetable:

Date	FR Cite
01/00/85	and the last
11/01/85	
	01/00/85

Small Entity: No

Agency Contact: Harold S. Ricker, Regulatory Review Staff, Department of Agriculture, Agricultural Marketing Service, Market Research & Development Division, Room 3524-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA24

13. PROPOSED REGULATIONS FOR FRUITS, VEGETABLES AND RELATED COMMODITIES AS AUTHORIZED BY FEDERAL MARKETING ORDERS

Legal Authority: 7 USC 601 et seq; Agricultural/Marketing, Agreement Act of 1937, as amended

CFR Citation: 7 CFR 900 to 999

Abstract: The objective of proposed regulations to provide for orderly

marketing of specific commodities through such means as control of quality, quantity, containers, research and development, as may be authorized by the applicable individual marketing order. Proposed regulations as authorized, as well as new orders and amendments to existing orders are anticipated throughout the year, but cannot be specifically identified at this point. [AMS 85-017]

Timetable:

Action	Date	FR Cite
Action	Date	THE CHIE

Next Action Undetermined

Small Entity: No

Agency Contact: Harold S. Ricker, Regulatory Review Staff, Department of Agriculture, Agricultural Marketing Service, Market Research and Development Division, Room 3524-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA26

DEPARTMENT OF AGRICULTURE (USDA) Agricultural Marketing Service (AMS)

Completed Actions

COMPLETED RULEMAKINGS 14. TOBACCO INSPECTION STANDARDS

CFR Citation: 7 CFR 29, Subpart C(excludes some parts)

Completed:

Reason Date FR Cite
Withdrawn 02/27/85

Small Entity: No

Agency Contact: James Toomey 202 447-2704

RIN: 0581-AA05

15. SLAUGHTER LAMBS, YEARLINGS, AND SHEEP GRADES AND STANDARDS

CFR Citation: 7 CFR 53

Completed:

Reason	Date	FR Cite
Final Action	10/00/84	49 FR 43035

Small Entity: No

Agency Contact: Harold S. Ricker 202 447-2704

RIN: 0581-AA07

16. SLAUGHTER BARROWS AND GILTS AND PORK CARCASS GRADE STANDARDS

CFR Citation: 7 CFR 53; 7 CFR 54

Completed:

Reason	Date	Rep.	FR	Cite
Final Action	12/00/84	49	FR	48669

Small Entity: No

Agency Contact: Harold S. Ricker 202 447-2704

RIN: 0581-AA13

[FR Doc. 85-6486 Filed 04-26-85; 8:45 am].

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Stabilization and Conservation Service (ASCS)

Current and Projected Rulemakings

17. STANDARDS FOR APPROVAL OF WAREHOUSES FOR COTTON OR COTTON LINTERS

Legal Authority: 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1427

Abstract: The Commodity Credit Corporation (CCC) Charter Act states that in carrying out CCC's purchasing and selling operations, and in the warehousing, transporting, processing and handling of agricultural commodities, CCC is to use the customary channels, facilities and arrangements of trade and commerce. Accordingly, CCC has set forth standards which must be met by a

warehouseman before CCC will enter a contract. This action will revise part of the policy followed in approving warehouses for storage and handling of commodities under CCC programs. (ASCS 84-032)

USDA-ASCS

Current and Projected Rulemakings

Timetable:			DECEMBER OF THE PARTY.	
Action	Date		FR	Cite
NPRM	08/31/84	49	FR	34511
Final Action	03/25/85			

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA14

18. STANDARDS FOR THE APPROVAL OF DRY AND COLD STORAGE WAREHOUSES FOR PROCESSED AGRICULTURAL COMMODITIES, EXTRACTED HONEY, AND BULK OILS

Legal Authority: 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1423

Abstract: The Commodity Credit Corporation (CCC) Charter Act states that in carrying out CCC's purchasing and selling operations, and in the warehousing, transporting, processing and handling of agricultural commodities, CCC is to use the customary channels, facilities and arrangements of trade and commerce. Accordingly, CCC has set forth standards which must be met by a warehouseman before CCC will enter a contract. This action will revise part of the policy followed in approving warehouses for storage and handling of commodities under CCC programs. (ASCS 84-033)

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	
Final Action	07/01/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA15

19. STANDARDS FOR APPROVAL OF WAREHOUSES OF GRAIN, RICE, DRY EDIBLE BEANS, AND SEED

Legal Authority: 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1421

Abstract: The Commodity Credit Corporation (CCC) Charter Act states that in carrying out CCC's purchasing and selling operations, and in the warehousing, transporting, processing and handling of agricultural commodities, CCC is to use the customary channels, facilities and arrangements of trade and commerce. Accordingly, CCC has set forth standards which must be met by a warehouseman before CCC will enter a contract. This action will revise part of the policy followed in approving warehouses for storage and handling of commodities under CCC programs. (ASCS 84-030)

Timetable:

Action	Date	FR Cite
NPRM	03/25/85	A STATE OF THE PARTY OF THE PAR
Final Action	05/15/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA17

20. 1985-CROP PEANUT PRICE SUPPORT PROGRAM DIFFERENTIALS

Legal Authority: 7 USC 1445c-1 Agricultural Act of 1949, Sec 108A; 7 USC 1423 Ag Act of 1949, Sec 403, as amended; 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: Not applicable

Abstract: The Secretary is authorized under Section 403 of the Agricultural Act of 1949, as amended, and the Commodity Credit Corporation (CCC) Charter Act, as amended, to provide appropriate adjustments in type, quality, location and other factors to stabilize market prices of peanuts. The intent of the Peanut Loan and Purchase Program is to protect producers, handlers, processors and consumers. (ASCS 84-020)

Timetable:

Action	Date	FR C	te
NPRM	01/31/85	50 FR 45	550
Final Action	03/25/85		

Small Entity: No

Agency Contact: Tom Witzig,
Department of Agriculture, Agricultural
Stabilization and Conservation Service,

Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA22

21. GENERAL REGULATIONS GOVERNING 1982 THROUGH 1985 CROPS PEANUT WAREHOUSE STORAGE LOANS AND HANDLER OPERATIONS (AMENDMENT 3)

Legal Authority: Ag Adjustment Act of 1938, as amended; Commodity Credit Corporation Charter Act of 1948, as amended; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 1446

Abstract: The objective of this action is to improve the operation of the peanut price support program, through the following: (1) streamline and clarify supervision requirements of the associations, (2) clarify interest charges due on assessed penalties, (3) clarify appeal procedures for handlers, and (4) clarify definitions of positive lot identified peanuts. (ASCS 84-022)

Timetable:

I IIII CODICI		
Action	Date	FR Cite
Final Action	03/13/85	vel vel

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA27

22. 1985 WOOL AND MOHAIR INCENTIVE PAYMENT PROGRAM

Legal Authority: 7 USC 1781 Note National Wool Act of 1954, as amended

CFR Citation: 7 CFR 1468; 7 CFR 1472

Abstract: The object of this action is to support the market for wool and mohair at prices fair to both consumers and producers through direct payments, and to announce support prices for 1985 marketings of shorn wool and mohair. (ASCS 84-018)

Timetable:

Action	Date	FR	Cite
NPRM	10/12/84	49 FR	40066
Final Action	04/15/85		

Small Entity: No

USDA-ASCS

Current and Projected Rulemakings

Agency Contact: Tom Witzig.

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P. O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA28

23. POUNDAGE QUOTA AND MARKETING REGULATIONS FOR THE 1983 THROUGH 1985 CROPS OF PEANUTS (AMENDMENT 1)

Legal Authority: Ag Adjustment Act of 1938, as amended; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 729

Abstract: Consider setting the maximum moisture content of peanuts (without discount) at 7 percent for all peanuts regardless of area of production. (ASCS 84-021)

Timetable:

Action	Date	FR	Cite
Interim Final .	11/13/84	49 FR	44889
Final Action	04/30/85		

Small Entity: No

Agency Contact: Tom Witzig.

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA29

24. NATIONAL AVERAGE LOAN RATES FOR 1985-CROP QUOTA AND ADDITIONAL PEANUTS AND MINIMUM COMMODITY CREDIT CORPORATION (CCC) EXPORT EDIBLE SALES PRICE FOR ADDITIONAL LOAN PEANUTS

Legal Authority: Ag Adjustment Act of 1938, as amended; CCC Charter Act of 1948, as amended; Ag Act of 1949, as amended

CFR Citation: 7 CFR 729; 7 CFR 1446

Abstract: The object of this action is to set loan levels to support farm income and stabilize prices. The CCC export edible sales price minimizes CCC net outlays and maximizes returns to growers of additional peanuts. (ASCS 84-013)

Timetable:

Action	Date	FR Cite
NPRM	12/12/84	49 FR 48344
Statutory	02/15/85	
Final Action	04/15/85	
Announcement	12/14/85	

Small Entity: No

Agency Contact: Tom Witzig,

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA31

25. 1985 PRICE SUPPORT LEVEL FOR HONEY

Legal Authority: 7 USC 1446 Ag Act of 1949, Sec 201, as amended

CFR Citation: 7 CFR 1434

Abstract: The Agricultural Act of 1949, as amended, requires that the price of honey be supported at not less than 60 percent nor more than 90 percent of parity. (ASCS 84-017)

Timetable:

Action	Date	FR Cite
NPRM	02/22/85	50 FR 7359
Announcement	03/29/85	
Final Action	04/03/85	

Small Entity: No

Agency Contact: Tom Witzig,

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA32

26. 1984-85 MILK PRICE SUPPORT PROGRAM - NOTICE OF PRICE SUPPORT LEVEL (EFFECTIVE 4/1/85)

Priority: Major

Legal Authority: 7 USC 1446(d) The Ag Act of 1949, Sec 201(d), as amended

CFR Citation: 7 CFR 1430

Abstract: The Agricultural Act of 1949. as amended by the Dairy and Tobacco Adjustment Act of 1983, requires that the price support for milk shall be carried out through purchase of milk or milk products. The level of support specified through September 30, 1985, is \$12.60 per cwt. except that, on April 1, 1985, if the Secretary estimates that, for the 12-month period beginning on such date, the net price support purchase of milk or the products of milk would be in excess of 6 billion pounds milk equivalent, the Secretary may reduce the price support rate in effect on such date in the amount of 50 cents per cwt. (ASCS 84-006)

Timetable:

Action	Date	FR Cite
Final Action	03/25/85	
Statutory Deadline	03/31/85	

Small Entity: No

Agency Contact: Tom Witzig.

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

Wildington, DG 20010, 20

RIN: 0560-AA36

27. COMMODITY CREDIT CORPORATION (CCC) CLAIMS REGULATIONS

Legal Authority: 15 USC 714(k) Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1403

Abstract: Regulations will revise policy, authorities, procedures, and responsibilities for settling claims by and against CCC. (ASCS 84-034)

Timetable:

Action	Date	FR Cite
NPRM	05/31/85	
Final Action	09/27/85	

Small Entity: No

Agency Contact: Tom Witzig,
Department of Agriculture, Agricultural
Stabilization and Conservation Service,
Room 3726-S, P.O. Box 2415,
Washington, DC 20013, 202 475-4636

RIN: 0560-AA38

28. 1985 PRICE SUPPORT LEVELS FOR ALL KINDS OF TOBACCO

Legal Authority: 7 USC 1445 Ag Act of 1949, Sec 106, as amended

CFR Citation: 7 CFR 1464

Abstract: The object of this proposal is to stabilize tobacco prices. (ASCS 84-011)

Timetable:

Action	Date	FR Cite
Announcement - Flue-Cured	02/28/85	DO YMPER
NPRM	03/08/85	
Final Action - Flue-Cured	03/08/85	
Final Action	06/08/85	

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Tom Witzig,

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA39

29. MINOR KINDS TOBACCO MARKETING QUOTAS -- 1985 CROP

Legal Authority: 7 USC 1312 Ag Adjustment Act of 1938, Sec 312, as amended

CFR Citation: 7 CFR 724

Abstract: The objective of this proposal is to balance supply with demand at levels assuring stable supplies for domestic and export use. (ASCS 84-023)

Timetable:

Action	Date	FR Cite
NPRM	11/14/84	49 FR 45034
Announcement	01/24/85	
Statutory Deadline	02/01/85	
Final Action	03/25/85	

Small Entity: No

Agency Contact: Tom Witzig.

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA44

30. FEES FOR VOLUNTARY EXAMINATIONS

Legal Authority: 7 USC 241 to 273 United States Warehouse Act

CFR Citation: 7 CFR 102

Abstract: Warehousemen who request an examination to be performed will be charged a fee for the service. (Transferred to ASCS. Formerly AMS 84-011.) (ASCS 84-051)

Timetable:

Action	Date	FR Cite
NPRM	03/29/85	
Final Action	07/01/85	

Small Entity: No

Agency Contact: Tom Witzig,

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA45

31. 1984-85 MILK PRICE SUPPORT PROGRAM - NOTICE OF PRICE SUPPORT LEVEL (EFFECTIVE 7/1/85)

Priority: Major

Legal Authority: 7 USC 1446(d) Ag Act of 1949, Sec 201(d), as amended

CFR Citation: 7 CFR 1430

Abstract: The Ag Act of 49, as amended, requires that the price support for milk shall be carried out through purchase of milk or milk products. The level of support specified through Sept. 30, 1985, \$12.60 per cwt. except that (1) on April 1, 1985, if the Secretary estimates that for the twelvemonth period beginning on such date net price support purchases of milk would be in excess of six billion pounds equivalent, the Sec. may reduce the price support rate in effect on such date in the amount of 50 cents per cwt., and (2) on July 1, 1985, if the Sec. estimates that for the twelve-month period beginning on such date net price support purchases of milk or the products of milk would be in excess of five billion pounds milk equiv., the Sec. may reduce the price support rate in effect on such date in the amount of 50 cents per cwt., and if the Sec. estimates that such purchases will be five billion pounds milk equiv. or less and if the Sec. determines it necessary in order to assure adequate supply of milk to meet current needs, the Sec. may increase the support rate in effect of such date in an amount not less than 50 cents per cwt. (ASCS 84-041)

Timetable:

Action	Date	FR Cite
Final Action	06/28/85	TOWN THE REAL PROPERTY.
Statutory	07/01/85	
Deadline		

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415,

Washington, DC 20013, 202 475-4636

RIN: 0560-AA48

32. 1985 SUGAR BEET AND SUGARCANE LOAN RATES

Priority: Major

Legal Authority: 7 USC 1446(h); Agricul-

tural Act of 1949, Sec 201(h)

CFR Citation: 7 CFR 1435.110 et seq

Abstract: The objective of this action is to determine and announce the price support loan rates for the 1985 crops of sugar beets and sugarcane. The determination of these loan rates is required by the Agricultural Act of 1949, as amended. Establishment of the price for raw sugar at 18.00 cents per pound or above is being considered. Establishing raw cane sugar above 18.00 cents per pound could cost consumers and cause the Commodity Credit Corporation to receive sugar by forfeiture. The loan rate for refined beet sugar is to be established at such level which is determined to be fair and reasonable in relation to the loan rate established for raw cane sugar. (ASCS 84-040)

Timetable:

Action	Date	FR Cite
NPRM	07/15/85	THE PARTY
Final Action	10/01/85	

Small Entity: No

Agency Contact: Tom Witzig,
Department of Agriculture, Agricultural
Stabilization and Conservation Service,
Room 3726-S, P.O. Box 2415,
Washington, DC 20013, 202 475-4636

RIN: 0560-AA49

33. • REGS. RELATING TO THE REFERRAL OF DELINQUENT DEBTS TO CREDIT REPORTING AGENCIES

Legal Authority: 7 USC 7146 The Commodity Credit Corporation Charter Act; 7 CFR 101 to 105

CFR Citation: 7 CFR 1403

Abstract: To implement debt collection legislation and regulations that require disclosure of debts to credit reporting agencies.

To provide incentive for delinquent debtors to repay debts owed to the Government. (ASCS 85-006)

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	DE LEE
Final Action	05/30/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA50

USDA-ASCS

Current and Projected Rulemakings

34. • 1985-86 MILK PRICE SUPPORT PROGRAM (EFFECTIVE 10/1/85)

Legal Authority: The Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 1430

Abstract: The Agricultural Act of 1949 (the Act), as amended, requires that the price support for milk shall be carried out through purchase of milk or milk products. The Act requires that the price of milk to producers be supported at such level between 75 and 90 percent of parity as would assure an adequate supply of milk, reflect changes in the cost of production, and assure a level of farm income to maintain productive capacity sufficient to meet future needs.

In the absence of new legislation, the minimum price support level on October 1, 1985, would revert to 75 percent of parity. (ASCS 85-009)

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	
Final Action	09/30/85	

Agency Contact: Tom Witzig.

Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA51

35. PROCLAMATION OF NATIONAL MARKETING QUOTA AND ACREAGE ALLOTMENT; CONDUCTING A REFERENDUM; AND DETERMINATION OF COMMERCIAL AREAS FOR THE 1986-CROP OF WHEAT

Priority: Agency Determination

Legal Authority: 7 USC 1301 Ag Adjustment Act of 1938, Sec. 301, as amended; 7 USC 1332 Ag Adjustment Act of 1938, Sec. 332, as amended; 7 USC 1333 Ag Adjustment Act of 1938, Sec. 333, as amended; 7 USC 1334 Ag Adjustment Act of 1938, Sec. 334, as amended; 7 USC 1336 Ag Adjustment Act of 1938, Sec. 336, as amended

CFR Citation: Not yet determined

Abstract: To minimize recurring surpluses and shortages of wheat in interstate and foreign commerce; to provide for the maintenance of adequate reserve supplies; to provide for an adequate and orderly flow of wheat and its products in interstate and foreign commerce at prices fair and

reasonable to farmers and consumers; and to prevent acreage diverted from the production of wheat from adversely affecting other commodities in interstate and foreign commerce.

The provisions of the Agricultural Act of 1949, as amended by the Agriculture and Food Act of 1981, expire with the 1985 crop of wheat. Without new legislation, program authority for the 1986 crop of wheat reverts to permanent legislation. Under this authority, the Secretary must determine whether marketing quotas are necessary, proclaim a national acreage allotment, conduct a referendum of farmers and determine commercial wheat producing areas. (ASCS 85-010)

Timetable:

Action	Date	FR Cite
NPRM (Quotas) Final Action (Referendum)	04/15/85 08/01/85	Para de la company de la compa

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA52

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Stabilization and Conservation Service (ASCS)

Completed Actions

COMPLETED RULEMAKINGS

36. PRICE SUPPORT LOAN PROGRAM FOR 1983 THROUGH 1985 CROPS SUGAR BEETS AND SUGARCANE

Priority: Major

CFR Citation: 7 CFR 1435

Completed:

 Reason
 Date
 FR Cite

 Final Action
 09/17/84
 49 FR 38532

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA07

37. DISREGARDING SMALL CLAIMS OF \$9.99 OR LESS

CFR Citation: 7 CFR Chapter VII; 7 CFR Chapter XIV

Completed:

 Reason
 Date
 FR Cite

 Final Action
 12/27/84
 49 FR 50215

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA16

38. FLUE-CURED TOBACCO
MARKETING QUOTA REGULATIONS-CASH RENTERS AND LEASE
CONSIDERATIONS PRIOR TO
MARKETING

CFR Citation: 7 CFR 725

Completed:

Reason Date FR Cite
Final Action 10/30/84 49 FR 43552

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA18

39. MARKETING QUOTA REVIEW REGULATIONS

CFR Citation: 7 CFR 711

Completed:

Reason Date FR Cite
Final Action 09/28/84 49 FR 38239

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

4030

RIN: 0560-AA21

40. GENERAL REGULATIONS
GOVERNING PRICE SUPPORT FOR
THE 1978 AND SUBSEQUENT CROPS
OF GRAINS AND SIMILARLY
HANDLED COMMODITIES
(AMENDMENT 3)

CFR Citation: 7 CFR 1421

Completed:

Reason Date FR Cite
Final Action 11/28/84 49 FR 46705

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA24

41. 1985-CROP RICE LOAN AND PURCHASE RATES FOR WHOLE KERNELS BY CLASS AND BROKEN KERNELS FOR ALL CLASSES

CFR Citation: 7 CFR 1421

Completed:

Reason Date FR Cite
Final Action 01/14/85 50 FR 1896

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA25

42. DETERMINATION OF THE LOAN AND PURCHASE RATE FOR THE 1984 SOYBEAN CROP

CFR Citation: 7 CFR 1421

Completed:

 Reason
 Date
 FR Cite

 Final Action
 09/25/84
 49 FR 37651

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA30

43. 1985 EXTRA LONG STAPLE (ELS)
COTTON PROGRAM

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1427

Completed:

Reason Date FR Cite
Final Action 01/28/85 50 FR 3820

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA33

44. FLUE-CURED TOBACCO MARKETING QUOTAS--1985 CROP

CFR Citation: 7 CFR 725

Completed:

 Reason
 Date
 FR Cite

 Final Action
 01/31/85
 50 FR 4548

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA34

45. BURLEY TOBACCO MARKETING QUOTAS--1985 CROP

CFR Citation: 7 CFR 726

Completed:

Reason Date FR Cite
Final Action 03/15/85

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA35

46. 1984 SUGAR BEET AND SUGARCANE LOAN RATES

Priority: Major

CFR Citation: 7 CFR 1435

Completed:

 Reason
 Date
 FR Cite

 Final Action
 10/24/84
 49 FR 42763

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA37

47. 1985-CROP RICE PROGRAM

Priority: Major

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1421

01111121

Completed:

 Reason
 Date
 FR Cite

 Final Action
 01/14/85
 50 FR 1896

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA40

48. 1985 UPLAND COTTON PROGRAM

Priority: Major

CFR Citation: 7 CFR 713; 7 CFR 770; 7

CFR 1427

Completed:

Reason Date FR Cite
Final Action 01/14/85 50 FR 1899

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA41

49. THE 1985 WHEAT PROGRAM

Priority: Major

CFR Citation: 7 CFR 713; 7 CFR 770; 7

CFR 1421 Completed:

Reason Date FR Cite

09/14/84 49 FR 36115

Final Action (
Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA42

50. 1985 FEED GRAIN PROGRAM

Priority: Major

CFR Citation: 7 CFR 713; 7 CFR 770; 7

CFR 1421

Completed:

Reason Date FR Cite
Final Action 01/14/85 50 FR 1892

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA43

51. CHARGES FOR EXAMINATIONS OF ADDITIONAL WAREHOUSE SECTIONS

CFR Citation: 7 CFR 102

Completed:

Reason Date FR Cite
Withdrawn 02/27/85

Small Entity: No

Agency Contact: Tom Witzig 202 475-

4636

RIN: 0560-AA46

USDA-ASCS

Completed Actions

52. DEFINITION OF "ELIGIBLE COUNTRY" FOR EXPORT OF PEANUT PRODUCTS

CFR Citation: 7 CFR 1446.52(n)

Completed:

Reason Date FR Cite

Withdrawn 02/27/85 Small Entity: No.

Agency Contact: Tem Witzig 202 475-

4636

RIN: 0560-AA47

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

53. ● GENERAL REGULATIONS
GOVERNING 1982 THROUGH 1985
CROP PEANUT WAREHOUSE LOANS
AND HANDLER OPERATIONS
(AMENDMENT 4)

Legal Authority: PL 79-78; 7 USC 1359; 7 USC 1423; 7 USC 1427; 7 USC 1445c-1

CFR Citation: 7 CFR 1446

Abstract: This action is needed to prevent damage to the peanut price support program. The objective of this action is to prevent the use of 1985-crop contract additional peanuts in the domestic market. The following changes are proposed: (1) Apply a lien against peanuts involved in penalties and against subsequent crops when there are unpaid penalties against handlers of additional peanuts; (2) require a letter

of credit on all contract additional peanuts to assure they will be crushed or exported and, if exported, will not be re-entered in the U.S. market; (3) clarify penalties applied to handlers failing to comply with regulations; and (4) make other minor changes to clarify regulations applicable to contract additional peanuts. (ASCS 85-001)

Timetable:

Action Date FR Cite
Withdrawn 02/27/85

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA53 [FR Doc. 85-8486 Filed 04-26-85; 8:45 am]. BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA) Animal and Plant Health Inspection Service (APHIS)

Current and Projected Rulemakings

54. • REVISION OF 7 CFR 319.56 -FRUITS AND VEGETABLES

Priority: Major

Legal Authority: 7 USC 150dd to ff; 7

USC 159; 7 USC 162

CFR Citation: 7 CFR 319.56

Abstract: An increased number of exotic pests have been introduced recently into the United States. Some of these pests may have arrived on importations of fruits and vegetables. Since these pests are capable of

causing extensive economic damage, Plant Protection and Quarantine (PPQ) is considering the development of an improved system for determining the entry status of agricultural products, particularly fruits and vegetables. (APHIS 85-008)

Timetable:

Action	Date	FR	Cite	
NPRM	08/01/85		NOO.	
Cinal Action	11/01/95			

Small Entity: No

Agency Contact: Nick Bedessem, Department of Agriculture, Animal and Plant Health Inspection Service, Room 728, Federal Bldg., Hyattsville, MD 20782, 301 436-5533

RIN: 0579-AA12 [FR Doc. 85-8486 Filed 04-26-85; 8-45 am] BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Farmers Home Administration (FmHA)

55. SUSPENSION AND DEBARMENT REGULATIONS

Legal Authority: 7 USC 1989; 42 USC 1480(j)

CFR Citation: 7 CFR 1924

Abstract: This regulatory activity will improve FmHA's suspension and debarment system by establishing regulations that are compatible with other federal agency regulations. [FmHA 82-004]

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/00/85

 Final Action
 12/00/85

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA02

Current and Projected Rulemakings

56. PROPERTY MANAGEMENT

Legal Authority: 7 USC 1989; 42 USC 1480(i)

CFR Citation: 7 CFR 1955

Abstract: The revisions of these regulations will affect liquidation of loans secured by real estate, acquisition of property and management, and repair and sale of inventory property. (FmHA 81-020)

USDA-FmHA

Current and Projected Rulemakings

Timetable:	NAME OF THE PERSON OF THE PERS	1	THE STATE OF	10.70
Action	Date		FR	Cite
NPRM	06/06/84	49	FR	23359
Final Action	04/00/85			

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA03

57. REVISIONS TO REGULATIONS MANDATED BY 1983 HOUSING AMENDMENTS (P.L. 98-181)

Legal Authority: 42 USC 1471 et seq CFR Citation: 7 CFR 1930; 7 CFR 1944

Abstract: Interim final rule (NPRM for 1930) to implement the requirements of the Rural Housing Amendments of 1983 regarding definitions of income and adjusted annual income, and use of HUD income limits for eligibility, establish requirements regarding rent increases, implement rules on pets in elderly projects, establish new rules on providing rental assistance, and establish occupancy levels between low and very low income tenants. (FmHA

83-017) Timetable:

Action	Date	FR Cite
Final Action for 1944	03/00/85	To the same of
NPRM for 1930	06/00/85	
Final Action for 1930	11/00/85	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA04

58. REVISION OF FMHA INSTRUCTION
1944-A, "SECTION 502 RURAL
HOUSING LOAN POLICIES,
PROCEDURES AND
AUTHORIZATIONS," TO IMPLEMENT
THE REQUIREMENTS OF THE RURAL
HOUSING AMENDMENTS OF 1983

Legal Authority: 42 USC 1471 et seq CFR Citation: 7 CFR 1924; 7 CFR 1944

Abstract: The need for Government action is mandated by changes in the

Agency's authorizing statute requiring corresponding changes in the FmHA rural housing program. The objectives of the action are: (1) allow extension of terms for applicants for initial loans with incomes of not more than 60 percent of median income for up to 38 vears if needed for repayment ability; (2) give priority to applicants with the greatest need for housing because of their low income and inadequate dwellings, and to those applicants who will reside in areas which are the most rural in character; (3) implement Section 502 loans to purchase mobile/manufactured homes and sites, and certain allowable expenses for transportation and set-up. (Item (3) has been made a separate publication.)

Timetable:

Action	Date	FR Cite
NPRM Item (3)	03/00/85	- Contract
NPRM Items (1) & (2)	07/00/85	
Final Action Item (3)	09/00/85	
Final Action Items (1) & (2)	12/00/85	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA05

59. DEVELOPMENT GRANTS FOR COMMUNITY DOMESTIC WATER AND WASTE DISPOSAL SYSTEM

Legal Authority: 7 USC 1926(a)(3)

CFR Citation: 7 CFR 1942

Abstract: The proposed changes will (1) authorize the use of grant funds to restore FmHA loan funds used to prepay eligible grant purposes, (2) prohibit the use of grant funds to pay loan finders fees, (3) authorize the use of grant funds in any eligible area where the median family income of the service area is below the poverty line, (4) require that applicants be informed that any remaining FmHA project funds will be considered to be grant funds and refunded to FmHA, and (5) require that the funding needs of the applicant be reassessed prior to start of construction. (FmHA 83-009)

Timetable:

Action	Date		FR	Cite
NPRM	05/22/84	49	FR	21542
Final Action	03/00/85			

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA06

60. MOBILE/MANUFACTURED HOUSING PARKS/COMMUNITIES FOR RENTAL PURPOSES

Priority: Agency Determination

Legal Authority: 42 USC 1485(d)(1)

CFR Citation: 7 CFR 1944

Abstract:

The objectives of the action are to provide financing to eligible applicants to develop mobile/manufactured housing parks/communities for rental purposes to eligible occupants as provided for in the Rural Housing Amendments of 1983. (FmHA 84-007)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	KOLL MARKET
Final Action	08/00/85	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA08

61. FMHA GUARANTEES OF COMMERCIAL LENDERS' FARM OWNERSHIP (FO) AND OPERATING (OL) LOANS WITH ACCOMPANYING LENDER "WRITE-DOWN"

Priority: Major

Legal Authority: 7 USC 1989 CFR Citation: 7 CFR 1980

Abstract: The general objective of the proposed action is to integrate Government and Private Sector resources in a continual effort to resolve financial difficulties in agriculture.

The specific objective of the proposed action is to provide nongovernmental lenders with a means to continue to

USDA-FmHA

Current and Projected Rulemakings

provide credit to their farm borrowers who do not now have adequate security and/or repayment ability. The farm operation must be characterized as a family-size farm for eligibility purposes. (FmHA 84-014)

Timetable:

Action	Date		FR	Cite
Interim Final	10/19/84	49	FR	41223
Final Action	03/00/85			

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-South Bldg., Washington, DC 20250, 202 382-9744

RIN: 0575-AA09

62. SPECIAL DEBT SET-ASIDE OF A PORTION OF THE INDEBTEDNESS OF **FARMER PROGRAM BORROWERS**

Priority: Major

Legal Authority: 7 USC 1981(d); 7 USC

CFR Citation: 7 CFR 1951

Abstract: The need for government action is the distressed financial situation of some FmHA borrowers. The objectives of this action are to (1) alleviate somewhat the distressed financial situation of some FmHA borrowers and (2) provide FmHA borrowers with the opportunity to make critical decisions on disposition of the current crop income and to develop plans for continuing their farming operation. (FmHA 84-015)

Timetable:

Action	Date	FR	Cite
Interim Final Rule	10/19/84	49 FR	41220
Final Action	03/00/85		-07-0

Small Entity: No

Agency Contact: Carl Opstad. Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-South Bldg., Washington, DC 20250, 202 382-9744

RIN: 0575-AA10

DEPARTMENT OF AGRICULTURE (USDA)

Farmers Home Administration (FmHA)

COMPLETED RULEMAKINGS 63. MULTIPLE HOUSING LOAN SERVICING PROCEDURE

CFR Citation: 7 CFR 1965

Completed:

Reason	Date		FR	Cite
Final Action	12/21/84	49	FR	49587

Small Entity: No

Completed Actions

Agency Contact: Carl Opstad 202 382-9744

RIN: 0575-AA07

[FR Doc. 85-6486 Filed 04-26-85; 8:45 am]

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Federal Grain Inspection Service (FGIS)

Current and Projected Rulemakings

64. FEES FOR OFFICIAL SERVICES PERFORMED BY OFFICIAL AGENCIES

Legal Authority: 7 USC 79(f)(1)(A)(v): 7 USC 87e

CFR Citation: 7 CFR 800.70

Abstract: FGIS will conduct a review of Procedures for Official Agencies establishing fees to assure that the procedures are necessary, not in conflict with current laws or Agency policy. (FGIS 84-004)

Timetable:

Action	Date	100	FR	Cite
NPRM	10/17/84	49	FR	40582
Final Action	03/00/85			

Small Entity: No

Agency Contact: L. Lebakken, Jr., Chief, Information Resources Management Br., Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA01

65. KINDS OF OFFICIAL SERVICES

Legal Authority: 7 USC 79; 7 USC 79a; 7 USC 79(c); 7 USC 87e

CFR Citation: 7 CFR 800.75 to 800.78; 7 CFR 800.135 to 7 CFR 800.140; 7 CFR 800.160 to 7 CFR 800.166

Abstract: FGIS will review the kinds of official services provided under the regulations under the U.S. Grain Standards Act to ensure that the services meet the needs of the grain marketing system and maintain the integrity of the inspection and weighing system. (FGIS 84-006)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	PERSONAL PROPERTY.
Final Action	06/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Chief, Information Resources Management Br., Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA02

66. RECORDKEEPING AND ACCESS TO FACILITIES

Legal Authority: 7 USC 79a(k); 7 USC 87a; 7 USC 87c

CFR Citation: 7 CFR 800.25 to 800.26

Abstract: FGIS will review the requirements for recordkeeping and access to facilities imposed on grain elevators by the regulations under the U.S. Grain Standards Act. The review

Current and Projected Rulemakings

will include examination of continued need for the regulations, language clarity, consistency with law and Agency policy, and cost effectiveness. (FGIS 84-008)

Timetable:

Action	Date	FR Cite
NPRM	01/08/85	50 FR 948
Final Action	04/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Chief, Information Resources Management Br., Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA05

67. LICENSES AND AUTHORIZATIONS

Legal Authority: 7 USC 84; 7 USC 85; 7 USC 87e

CFR Citation: 7 CFR 800.170 to 800.180

Abstract: FGIS will conduct a review of the current procedures and restrictions regarding licensing or authorizing individuals to perform official services under the regulations under the U.S. Grain Standards Act. The review will include examination of continued need for the regulations, language clarity, consistency with law and Agency policy, and cost effectiveness. (FGIS 84-010)

Timetable:

Action	Date	FR	Cite
NPRM	10/17/84	49 FR	40583
Final Action	04/00/85		

Small Entity: No

Agency Contact: L. Lebakken, Jr., Chief, Information Resources Management Br., Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA06

68. OFFICIAL RECORDS AND FORMS

Legal Authority: 7 USC 79(f)(i)(A)(viii); 7 USC 87a; 7 USC 87e

CFR Citation: 7 CFR 800.145 to 800.155

Abstract: FGIS will conduct a review of the requirements for official records and forms under the regulations under the U.S. Grain Standards Act. The review will include examination of continued need for the regulations, language clarity, consistency with law and Agency policy, and cost effectiveness. (FGIS 84-009)

Timetable:

Action	Date	FR Cite
NPRM	08/10/84 49	FR 32074
Final Action	04/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Chief, Information Resources Management Br., Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA07

DEPARTMENT OF AGRICULTURE (USDA)

Federal Grain Inspection Service (FGIS)

COMPLETED REVIEWS
69. APPEAL INSPECTION SERVICES

CFR Citation: 7 CFR 800.135 to 800.140

Completed:

Reason Date FR Cite

Incorporated into 02/27/85 RIN 0580-AA02

Small Entity: No

Agency Contact: L. Lebakken, Jr. 202 382-1738

RIN: 0580-AA03

70. OFFICIAL CERTIFICATES

CFR Citation: 7 CFR 800.160 to 800.166

Completed:

Reason Date FR Cite

Completed Actions

Incorporated into 02/27/85 RIN 0580-AA02

Small Entity: No

Agency Contact: L. Lebakken, Jr. 202 382-1738

Current and Projected Rulemakings

RIN: 0580-AA04

[FR Doc. 85-8486 Filed 04-26-85; 8:45 am]

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Food and Nutrition Service (FNS)

71. MONTHLY REPORTING AND RETROSPECTIVE BUDGETING 1982 AND 1983 AMENDMENTS

Legal Authority: 7 USC 2014(f); 7 USC 2015(c)

CFR Citation: 7 CFR 272.3; 7 CFR 273.10; 7 CFR 273.12; 7 CFR 273.21

Abstract: This rule implements recent legislative provisions regarding waiver of certain monthly reporting/retrospective budgeting rules, and establishes a system of periodic review of approved waivers. (FNS 84-016)

Timetable:

Action Date FR Cite
Final Action 00/00/00

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA02

72. OBRA 1982

Legal Authority: 7 USC 2012(i)(r); 7 USC 2014(c)(g)(i)(j); 7 USC 2015(e); 7 USC 2017(c); 7 USC 2020(e)(4)(9)(10)(i)

CFR Citation: 7 CFR 273

Abstract: This final rule, based on proposed or interim rulemakings, implements changes to eligibility criteria mandated by P.L. 97-98 and P.L. 97-253, revises recertification procedures, and simplifies the rules when a household files for both food stamp and public assistance benefits. It also tightens expedited service procedures, updates procedures for notices of adverse action, and revises resource definitions. (FNS 84-003)

Timetable:

Action	Date		FR	Cite
NPRM	11/19/82	47	FR	52185
NPRM	11/30/82	47	FR	53878
Interim Rule	11/30/82	47	FR	52825
Interim Rule	12/10/82	47	FR	55463
Interim Rule	12/14/82	47	FR	55903
NPRM	12/28/82	47	FR	57725
Interim Rule	04/01/83	48	FR	13955
Final Action	04/00/85			

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA04

73. ISSUANCE LOSS LIABILITY

Legal Authority: 7 USC 2016; 7 USC 2020(e)(20)

CFR Citation: 7 CFR 274; 7 CFR 276; 7 CFR 272, for Interim

Abstract: These rules govern the issuance of food stamps to Food Stamp Program participants. They also establish the system for accounting for the food stamps and establish liabilities for losses during the issuance process. [FNS 84-002]

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/29/82	47 FR 49010
NPRM	04/00/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA05

74. FOOD DISTRIBUTION PROGRAM

Legal Authority: 7 USC 612c; 15 USC 713c; 42 USC 1755; 42 USC 1758; 7 USC 1431; 22 USC 1922; 7 USC 1859; 7 USC 1431b; 7 USC 1431 Note; 7 USC 1446a-1; 42 USC 1761; 42 USC 5179; 42 USC 5180; 42 USC 1762a; 42 USC 1766; ...

CFR Citation: 7 CFR 250

Abstract: The rule reorganizes existing regulatory provisions for clarity and ease of reference. This rule outlines the responsibilities of the Food and Nutrition Service and State agencies concerning the distribution of USDAdonated foods acquired under various legislative authorities. The rule prescribes the terms and conditions under which donated foods may be obtained through State distributing agencies for use in schools, child care institutions, nonprofit summer camps for children, charitable institutions, nutrition programs for the elderly, and otherwise in the assistance of needy persons. (FNS 84-513)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	02/00/86	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 7 USC 612c Note; 42 USC 3030a; 42 USC 1760; 5 USC 301; 7 USC 1431e; 7 USC 612c Note.

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA07

75. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS

Legal Authority: 7 USC 2013

CFR Citation: 7 CFR 253

Abstract: The rule reorganizes existing regulatory provisions for clarity and ease of reference. This rule describes the terms and conditions under which (1) USDA-donated foods (available under 7 CFR 250) may be distributed to households on or near Indian reservations; (2) the program may be administered by capable Indian tribal organizations; and (3) funds may be obtained from USDA for the costs incurred in administering the program. The rule also provides for the

concurrent operation of the Food Distribution Program and the Food Stamp Program on Indian reservations when such concurrent operation is requested by an Indian tribal organization. (FNS 84-514)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Irene Lankford. Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA09

76. FOOD STAMP PROGRAM: REVISION OF PARTS 271, 272, 273 AND 274

Legal Authority: 7 USC 2011 et seq

CFR Citation: 7 CFR 271; 7 CFR 272; 7 CFR 273; 7 CFR 274

Abstract: This rule clarifies, simplifies, and reorganizes food stamp certification and issuance rules. (FNS 84-019)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Irene Lankford. Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA10

77. TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM FOR FISCAL YEARS 1984 AND 1985

Legal Authority: PL 98-8, Sec 201 et seq

CFR Citation: 7 CFR 251

Abstract: This rule amends the Temporary Emergency Food Assistance Program regulations to include (1) monitoring of program participation and submission of reports. These provisions strengthen 7 CFR 251 by adding monitoring and accountability components. (FNS 84-519)

Current and Projected Rulemakings

Action Date FR Cite NPRM 07/02/84 49 FR 27159 Final Action 03/00/85

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA15

78. ALASKA THRIFTY FOOD PLAN

Legal Authority: 7 USC 2012 (o)(2)

CFR Citation: 7 CFR 272.7; 7 CFR 273.10

Abstract: This rule will establish differing levels of food stamp allotments for urban and rural areas of Alaska. (FNS 84-012)

Timetable:

Action	Date	FR	Cite
Interim Final Rule	05/01/84	49 FR	18458
Final Action	03/00/85		

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA16

79. AMENDMENTS TO REQUIREMENTS FOR STATE AGENCY REPORTING

Legal Authority: 7 USC 2020(a); 7 USC 2020(e)(12)

CFR Citation: 7 CFR 274.8

Abstract: This rule changes the requirements for State agencies to report actual and estimated participation in the Food Stamp Program. (FNS 84-009)

Timetable:

Action	Date		FR C	Cite
NPRM	05/27/83	48	FR 2	3825
Final Action	03/00/85			

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA19

80. EMERGENCY FOOD ASSISTANCE FOR VICTIMS OF DISASTERS

Legal Authority: 7 USC 2013(b) CFR Citation: 7 CFR 280

Abstract: This final rule defines special eligibility and issuance procedures during declared disasters. (FNS 84-001)

Timetable:

Action	Date		FR	Cite
NPRM	01/27/81	46 F	FR	8923
Final Action	09/00/85			

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA24

81. MISCELLANEOUS AMENDMENTS -CHILD CARE FOOD PROGRAM

Legal Authority: 42 USC 1766

CFR Citation: 7 CFR 226

Abstract: This rule makes several editorial changes and clarifications to the Child Care Food Program and implements substantive changes to such program areas as reviews, appeals, alternate licensing, and State agency administrative responsibilities. (FNS 84-503)

Timetable:

Action ·	Date	FR	Cite
NPRM	05/13/83	48 FR	21587
Final Action	03/00/85		

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 763 756-3064

RIN: 0584-AA28

82. AUDIT REQUIREMENTS IN THE CHILD CARE FOOD PROGRAM

Legal Authority: 42 USC 1766 CFR Citation: 7 CFR 226.8 Abstract: This rule will implement organization-wide audits in the Child Care Food Program and will outline the permissible uses of funds available to perform audits. Actual publication will be contingent upon publication of revision to OMB Circular A-102.(FNS 84-502).

Cite

Timetable:

Action	Date	FR
NPRM	09/00/85	Blood of
Final Action	10/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3964

RIN: 0584-AA30

83. REWRITE OF REGULATIONS ON DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE BENEFITS

Legal Authority: 42 USC 1758; 42 USC 1779

CFR Citation: 7 CFR 245

Abstract: This rule will revise regulations covering the eligibility process for school meals and milk. Part 245 has not undergone a complete rewrite in many years despite legislative change which has substantially changed the application process. The rewrite is primarily nonsubstantive in nature. The rewrite is intended to remove duplicative and obsolete provisions to clarify and reorganize all sections and to incorporate the requirements of P.L. 97-35. (FNS 84-518)

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	WEIGHT W.
Final Action	06/00/86	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 763 756-3064

RIN: 0584-AA32

84. NSLP VERIFICATION MONITORING

Legal Authority: 42 USC 1758; 42 USC

CFR Citation: 7 CFR 210; 7 CFR 245

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Abstract: This proposal will require State agencies to monitor School Food Authorities' compliance with the verification of eligibility requirements contained in 7 CFR 245. This monitoring would become part of the Assessment, Improvement and Monitoring System which is currently in place. (FNS 84-509)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA33

85. MANAGEMENT EVALUATIONS AND CORRECTIVE ACTION PLANS

Legal Authority: 7 USC 2020(e)(13); 7 USC 2025(b)

CFR Citation: 7 CFR 275

Abstract: This rule focuses program reviews on priority target areas and improves use of corrective action planning. (FNS 84-018)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Jan Land
Final Action	12/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA37

86. COMPETITIVE FOODS

Legal Authority: 42 USC 1779 CFR Citation: 7 CFR 210; 7 CFR 220

Abstract: This rule amends the regulations for the National School Lunch and School Breakfast Programs which prohibit the sale of foods of minimal nutritional value (carbonated beverages, water ices, chewing gum and certain candies). States and local authorities will continue to be allowed to exceed this minimum Federal restriction. This rule responds to a Court decision that the Department has

exceeded its authority in promulgating the "time and place" provision of the 1980 competitive foods rule. (FNS 84-507)

Timetable:

Action	Date	FR Cite
NPRM	03/13/84	49 FR 9426
Final Action	03/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA39

87. FORFEITURE PROCEDURES/UNREDEEMED CREDIT SLIPS/BONDING

Legal Authority: 7 USC 2024(g)
CFR Citation: 7 CFR 278

Abstract: This rule allows FNS to retain goods or money acquired during investigations of potential store violations. In addition, the rule announces the invalidation of unredeemed credit slip's issued to households prior to 1979. The rule will also permit disqualified stores seeking reauthorization to post letters of credit in lieu of collateral bonds. (FNS 84-017)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	12/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA40

88. REWRITE OF NATIONAL SCHOOL LUNCH PROGRAM REGULATIONS

Legal Authority: 42 USC 1751 et seq

CFR Citation: 7 CFR 210

Abstract: This rule will propose to revise the regulations covering the National School Lunch Program and the Commodity School Program. Since January 20, 1970, Part 210 has been amended with over 50 final rules and a number of interim rules. This proposal is intended to be nonsubstantive in nature. Emphasis is placed on resolving

ambiguities and inconsistencies; eliminating unnecessary, duplicative and obsolete provisions; and clarifying both language and style so that Part 210 is more easily understood. (FNS 84-511)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	06/00/86	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA43

89. DOCUMENTATION AND VERIFICATION OF ELIGIBILITY IN THE CHILD CARE FOOD PROGRAM

Priority: Agency Determination

Legal Authority: 42 USC 1758; 42 USC 1766

CFR Citation: 7 CFR 226

Abstract: This regulation establishes standards for the documentation of eligibility and sets forth procedures for the verification of information for free and reduced-price applications submitted to institutions. (FNS 84-521)

Timetable:

Action	Date	FR Cite
NPRM	04/15/83	48 FR 16278
Interim Final Rule	08/05/83	48 FR 35589
Final Action	03/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA49

90. PROPOSED RULE CONCERNING STATE PROCESSING OF USDA-DONATED FOODS

Legal Authority: 42 USC 612c; 15 USC 713c; 42 USC 1755; 42 USC 1758; 7 USC 1431; 22 USC 1922; 7 USC 1859; 7 USC 1431b; 7 USC 1431 Note; 7 USC 1446a-l; 42 USC 1761; 42 USC 5179; 42 USC 5180; 42 USC 1762a; 42 USC 1766

CFR Citation: 7 CFR 250

Abstract: Proposed rule would require a 100 percent return factor for all

USDA—FNS

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Department-approved substitutable donated foods which have been made available to processors under Stateapproved contracts. (FNS 84-523)

Timetable:

Action	Date		FR	Cite
NPRM	09/17/84	49	FR	36390
Final Action	05/00/85			

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 7 USC 612c Note: 42 USC 3030a; 42 USC 1760; 5 USC 301; 7 USC 1431e; 7 USC 612c Note.

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA50

91. FOOD STAMP PROGRAM: TFP/DEDUCTION UPDATE

Legal Authority: 7 USC 2012(o)(8); 7 USC 2014(e)(3); 7 USC 2014(2)(iii)

CFR Citation: Not applicable

Abstract: The notice announces the cost-of-living increases to the Thrifty Food Plan and to the standard and maximum shelter deductions. (FNS 85-003)

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA51

92. • FOOD STAMP PROGRAM: CONFORMANCE WITH AFDC RULES

CFR Citation: 7 CFR 273; 7 CFR 275

Abstract: The rule reviews Food Stamp and Aid to Families with Dependent Children regulations for inconsistencies and proposes conformance by altering either or both program's rules. (FNS 85-002)

Timetable:

Action	Date	FR Cite
ANPRM	03/00/85	Control of the second
NPRM	08/00/85	
Final Action	02/00/86	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA52

93. • FOOD STAMP PROGRAM: DEFICIT REDUCTION ACT

Legal Authority: 7 USC 2020(e)(19)

CFR Citation: 7 CFR 272.1; 7 CFR 272.2; 7 CFR 272.8; 7 CFR 273.2; 7 CFR 273.6; 7 CFR 275; 7 CFR 277.18

Abstract: This rulemaking implements an improved income and eligibility verification system to replace current wage matching requirements in the Food Stamp Program. These new matching requirements are mandated by Public Law 98-369 (DEFRA). Provisions of this rulemaking will: 1) require all States to match quarterly earnings, 2) require matching to a new data base-IRS' unearned income, 3) require "up front" matches of all applicants, 4) increase matching to SSA and Unemployment Compensation Agencies, and 5) require reporting on match results. (FNS 84-021)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Name of the P
Final Action	07/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA53

94. FOOD STAMP PROGRAM: REIMBURSING WORKFARE'S ADMINISTRATIVE COSTS

Legal Authority: 7 USC 2029(g)(2)

CFR Citation: 7 CFR 273.22

Abstract: The rule revises criteria for incentive reimbursement for optional workfare projects. (FNS 85-005)

Timetable:

Action	Date		FR	Cite
Interim Final Rule	01/11/83	48	FR	1171
Final Action	06/00/85			

Small Entity: No

Additional Information: Formerly part of FNS 84-008.

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA54

DEPARTMENT OF AGRICULTURE (USDA) Food and Nutrition Service (FNS)

95. NATIONAL COMMODITY PROCESSING SYSTEM

Legal Authority: PL 98-8, Sec 203

CFR Citation: 7 CFR 252

Abstract: This rule implements National Commodity Processing (NCP) in the Food Distribution Program. (FNS 84-504)

Timetable:

Action	Date		FR	Cite
Interim Final Rule	06/23/83	48	FR	28609
Overtaken by a Notice	00/00/00			

Small Entity: No

Existing Regulations Under Review

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA26

USDA-FNS

Existing Regulations Under Review

96. ADMINISTRATIVE REVIEW PROCESS/QC ARBITRATION

Legal Authority: 7 USC 2023(a)

CFR Citation: 7 CFR 276.7

Abstract: FNS is considering simplification of review process. In addition, FNS is proposing to set definite timeframes for the submission of State requests for arbitration on individual quality control cases where findings are disputed. (FNS 84-013)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	- collecte
Final Action	12/00/85	

12/00/85

Small Entity: No

Agency Contact: Irene Lankford. Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA46

DEPARTMENT OF AGRICULTURE (USDA)

Food and Nutrition Service (FNS)

COMPLETED RULEMAKINGS 97. WORK REGISTRATION

CFR Citation: 7 CFR 273.7

Completed:

Reason Date FR Cite

Withdrawn 02/00/85

Small Entity: No

Agency Contact: Irene Lankford 703

756-3064

RIN: 0584-AA03

98. 1981 AND 1982 WORK REGISTRATION AND VOLUNTARY QUIT AMENDMENTS

CFR Citation: 7 CFR 273.7

Completed:

Reason Date FR Cite Final Action 10/03/84 49 FR 39035

Small Entity: No

Agency Contact: Irene Lankford 703

756-3064

RIN: 0584-AA20

99. DISCLOSURE OF INFORMATION AND NONCOMPLIANCE WITH OTHER PROGRAMS

CFR Citation: 7 CFR 272.1; 7 CFR 273.9; 7 CFR 273.10; 7 CFR 273.11

Completed:

Reason Date FR Cite Final Action 12/14/84 49 FR 48677

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA21

100. DUPLICATE PARTICIPATION NUTRITION ASSISTANCE PROGRAM IN THE COMMONWEALTH OF **PUERTO RICO**

CFR Citation: 7 CFR 274.1; 7 CFR 271.2; 7 CFR 273.1; 7 CFR 285

Completed:

Reason Date FR Cite Final Action 12/21/84 49 FR 49581

Small Entity: No

Agency Contact: Irene Lankford 703

756-3064

RIN: 0584-AA22

101. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC)

CFR Citation: 7 CFR 246

Completed:

Reason Date FR Cite Final Action 02/15/85 50 FR 6108

Small Entity: No

Agency Contact: Irene Lankford 703

756-3064

RIN: 0584-AA25

102. WAGE-MATCH/WAGE REQUEST STATES

CFR Citation: 7 CFR 273

Completed:

Reason Date FR Cite

Completed Actions

Withdrawn 02/00/85

Small Entity: No

Agency Contact: Irene Lankford 703

756-3064

RIN: 0584-AA31

103. SUMMER FOOD SERVICE PROGRAM

CFR Citation: 7 CFR 225

Completed:

Reason Date FR Cite 10/30/84 49 FR 43575 Final Action

Small Entity: No

Agency Contact: Irene Lankford 703

756-3064

RIN: 0584-AA34

104. STATE AGENCY BUDGETARY AND PROGRAM ACTIVITY REPORTING

CFR Citation: 7 CFR 272.2

Completed:

Reason Date FR Cite Final Action 49 FR 50595 12/31/84

Small Entity: No

Agency Contact: Irene Lankford 703

756-3064

RIN: 0584-AA41

[FR Doc. 85-6486 Filed 04-26-85; 8:45 am]

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA) Food Safety and Inspection Service (FSIS)

Current and Projected Rulemakings

105. PIZZA STANDARD (78-733)

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 319; 9 CFR 381

Abstract: Would amend the meat and poultry regulations to provide for more informative labeling of cheese substitutes, a minimum cheese content for pizza products, and the use of only cooked meat on pizza. (FSIS 83-007)

Timetable:

Action	Date	FR Cite
NPRM '	08/05/83	48 FR 35654
Final Action	12/00/85	

Small Entity: Yes

Agency Contact: Irwin Dubinsky, Acting Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 3807-S, Washington, DC 20250, 202 447-6735

RIN: 0583-AA07

106. CANNING OF MEAT AND POULTRY PRODUCTS

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 308; 9 CFR 318; 9 CFR 320; 9 CFR 327; 9 CFR 381

Abstract: Proposes to amend meat and poultry regulations to accommodate technological advances in thermal processing of meat and poultry products contained in hermetically sealed containers. (FSIS 81-013)

Timetable:

Action	Date		FR	Cite
NPRM	04/12/84	49	FR	14636
Final Action	12/00/85			

Small Entity: No

Agency Contact: Irwin Dubinsky,
Acting Director, Regulations Office,
Department of Agriculture, Food Safety
and Inspection Service, Room 3807-S,
Washington, DC 20250, 202 447-6735

RIN: 0583-AA08

107. IMPORTED CURED PORK PRODUCTS

Legai Authority: 21 USC 601 et seq; 7 USC 1901 et seq; 7 USC 450 et seq

CFR Citation: 9 CFR 327; 9 CFR 319

Abstract: Proposes to amend meat inspection regulations by establishing monitoring and retention procedures that would assure that imported cured pork products meet the same compliance standards as those proposed for domestic cured pork products. (FSIS 83-005)

Timetable:

Action	Date	1	FR	Cite
NPRM	10/09/84	49	FR	39560
Final Action	03/00/85			

Small Entity: No

Agency Contact: Irwin Dubinsky, Acting Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 3807-S, Washington, DC 20250, 202 447-6735

RIN: 0583-AA09

108. DEFINITIONS AND STANDARDS FOR COOKED POULTRY SAUSAGE

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Abstract: Would establish definitions and standards for cooked poultry sausage. (FSIS 83-010)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	un la la calculation
Final Action	12/00/85	

Small Entity: No

Agency Contact: Irwin Dubinsky, Acting Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 3807-S, Washington, DC 20250, 202 447-6735

RIN: 0583-AA10

109. PROTEIN REQUIREMENTS FOR TURKEY HAM

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Abstract: Would establish more effective compliance measures and procedures to accommodate new technologies. (FSIS 83-018)

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	HOLE COMP
Final Action	03/00/86	

Small Entity: No

Agency Contact: Iwin Dubinsky, Acting Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 3807-S, Washington, DC 20250, 202 447-6735

RIN: 0583-AA11

110. BARBEQUE STANDARD

Legal Authority: 21 USC 607; 21 USC 457

CFR Citation: 9 CFR 317; 9 CFR 318

Abstract: Would provide for alternative processing methods to be used for barbequed meat and poultry products. (FSIS 83-039)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	ablamie; 1
Final Action	12/00/85	

Small Entity: No

Agency Contact: Irwin Dubinsky, Acting Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 3807-S, Washington, DC 20250, 202 447-6735

RIN: 0583-AA12

111. REQUIREMENTS REGARDING POULTRY PRODUCTS MADE BY MECHANICAL DEBONING

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Abstract: Would revise and supplement the requirements regarding the manufacture, characteristics, use, and labeling of poultry product made by mechanical deboning and the labeling of finished products in which it is used as an ingredient. (FSIS 84-001)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	and and
Final Action	07/00/86	

Small Entity: No

Agency Contact: Irwin Dubinsky, Acting Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 3807-S, Washington, DC 20250, 202 447-6735

RIN: 0583-AA15

112. PRODUCTION UNDER TOTAL QUALITY CONTROL

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

USDA-FSIS

Current and Projected Rulemakings

CFR Citation: 9 CFR 318; 9 CFR 381

Abstract: would allow plants operating under total quality control systems to process and ship product outside the inspector's tour of duty. (FSIS 83-020)

Timetable:	The second second	THE PARTY
Action	Date	FR Cite
NPRM	07/00/85	
Final Action	06/00/86	

Agency Contact: Irwin Dubinsky, Acting Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 3807-S, Washington, DC 20250, 202 447-6735

RIN: 0583-AA16

DEPARTMENT OF AGRICULTURE (USDA) Food Safety and Inspection Service (FSIS)

Existing Regulations Under Review

113. RECORDS, REGISTRATION, AND REPORTS

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq; 5 USC 601 et seq; 44 USC 3501 et seq; EO 12291

CFR Citation: 9 CFR 320; 9 CFR 381, Subpart Q

Abstract: The Agency will review Parts 320 and 381 Subpart Q, of Title 9 of the Code of Federal Regulations relating to records and reports required to be maintained by official meat and poultry establishments. The purpose of the review will be to determine whether present reporting and recordkeeping requirements can be reduced or effected in a more efficient, less burdensome manner. (FSIS 82-003)

Timetable:

Action	Date	FR Cite
Begin Review	08/08/83	OR SHIP SHIP
End Review	09/30/85	

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Policy Analysis Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA00

114. ADMINISTRATIVE REGULATIONS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq; 33 USC 466 to 466k; 44 USC 3501 et seq

CFR Citation: 9 CFR 304; 9 CFR 305; 9 CFR 306; 9 CFR 307; 9 CFR 329; 9 CFR 331; 9 CFR 335; 9 CFR 381

Abstract: The Agency will review administrative requirements for applying for, granting, refusing, inaugurating, and withdrawing inspection; detaining, seizing, and condemning meat and poultry products; assigning program employees; designating states and territories, and providing reimbursable services, scheduling of operations, and for

overtime and holiday services. Would also determine adequacy of current regulations as they relate to petitioning the Agency for regulatory change and informing interested persons of Agency procedures for appeal in the event of adverse determinations. (FSIS 83-009)

Timetable:

Action	Date	FR Cite
Begin Review	01/00/83	
End Review	09/00/86	

Small Entity: No

Agency Contact: G. E McEvoy, Director, Policy Analysis Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA02

115. RED MEAT SLAUGHTER REGULATIONS

Priority: Major

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 307; 9 CFR 309; 9 CFR 310; 9 CFR 311; 9 CFR 312; 9 CFR 313; 9 CFR 314; 9 CFR 316

Abstract: The Agency will review the slaughter provisions of the regulations promulgated under the Federal Meat Inspection Act (FMIA), 9 CFR 367 through 316, to identify regulatory provisions that may be deleted or modified as a result of either technological advances or changes in meat inspection procedures while allowing the Agency to maintain the same standards for product wholesomeness and public health protection. (FSIS-83-004).

Timetable:

Action	Date	FR Cite
Begin Review	01/00/83	AND DESCRIPTION OF THE PARTY OF
End Review	09/00/85	
Small Entity: I	No	

Agency Contact: G. E. McEvoy, Director, Policy Analysis Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA03

116. LABEL APPROVAL REGULATIONS

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 381, Subpart N

Abstract: The Agency will review Parts 317 and 381, Subpart N, of Title 9 of the Code of Federal Regulations relating to requirements for prior approval of labels of meat, meat products, poultry, and poultry products. The purpose of the review is to assess the impact of the Agency's label approval regulations in order to reduce unnecessary burdens. Although the Agency has completed rulemaking to provide for prior approval of certain labels by field personnel and the pre-approval of certain kinds of label changes without the need for prior Agency approval, the review has been continued to determine if further reduction of burden resulting from Agency prior approval requirements might be accomplished.(FSIS 83-006)

Timetable:

Action	Date		FR	Cite
NPRM	05/21/82	47	FR	22101
Begin Review	06/00/82			
Final Action	03/18/83	48	FR	11410
End Review	09/00/85			

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Policy Analysis Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA05

USDA—FSIS

Existing Regulations Under Review

117. POULTRY SLAUGHTER REGULATIONS

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381, Subpart H; 9 CFR 381, Subpart I; 9 CFR 381, Subpart J; 9 CFR 381, Subpart K

Abstract: The Agency will review the slaughter provisions of the regulations promulgated under the Poultry Products Inspection Act (PPIA), Subparts H through K, 9 CFR 381, to identify regulatory provisions that may be deleted or modified as a result of either technological advances, industry organizational integrations, or changes in poultry slaughter procedures while allowing the Agency to maintain the same standards for product wholesomeness and public health protection. (FSIS 85-002)

Timetable:

Action	Date	FR Cite
Begin Review	09/15/83	A SALIS STATE
End Review	05/30/85	

Small Entity: No

Agency Contact: G. E. McEvoy. Director, Policy Analysis Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA18

118. O TRANSPORTATION

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 325; 9 CFR 381, Subpart S

Abstract: The Agency will review Parts 325 and 381 Subpart S, of Title 9 of the Code of Federal Regulations relating to requirements on the movement of product between inspected facilities to determine if they reflect current Agency practice and whether they impose unnecessary burdens on industry. (FSIS 85-003)

Timetable:

Action	Date	FR Cite
Begin Review	01/15/85	
End Review	12/15/85	

Small Entity: No

Agency Contact: G. E. McEvov. Director, Policy Analysis Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S. Washington, DC 20250, 202 447-3317

Completed Actions

RIN: 0583-AA19

DEPARTMENT OF AGRICULTURE (USDA)

Food Safety and Inspection Service (FSIS)

COMPLETED RULEMAKINGS

119. NEW LINE SPEED INSPECTION SYSTEM FOR BROILERS AND **CORNISH HENS**

CFR Citation: 9 CFR 381

Completed:

Reason	Date	-	FR	Cite
Final Action	10/23/84	49 F	R	42550

Small Entity: No

Agency Contact: Irwin Dubinsky 202 447-6735

RIN: 0583-AA14

120. AUTOMATED IMPORT **INSPECTION SYSTEM (83-019)**

CFR Citation: 9 CFR 327; 9 CFR 381

Completed:

Reason	Date	FR	Cite
Final Action	09/20/84 49	FR	36817

Small Entity: No

Agency Contact: Irwin Dubinsky 202 447-6735

Current and Projected Rulemakings

RIN: 0583-AA17

[FR Doc. 85-8486 Filed 04-26-85; 8:45 am] **BILLING CODE 3410-01-T**

DEPARTMENT OF AGRICULTURE (USDA)

Foreign Agricultural Service (FAS)

121. REVISION OF 7 CFR PART 6, **SECTION 22 IMPORT QUOTAS; CERTAIN DAIRY PRODUCTS**

Legal Authority: 7 USC 624; Headnote 3(a) to Pt 3 of App. to the Tariff Schedule of the US

CFR Citation: 7 CFR 6.20 et seq

Abstract: Revise the regulation governing the importation of quota dairy products to eliminate the sections no longer needed, strengthen the sections on license eligibility and transfer of license eligibility and include new sections where required. (FAS 84-006)

Timetable:

Action	Date	FR Cite
NPRM	09/01/85	

Small Entity: No

Agency Contact: Frank H. Sonnabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 382-8915

RIN: 0551-AA02

122. REVISION OF PUBLIC LAW 480 REGULATIONS, 7 CFR, SECTIONS 17.1 THROUGH 17.8 AND 17.16

Legal Authority: PL 83-480, as amended; 7 USC 1701 et seq

CFR Citation: 7 CFR 17

Abstract: This rule would revise that part of the regulations applicable to the financing of the sale and exportation of agricultural commodities pursuant to Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended. (FAS 84-008)

Timetable:

Action	Date	1	FR	Cite
NPRM	01/31/84	49	FR	3866
Final Action	12/31/85			

Small Entity: No

Agency Contact: Frank H. Soanabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 382-8915

RIN: 0551-AA04

123. REVISION OF PUBLIC LAW 480 REGULATIONS, 7 CFR SECTIONS 17.6, 17.8 AND 17.9

Legal Authority: PL 83-480, as amended; 7 USC 1701 et seq

CFR Citation: 7 CFR 17.6; 7 CFR 17.8; 7 CFR 17.9

Abstract: Formulation of a rule to revise that part of the regulations relating to the means by which importing governments may award commodity contracts when purchasing by invitations to bid. (FAS 84-009)

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	-

Small Entity: No

Agency Contact: Frank H. Sonnabend, Regulatory Goordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 382-8915

RIN: 0551-AA05

124. QUARTERLY SUGAR IMPORT FEE DETERMINATION

Legal Authority: 7 USC 624; Sec 22, Ag Adjustment Act of 1933

CFR Citation: Not applicable

Abstract: Proclamation 5164 of March 19, 1984, requires the Secretary of Agriculture to adjust the import fee for raw sugar each quarter according to a formula keyed to domestic spot prices as reported by the Coffee, Sugar and Cocca Exchange in New York. The data for the computation will be available on the 21st day of the last month of the preceding quarter and the Federal Register notice must be filed before the beginning of the next Calendar quarter. The fee for refined sugar will be one cent more than the raw sugar fee. (FAS 84-005)

Timetable:

Action	Date		FR	Cite
Final Action	07/05/84	49	FR	27597
Quarterly	10/03/84	49	FR	39086
Announcement	10/03/04	49	-	3900

Action	Date	FR	Cite
Quarterly	01/03/85	50 FR	1
Announcement Quarterly	03/31/85		
Announcement Quarterly	06/30/85		
Announcement Quarterly	09/30/85		
Announcement			

Small Entity: No

Agency Contact: Frank H. Sonnabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 362-6915

RIN: 0551-AA06

125. AFRICAN FOOD ASSISTANCE PROGRAM

Priority: Agency Determination

Legal Authority: PL 98-248

CFR Citation: Not applicable

Abstract: Invitations for offers for the purchase by the U.S. private trade from CCC of wheat, corn and rice for export to certain African countries to meet emergency food requirements. (FAS 84-014)

Timetable:

Action	Date	FR	Clte
Notice	06/28/84	49 FR	26615
End Project	12/00/85		

Small Entity: No

Agency Contact: Frank H. Sonnabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 382-8915

RIN: 0551-AA07

126. U.S. MEAT IMPORTS

Priority: Agency Determination

Legal Authority: PL 96-177

CFR Citation: Not applicable

Abstract: To comply with requirements of Pi. 96-177, The Meat Import Act of 1979, by publishing a quarterly Meat Import Estimate.

Publish in the Federal Register Quarterly Estimates of Meat Imports for 1985. [FAS 84-012]

Timetable:

Action	Date	FR Cite
Quarterly Announcement	03/00/85	110700
Quarterly Announcement	06/00/85	
Quarterly Announcement	09/00/85	

Small Entity: No

Agency Contact: Frank H. Sonnabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 382-8915

RIN: 0551-AA09

127. AMENDMENT TO 7 CFR PART 6, SECTION 22 IMPORT QUOTAS; CERTAIN DAIRY PRODUCTS

Legal Authority: 7 USC 624; Headnote 3(a) to Pt 3 of the App to the Tariff Sched. of the US; 31 USC 9701

CFR Citation: 7 CFR 6.20 et seq

Abstract: Amend the regulations governing importation of dairy products under license to impose fees for the issuance of licenses. (FAS 84-017)

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	

Small Entity: No

Agency Contact: Frank H. Sonnabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 382-8915

RIN: 0551-AA11

128. © EMERGENCY RELIEF FROM INJURIOUS PERISHABLE PRODUCT IMPORTS FROM ISRAEL

Priority: Agency Determination

Legal Authority: PL 98-573, Sec 404; 5

CFR Citation: 7 CFR 1540

Abstract: This proposed rule establishes the procedure by which an entity representative of a U.S. industry producing perishable products can submit a request to the U.S. Department of Agriculture for emergency relief from increased, injurious imports of like products from Israel under a provision of Title IV of the Trade and Tariff Act of 1984. (FAS 85-002)

USDA-FAS

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	03/00/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Frank Sonnabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-South Bldg., Washington, DC 20250, 202 382-8915

RIN: 0551-AA12

129. • REVIEW OF THE UNITED STATES SUGAR IMPORT QUOTA SYSTEM

Priority: Agency Determination

Legal Authority: Presidential Proclamation

CFR Citation: Not applicable

Abstract: Paragraph (f) of Headnote 3. subpart A, part 10, schedule 1 of the Tariff Schedules of the United States requires the Secretary, upon consultations with concerned agencies, to review the sugar import quota, to determine the need to continue quotas and to announce the results of the review. Subsequently, the Secretary

files notice of the review in the Federal Register. (FAS 84-019)

Timetable:

Action	Date		FR	Cite
Notice	09/06/84	49	FR	35162
Next	09/01/85			
Announcemen	t			

Small Entity: No

Agency Contact: Frank H. Sonnabend, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6702-S, Washington, DC 20250, 202 382-8915

RIN: 0551-AA13

[FR Doc. 85-6486 Filed 04-26-85; 8:45 am]

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Forest Service (FS)

130. SALE OF LANDS PURSUANT TO SECTION 10 OF THE ACT APPROVED MARCH 1, 1911

Legal Authority: 16 USC 519 CFR Citation: 36 CFR 281

Abstract: The objective is to rescind Part 281. The regulations have not been used in 20 years. Use of exchange authority rather than sale is the preferred manner of disposing of lands chiefly valuable for agriculture. (FS 84-

Timetable:

Action	Date	FR	Cite
NPRM	09/14/84	49 FR	36112
Final Action	04/01/85		

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA04

131. SALE OF NATIONAL FOREST TOWNSITES TO GOVERNMENT **ENTITIES**

Legal Authority: 16 USC 478a CFR Citation: 36 CFR 254, Subpart B

Abstract: The objective is to expedite processing of sales of certain National Forest System lands to governmental entities pursuant to the National Forest Townsite Act of July 31, 1958, as amended. Amendments will clarify

existing procedures, provide for prior designation of applicable townsites by the Secretary of Agriculture, expedite processing of applications at the Regional level, and reduce regulatory impacts of the application process on nonfederal governmental entities. (FS 84-008)

Timetable:

Action	Date	FR	Cite
NPRM	09/17/84	49 FR	36405
Final Action	04/01/85		

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA08

132. DEBARMENT AND SUSPENSION OF TIMBER SALE CONTRACTORS

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 223, Subpart C

Abstract: The objective is to set forth conditions and procedures under which purchasers of National Forest System timber may be suspended or debarred from further contracting. (FS 83-004)

Timetable:

Action	Date	FR Cite	
Interim Final Rule	05/27/83	48 FR 23818	
Extension of Interim Rule	07/11/84	49 FR 28241	

FR Cite Action Date NPRM 05/15/85 Final Action 09/30/85

Current and Projected Rulemakings

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA09

133. RECOVERY OF FEDERAL COSTS ASSOCIATED WITH USER RESERVATION SYSTEMS ON SOME NATIONAL FOREST RECREATION AREAS

Legal Authority: 16 USC 551; 16 USC

CFR Citation: 36 CFR 291

Abstract: The objective is to recover the costs of administering a reservation system for visits to and use of highly popular National Forest System recreation areas. (FS 84-001)

Timetable:

Small Entity: No

Action	Date		FR	Cite
NPRM	11/15/84	49	FR	45177
Final Action	04/01/85			

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA16

134. REVISION OF ADVERTISEMENTS FOR SALE OF NATIONAL FOREST TIMBER

Priority: Agency Determination Legal Authority: 16 USC 472a

CFR Citation: 36 CFR 223.83; 36 CFR 223.84; 36 CFR 223.89; 36 CFR 223.100

Abstract: This proposal stems from a Forest Service productivity improvement study of timber sale procedures. The objective of this proposed revision is to simplify and shorten advertisements for National Forest timber sales and to concurrently reduce the Government's advertising costs. (FS 84-011)

Timetable:

Action	Date		FR	Cite
NPRM	11/02/84	49	FR	44109
Final Action	06/15/85			

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA18

135. ADMINISTRATION OF COOPERATIVE OR FEDERAL SUSTAINED YIELD UNITS

Legal Authority: 16 USC 583 to 583i CFR Citation: 36 CFR 223.117

Abstract: To remove that language in existing rule that is redundant of the statute, to clarify and improve word usage, and to remove requirement for advertising sales on sustained yield units by competitive bid, which is a more stringent requirement than contained in the statute. (FS 84-013)

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	
Final Action	09/01/85	
Small Entity:	No	

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-

RIN: 0596-AA19

136. LAND STATUS AND TITLE RECORDS

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 1603

CFR Citation: 36 CFR 200.12, (New)

Abstract: Objective is to establish that the Land Status Record is the official record of title for National Forest System lands and to set forth the authorities, policies, and procedures for recording, custody, maintenance, and use of title documents and title status reports. (FS 84-018)

Timetable:

Action	Date	FR Cite
NPRM	09/00/86	of the Paris of the last
Final Action	03/00/87	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA24

137. TO REQUIRE (DISQUALIFIED) HIGH BIDDERS ON TIMBER SALE CONTRACTS, TO REIMBURSE THE FOREST SERVICE FOR THE ADMINISTRATIVE COSTS INCURRED IN READVERTISING THE SALE

Legal Authority: 92 Stat. 1301 CFR Citation: 36 CFR 223.101

Abstract: The objective is to ensure that bidders on National Forest timber sales are qualified to be awarded the sale. The proposal would seek to recover the administrative costs incurred in readvertising the sale by withholding funds from the bid guarantee submitted by the unqualified high bidder. (FS 85-007)

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	DOT BUILDING
Final Action	07/01/85	
Small Entity:	No	

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA27

138. ● CASH DOWN PAYMENTS, PERIODIC PAYMENTS FOR NATIONAL FOREST TIMBER CONTRACTS

Legal Authority: 16 USC 618 CFR Citation: 36 CFR 223

Abstract: The objective of the down payment and periodic payment requirements is to discourage speculative bidding on National Forest timber sales. Regulation is required by statute.

An interim policy notice is needed in order to conform to the legislated January 1, 1985, effective date for these actions. Because of the time required to prepare timber sale documents, such as the advertisement, prospectus and sample contract, and because of the 30-day advertisement period for timber sales, it is not possible to include down payment and periodic payment policies in the same manner as the proposed policy for other features of the Act. (FS 84-020)

Timetable:

Action	Date	FR	Cite
NPRM	01/17/85	50 FR	2591
Final Action	04/01/85		

Small Entity: No
Agency Contact: Marian Connolly,
Regulatory Coordinator, Department

Regulatory Coordinator, Department of Agriculture, Forest Service, Room 809-RPE, Arlington, VA, 703 235-1488

RIN: 0596-AA29

139. ● ADD SECTION TO 36 CFR
251.53 - SPECIAL USES TO INCLUDE
ALASKA NATIONAL INTEREST LAND
AND CONSERVATION ACT AS AN
AUTHORITY AND ADD REGULATION
36 CFR 251.70 ON INGRESS AND
EGRESS TO ETC

Legal Authority: PL 96-487 CFR Citation: 36 CFR 251.53

Abstract: The proposed regulation will tie the granting of special-use authorizations for ingress and egress under the Alaska National Interest Lands and Conservation Act (ANILCA) to the existing authorities for granting

USDA-FS

Current and Projected Rulemakings

authorizations to use or occupy
National Forest lands and remove the
discretionary aspects of those laws and
regulations when applied to parties
qualifying for access under ANILCA.
(FS 85-001)

Timetable:		The September
Action	Date	FR Cite
NPRM	03/12/85	Jan Wall
Final Action	10/15/85	

Small Entity: No

Additional Information: TITLE CONT: Private Lands Within the National Forests. Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA31

DEPARTMENT OF AGRICULTURE (USDA)

Forest Service (FS)

140. ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM

Legal Authority: 16 USC 551; 23 USC

CFR Citation: 36 CFR 212

Abstract: Review pursuant to EO 12291.
Part 212 describes the plan for the
system of access roads, trails, and
airfields needed for protection,
administration and use of the National
Forest System. Public notice in April
1983 Unified Agenda (48 FR 17914). (FS
84-004)

Timetable:

Action	Date	FR Cite
Begin Review	04/25/83	THE RESERVE AND
End Review	12/00/84	
Notice under Preparation	00/00/00	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA00

141. LOCATABLE MINERALS

Legal Authority: 16 USC 478; 16 USC 551

CFR Citation: 36 CFR 228, Subpart A

Abstract: Rules and procedures for the use of the surface of National Forest Systems lands for locatable minerals. Public notice in April 1983 Unified Agenda. (48 FR 17915). (FS 83-007)

Timetable:

Action	Date	FR Cite
End Review	03/00/85	1000
Begin Review	03/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA01

142. USE OF MOTOR VEHICLES OFF FOREST DEVELOPMENT ROADS

Legal Authority: 16 USC 551; 7 USC 1011

CFR Citation: 36 CFR 295

Abstract: Sets forth the process for developing management plans for use of off-road vehicles on National Forest lands. (FS 84-003)

Timetable:

Action	Date	FR Cite
Begin Review End Review	10/17/83 03/00/85	48 FR 47250

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA05

143. RANGE MANAGEMENT-GRAZING AND LIVESTOCK USE AND MANAGEMENT OF WILD, FREE-ROAMING HORSES AND BURROS

Legal Authority: 43 USC 1901; 16 USC 1931 to 1340; 16 USC 551; 7 USC 1011

CFR Citation: 36 CFR 222, Subpart A; 36 CFR 222, Subpart B

Abstract: Review of Subparts A and B pursuant to EO 12291. Subpart A sets forth policy and procedure governing management of the range environment, issuance of permits for grazing and livestock use, range improvements, and

establishment and functions of grazing advisory boards.

Existing Regulations Under Review

Subpart B defines categories of wild, free-roaming horses and burros, sets protection standards and provides for relation of excess animals and general administrative procedures. (FS 84-005)

Timetable:

Action	Date	FR Cite
Begin Review	10/00/85	PANNE.
End Review	03/00/86	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA14

144. SPECIAL USES OF NATIONAL FOREST SYSTEM LANDS

Legal Authority: 16 USC 551; 16 USC 495; 16 USC 431 et seq; 7 USC 1011(d); 43 USC 1761 to 1771

CFR Citation: 36 CFR 251.50 to 251.64

Abstract: Review of existing rule which explains procedures for applying for and obtaining approval for special uses of National Forest System lands and the terms, conditions, and instruments of special use authorizations. Public notice in October 1983 Unified Agenda. (49 FR 41519) (FS 84-014)

Timetable:

Action	Date	FR Cite
Begin Review	12/00/84	-
Final Action	03/00/86	

Small Entity: No

USDA-FS

Existing Regulations Under Review

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA20

145. EXERCISE OF TIMBER, MINERAL AND WATER RIGHTS, OF RIGHTS-OF-WAY, AND OF RIGHTS TO USE AND OCCUPY LANDS CONVEYED TO THE U.S.

Legal Authority: 7 USC 1011; 16 USC 485; 16 USC 486; 16 USC 513; 16 USC 518

CFR Citation: 36 CFR 251.14 to 251.19

Abstract: These rules set forth conditions to be included in deeds of conveyance where grantors wish to reserve certain rights of use and occupancy. Rules will be reviewed pursuant to EO 12291. (FS 84-015)

Timetable:

Action	Date	FR Cite
Begin Review	04/00/85	Will Her
Final Action	10/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA21

146. MANAGEMENT OF MUNICIPAL WATERSHEDS

Legal Authority: 16 USC 551; 16 USC 472; 16 USC 1761 to 1771

CFR Citation: 36 CFR 251.9

Abstract: Regulation sets forth agency policy on entering into cooperative agreements with municipal governments or irrigation districts to protect water supplies within National Forests. Rule will be reviewed pursuant to EO 12291. [FS 84-016]

Timetable:

Action	Date	FR Cite
Begin Review	06/00/85	
Final Action	12/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA22

147. ENTRANCE INTO PETERSBURG WATERSHED

Legal Authority: 16 USC 551; 16 USC 472; 16 USC 1761 to 1771

CFR Citation: 36 CFR 251.35

Abstract: Rule restricts entry into watershed without approval of authorized officials of Petersburg, Alaska. Rule will be reviewed pursuant to EO 12291. (FS 84-017)

Timetable:

Action	Date	FR Cite
Begin Review	08/00/85	Ser. were
Final Action	01/00/86	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA23

148. • YOUNG ADULT CONSERVATION CORPS

Legal Authority: 29 USC 801 et seq

CFR Citation: 36 CFR 215

Abstract: Describes the YACC program requirements and procedures for States to follow in obtaining grants to establish and administer YACC programs on non-Federal public lands. Identical to regulations published by U.S. Department of the Interior. (FS 85-010)

Timetable:

Action	Date	FR Cite
Begin Review	04/01/85	Day of Francisco
End Review	08/01/85	
Small Entity:	No	

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA26

149. • EXPERIMENTAL AREAS AND RESEARCH NATURAL AREAS

Lègal Authority: 16 USC 551 CFR Citation: 36 CFR 251.23

Abstract: Directs establishment of experimental forests and ranges and, where appropriate, research natural areas to provide base for forestry research. Sets forth management restrictions in research natural areas. (FS 85-008)

Timetable:

Action	Date	FR	Cite
Begin Review	03/00/86	12.31	
End Review	12/00/86		

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA30

150. ● YOUTH CONSERVATION CORPS

Legal Authority: 16 USC 1704 CFR Citation: 36 CFR 214

Abstract: Describes the YCC program requirements and procedures for States to follow in obtaining grants to establish and administer YCC programs. Identical to USDI YCC regulations. (FS 85-009)

Timetable:

Action	Date	FR Cite
Begin Review	04/01/85	PER ILL
End Review	08/01/85	

Small Entity: No Agency Contact:

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA32

DEPARTMENT OF AGRICULTURE (USDA)

Forest Service (FS)

Completed Actions

COMPLETED RULEMAKINGS

151. REVISION OF SPECIAL TERMS AND CONDITIONS IN SPECIAL USE AUTHORIZATIONS FOR ELECTRIC POWER TRANSMISSION FACILITIES OF 66 KILOVOLTS

CFR Citation: 36 CFR 251.54; 36 CFR 251.56

Completed:

Reason Date FR Cite
Final Action 11/15/84 49 FR 46893

Small Entity: No

Agency Contact: Marian P. Connolly 703 235-1488

RIN: 0596-AA15

152. CLAIMS COLLECTION UNDER THE DEBT COLLECTION ACT OF 1982

CFR Citation: 36 CFR 211, Subpart C, (New)

Completed:

Reason Date FR Cite

Withdrawn 03/01/85

Small Entity: No

Agency Contact: Marian P. Connolly 703 235-1488

RIN: 0596-AA25

COMPLETED REVIEWS

153. SALE AND DISPOSAL OF TIMBER

CFR Citation: 36 CFR 223

Completed:

Reason Date FR Cite

End Review 10/00/84

Agency Contact: Marian P. Connolly 703 235-1488

RIN: 0596-AA10

Small Entity: No

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

154. ● PROPOSED RULE TO REVISE 36 CFR 223 TO ESTABLISH THE BUY-OUT PROCEDURES AUTHORIZED BY THE FEDERAL TIMBER CONTRACT PAYMENT MODIFICATION ACT

Legal Authority: 16 USC 618 CFR Citation: 36 CFR 223 Abstract: The President signed the Federal Timber Contract Payment Modification Act (Act) on October 16, 1984. The objectives of this proposed rule are to provide direction for the implementation of the timber sale buyout sections of the Act, as required by Section 2(a)(6)(A). (FS 84-022)

Timetable:

Action Date FR Cite

NPRM 01/04/85 50 FR 488

Final Action 03/15/85

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA28 [FR Doc. 85-6486 Filed 04-26-85; 8:45 am] BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA) Office of Finance and Management (OFM)

Current and Projected Rulemakings

155. AMEND USDA UNIFORM FEDERAL ASSISTANCE REGULATIONS

Legal Authority: 5 USC 301 CFR Citation: 7 CFR 3015

Abstract: This proposal will bring USDA regulations into compliance with revisions to the Office of Management and Budget Circular A-102, "Uniform requirements for grants to States and local government." (OFM 84-001)

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	THE PARTY
Final Action	02/00/86	

Small Entity: No

Agency Contact: Lyn Zimmerman, Supervisory Program Analyst, Department of Agriculture, Office of Finance and Management, Room 2117 Auditors Bldg., Washington, DC 20250, 202 382-1553

RIN: 0505-AA01

156. • AMEND USDA UNIFORM FEDERAL ASSISTANCE REGULATIONS, 7 CFR 3015, SUBPART I, AUDITS

Legal Authority: 5 USC 301; PL 98-502

CFR Citation: 7 CFR 3015, Subpart I

Abstract: This amendment implements the Single Audit Act of 1984 (P.L. 98-502). It establishes uniform audit requirements for State and local governments and Indian tribes that receive Federal assistance and defines Federal responsibilities for implementing and monitoring those requirements (OFM 85-001).

Timetable:

Action	Date	FR Cite
Final Action	05/00/85	
Con-II Falling		

Small Entity: No

Agency Contact: Lyn Zimmerman, Supervisory Program Analyst, Department of Agriculture, Office of Finance and Management, Room 2117 Auditors Building, Washington, DC 20250, 202 382-1553

RIN: 0505-AA03

157. AMEND USDA UNIFORM FEDERAL ASSISTANCE REGULATIONS, 7 CFR 3015 SUBPART Q, APPLICATION FOR FEDERAL ASSISTANCE

Legal Authority: 5 USC 301; PL 95-113. Sec 1472

CFR Citation: 7 CFR 3015

Abstract: This regulation will provide USDA agencies with uniform standards for a competitive award process for grants and cooperative agreements in research, extension, and teaching programs. This regulation codifies current USDA policy as set forth in Secretary's Memorandum 5000-2 which was issued August 13, 1984.

USDA-OFM

Current and Projected Rulemakings

Timetable:		The second
Action	Date	FR Cite
NPRM	03/00/85	
Final Action	06/00/85	

Agency Contact: Lyn Zimmerman, Supervisory Program Analyst, Department of Agriculture, Office of Finance and Management, Room 2117 Auditors Building, Washington, DC 20250, 202 382-1553

RIN: 0505-AA04

DEPARTMENT OF AGRICULTURE (USDA)

Office of Finance and Management (OFM)

Completed Actions

COMPLETED RULEMAKINGS 158. AMEND USDA UNIFORM FEDERAL ASSISTANCE REGULATIONS, 7 CFR 3015 SUBPART U. MISCELLANEOUS

Priority: Agency Determination

CFR Citation: 7 CFR 3015

Completed:

Reason Date FR Cite

Final Action 10/01/84 49 FR 38533

Small Entity: No

Agency Contact: Lyn Zimmerman 202 382-1553

RIN: 0505-AA02

[FR Doc. 85-6486 Filed 04-26-85; 8:45 am]

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Office of the Secretary (AgSEC)

Current and Projected Rulemakings

159. ACQUISITION REGULATION

Legal Authority: 5 USC 301; 40 USC

CFR Citation: 48 CFR Chapter 4

Abstract: Issue new department acquisition regulation in 48 CFR Chapter 4 implementing federal acquisition regulation (48 CFR Chapter 1) effective April 1, 1984. (00 84-001)

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/28/84	49 FR 12110
Final Action	09/30/85	

Small Entity: No

Agency Contact: Charles A. Bucy, Deputy Director, Office of Operations, Department of Agriculture, Office of the Secretary, Room 113-W, Admin. Bldg., Washington, DC 20250, 202 447-2582

RIN: 0503-AA01

160. RESCIND UNIFORM RELOCATION REGULATIONS

Legal Authority: PL 91-646; 84 Stat. 1894; 40 USC 4601 et seq

CFR Citation: 7 CFR 21

Abstract: This regulation will rescind Department regulations implementing uniform relocation assistance and real property acquisition policies Act of 1970 and establish new regulations to conform those to be issued by the Department of Transportation as Federal lead agency. (00 84-002).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Charles A. Bucy, Deputy Director, Department of Agriculture, Office of the Secretary, Office of Operations, Room 113-W, Admin. Bldg., Washington, DC 20250, 202 447-2582

RIN: 0503-AA02

DEPARTMENT OF AGRICULTURE (USDA)

Office of the Secretary (AgSEC)

Completed Actions

COMPLETED RULEMAKINGS

161. CERTIFICATION OF FOOD-GRADE CITRIC ACID AND FOOD-GRADE ENZYMES AS ESSENTIAL AGRICULTURAL USES OF NATURAL GAS UNDER THE NATURAL GAS POLICY ACT OF 1978

CFR Citation: 7 CFR 2900

Completed:

Reason	Date		FR Cite	
Final Action	09/26/84	49	FR	37731

Small Entity: No

Agency Contact: Nancy L. Smith 202 447-2113

RIN: 0503-AA00

[FR Doc. 85-8486 Filed 04-26-85; 8:45 am]

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Packers and Stockyards Administration (P&SA)

Completed Actions

COMPLETED RULEMAKINGS 162. SCALES AND WEIGHING AND **EXAMINATION OF RECORDS**

CFR Citation: 9 CFR 201.71 to .73; 9 CFR 201.76; 9 CFR 201.82; 9 CFR 201.95; 9 CFR 201.96; 9 CFR 201.99; 9 CFR 201.74, (removed); 9 CFR 201.75, (removed); 9 CFR 201.77 to .80, (removed); 9 CFR 201.84, (removed); 9 CFR 201.103 to .106, (removed); 9 CFR 201.108 to .110, (removed)

Completed:

Reason Date FR Cite 09/24/84 49 FR 37371 Final Action

Small Entity: No

Agency Contact: James L. Smith 202 447-7063

RIN: 0590-AA03

IFR Doc. 85-6486 Filed 04-26-85: 8:45 aml

BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA)

Rural Electrification Administration (REA)

Current and Projected Rulemakings

163. REA BULLETIN 320-23, CONSTRUCTION CERTIFICATION PROCEDURES FOR DESIGNATED TELEPHONE BORROWERS

Legal Authority: 7 USC 901 to 950(b) CFR Citation: 7 CFR 1765, (Proposed)

Abstract: The proposed regulation would permit REA to identify those borrowers who would participate in the agency's Construction Certification Program. This will further the Administration's policy of placing more responsibility for their operations in the hands of the borrowers. (REA 84-002)

Timetable:

Action	Date		FR	Cite
NPRM	06/08/84	49	FR	23860
Final Action	06/00/85			

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA04

164. REA BULLETIN 50-1, ELECTRIC TRANSMISSION SPECIFICATIONS **AND DRAWINGS (T-805)**

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1736.97

Abstract: Sets forth standard specifications and drawings for construction of transmission lines at 34.5 kV through 230 kV. (REA 83-011)

Timetable:

Action	Date	FR	Cite
NPRM	07/23/84	49 FR	29617
Final Action	09/00/85		

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA06

165. REA BULLETIN 50-4. SPECIFICATIONS AND DRAWINGS FOR 34.5/19.9 KV DISTRIBUTION LINE CONSTRUCTION (D-801)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1736.97

Abstract: Sets forth standard specifications and drawings for construction of 34.5/19.9 kV distribution lines by REA borrowers. (REA 83-010)

Timetable:

Action	Date	FR	Cite
NPRM	01/16/84	49 FR	1910
Final Action	02/00/86		

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA13

DEPARTMENT OF AGRICULTURE (USDA) Rural Electrification Administration (REA)

166. REA BULLETIN 345-67, REA SPECIFICATION FOR FILLED

TELEPHONE CABLE (PE-39) Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: This proposed revision is intended to allow for a cable design for use with higher digital carrier systems. The current specification does not provide for such a design. (REA 84-001)

Timetable:

Action	Date	FR Cite
Begin Review	12/00/84	10/100
End Review	12/00/85	

Small Entity: No

Existing Regulations Under Review

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA05

USDA-REA

Existing Regulations Under Review

167. REA BULLETIN 345-76, REA SPECIFICATION FOR SPRING ACTION TYPE BONDING CONNECTORS WITHIN BURIED PLANT HOUSINGS (PE-57)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR *772.97

Abstract: The current specification does not contain requirements for the harness wires, different end terminations and male connectors that are currently available for use in the rural telephone industry. This proposed revision will update the standard to reflect these technologies. (REA 83-007)

Timetable:

Action	Date	FR Cite
Begin Review	08/00/83	
End Review	01/00/86	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA07

168. REA BULLETIN 345-6, REA STANDARD FOR SPLICING PLASTIC-INSULATED CABLES (PC-2)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: The proposed revision will reflect the many new construction methods and items of equipment available in the market place. This will permit the industry to take advantage of these new techniques. (REA 83-005)

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	Charles and the
End Review	01/00/86	
Small Entity: N	10	

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA08

169. REA BULLETIN 345-22, REA SPECIFICATION FOR VOICE FREQUENCY LOADING COILS (PE-26)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: This proposed revision is being developed to clarify applications and interpretations of existing standards for voice frequency loading coils. (REA 83-004)

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	
End Review	03/00/86	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA09

170. REA BULLETIN 345-65, REA SPECIFICATION FOR CABLE SHIELD BONDING CONNECTORS (PE-33)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: The proposed revision will reflect end performance requirements that are consistent with cable shield bonding connectors manufactured and available for use on rural telephone systems. (REA 83-006)

Timetable:

Action	Date	FR	Cite
Begin Review	08/00/83	49 FR	45752
End Review	03/00/85		

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA10

171. © REA BULLETIN 345-72, REA SPECIFICATION FOR FILLED SPLICE ENCLOSURES (PE-74)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1771.97

Abstract: The proposed revision [1] establishes which parts of reenterable splice closures are salvageable and which parts are non-salvageable. (2) requires the manufacturer to include in the closure kit all the materials needed to make a complete installation, (3) addresses testing parameters for different encapsulating compounds, (4) includes test requirements for the cable closure encapsulant system in a simulated application environment and (5) requires closure identification and assembly instructions in the product package. The revised specification will reflect the current state of the art technology which will provide the REA telephone borrowers with the best and most cost effective product. (REA 85-009]

Timetable:

Action	Date	FR Cite
NPRM	11/20/84	49 FR 45753
End Review	04/00/85	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA15

[FR Doc. 85-6486 Filed 04-26-85; 8:45 am] BILLING CODE 3410-01-T

DEPARTMENT OF AGRICULTURE (USDA) Soil Conservation Service (SCS)

172. SOIL SURVEYS

Legal Authority: Part of Agriculture Appropriation Act of 1896; PL 74-46 The Soil Conservation and Domestic Allotment Act; PL 89560 Soil Surveys for Resource Planning and Development; 42 USC 3271; 42 USC 3274

CFR Citation: 7 CFR 611

Current and Projected Rulemakings

Abstract: SCS is responsible for the soil survey activities of USDA. Soil surveys on non-federal lands are carried out cooperatively with state agricultural USDA-SCS

Current and Projected Rulemakings

experiment stations and other state agencies. Cooperative arrangements exist between SCS and other federal agencies for soil surveys on federal lands. Soil surveys include information about soils in sufficient detail to meet reasonable needs of landusers and units of government. Soil surveys are published when soil survey field work is completed on a designated area. (SCS 83-006)

Timetable:

Action	Date	FR Cite
End Review	11/00/84	Total - The
Final Action	04/00/85	
Small Entity:	No .	

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA00

173. ACQUISITION OF REAL PROPERTY UNDER FEDERALLY ASSISTED PROGRAMS

Legal Authority: 7 CFR 2.62 CFR Citation: 7 CFR 651

Abstract: Prescribes the basic requirements for the acquisition of real property under federally-assisted programs administered by SCS. (SCS 84-003)

Timetable:

Action	Date	FR	Cite
NPRM	08/00/83	48 FR	39236
Final Action	08/00/85		

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA09

174. PRIME AND UNIQUE FARMLANDS

Legal Authority: 16 USC 590(a to f); 42 USC 4321 et seq; PL 95-87

CFR Citation: 7 CFR 657

Abstract: It is SCS policy to make and keep current an inventory of the prime farmland and unique farmland of the nation. This inventory is carried out in cooperation with other federal, state, and local agencies. The objective is to identify the extent and location of important rural lands needed to produce food, feed, fiber, forage, and oilseed crops. (SCS 83-007)

Timetable:

Action	Date	FR Cite
Final Action	08/00/85	247 107

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA10

DEPARTMENT OF AGRICULTURE (USDA)

Soil Conservation Service (SCS)

175. SNOW SURVEYS AND WATER SUPPLY FORECASTS

Legal Authority: Secretary's Memorandum 870 - July 1, 1940; Reorganization Plan No. 2 of 1953

CFR Citation: 7 CFR 612

Abstract: SCS administers a cooperative snow survey and water supply forecast program in western states and Alaska. The program provides agricultural water users and other water management groups in these states with water supply forecasts. SCS establishes, maintains, and operates manual and automated snow courses. Water supply outlook reports are issued monthly in those states for the months of January through June. (SCS 83-005)

Timetable:

Action	Date	FR Cite
End Review	11/00/84	
Final Action	08/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA01

176. LONG TERM CONTRACTING

Legal Authority: 16 USC 590d; 16 USC 590p(b)

CFR Citation: 7 CFR 630

Existing Regulations Under Review

Abstract: The purpose of this rule is to extend cost sharing of conservation measures and technical assistance. (SCS 83-003)

Timetable:

Action	Date	FR Cite
End Review	05/00/85	

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA03

[FR Doc. 85-6486 Filed 04-26-85; 8:45 am]

BILLING CODE 3410-01-T



Monday April 29, 1985

Part IV

Department of Commerce

Semiannual Regulatory Agenda



DOC

DEPARTMENT OF COMMERCE

Office of the Secretary

13 CFR Ch. III

15 CFR Subtitle A; Subtitle B, Chs. I, II, IV, VIII, IX, XIV; Subtitle D, Ch. XXIII

19 CFR Ch. III

37 CFR Ch. I

48 CFR Ch. 13

50 CFR Chs. I, II, III, IV, VI

Semiannual Agenda of Regulations

AGENCY: Department of Commerce.

ACTION: April 1985 regulatory agenda.

SUMMARY: In compliance with Executive Order (EO) 12291, entitled "Federal Regulation," and the Regulatory Flexibility Act (Pub. L. 96-354), the Department of Commerce (DOC) in April and October of each year publishes in the Federal Register an agenda of the regulations that the Department expects to propose or to issue over the next 12 months. In addition, the agenda lists all existing regulations currently under review for possible revision or repeal and all such reviews scheduled to begin over the next 12 months. Finally, the agenda lists all rulemakings and reviews of existing regulations completed since publication of the last agenda. The purpose of the agenda is to provide information to the public on all regulations currently under review, being proposed, or issued by the Department. The agenda is intended to facilitate comments and views by interested members of the public.

DOC's April 1985 regulatory agenda includes all regulatory activities that are expected to be conducted during the period April 1, 1985 through March 31, 1986. Regulatory developments occurring after February 27, 1985 for agenda items will be reported in the next agenda.

FOR FURTHER INFORMATION CONTACT:

Specific: For additional information about a specific regulatory action listed in the agenda, contact the individual identified as the contact person.

General: Comments or inquiries of a general nature about the agenda should be directed to H. Stephen Halloway. Associate General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: (202) 377-1328.

SUPPLEMENTARY INFORMATION: On February 17, 1981, President Reagan signed Executive Order 12291. The EO requires all executive agencies to publish semiannually an agenda of those regulations that are under consideration. Office of Management and Budget (OMB) Bulletin No. 85-6, issued December 13, 1984 establishes guidelines and procedures for the preparation and publication of the April 1985 Unified Agenda of Federal Regulations for all Federal departments and agencies. EO 12291 and the OMB Bulletin require that each agenda report the following information on all regulatory activities being conducted or planned to be conducted by the agency during the twelve- month period succeeding publication: The title of the regulation; the name, title, address and phone number of an agency person who is knowledgeable about the regulation; whether the regulation has or is expected to have a significant economic impact on a substantial number of small entities: the section(s) of the Code of Federal Regulations (CFR) which affects or will be affected by the action; the section of the United States Code (USC), Public Law (PL), or Executive Order (EO) that authorizes the action; an abstract describing the problem the regulation addresses, alternatives to the regulation being considered, and potential costs and benefits of the action: and a timetable of dates and, if available, Federal Register citations for past and future stages of the action.

The Regulatory Flexibility Act requires agencies to prepare a regulatory flexibility analysis (RFA) where there is a positive finding that a rule will have a significant impact on a substantial number of small entities. EO 12291 requires agencies to prepare a regulatory impact analysis (RIA) for any regulation considered to be a "major rule" as defined in the EO.

The OMB Bulletin also requires that regulations designated for priority development or review by the agency head or the President's Task Force on Regulatory Relief, and regulations which are "major rules" within the meaning of the EO be designated in the agenda as "priority." The Department also designates as "priority" all rules required to be reviewed, revised or

issued by a court order. The OMB
Bulletin also requires that all regulations
issued or withdrawn, and all reviews
completed since publication of the
preceding agenda, be listed with the
following information: the title of the
regulation; the name and phone number
of the agency contact person; the
Federal Register citation of the final
action, if available; and the final action
taken including the reason therefore.

Explanation of Information Contained in the Agenda

Within the Department, the Office of the Secretary and various operating units may issue regulations. Operating units such as the National Oceanic and Atmospheric Administration (NOAA), the International Trade Administration (ITA), National Bureau of Standards (NBS) and the Patent and Trademark Office (PTO) issue the greatest share of the Department's regulations, while other operating units such as the United States Travel and Tourism Administration currently have no regulations in effect.

A large number of the regulations presented in the agenda deal with fishery management programs of NOAA's National Marine Fisheries Service (NMFS). To avoid repetition of programs and definitions, as well as to provide some understanding of the technical and institutional elements of the NMFS programs, a section on "Explanation of Information Contained in NMFS Regulatory Entries" is provided below.

Explanation of Information Contained in NMFS Regulatory Entries

The Magnuson Fishery Conservation and Management Act of 1976 (16 USC 1801 et seq.) (Act) requires that a preliminary fishery management plan (PMP) be prepared for all fisheries within a fishery conservation zone (FCZ) fished in by foreign fishing nations. The FCZ refers to those waters from the outer edge of the United States territorial sea to a distance of 200 miles. Fishery management plans (FMPs) are to be prepared if those fisheries require conservation and management measures. Although PMPs apply only to foreign fishing, the FMPs regulate both foreign and domestic fishing. When promulgated, the FMPs supersede the PMPs. Under the Act, eight Regional Fishery Management Councils (Councils) prepare FMPs for fisheries

0690-AA04

DOC

within their respective areas. In the development of such plans and their implementing regulations, the Councils are required by law to conduct public hearings on the draft plans and to consider the use of alternative means of regulating.

The Council process for developing FMPs makes it difficult for NMFS to determine the significance of some regulatory actions under consideration at the time the semiannual regulatory agenda is published. Frequently NMFS does not have specific plan objectives or alternatives for management since the Councils may not have approved or submitted plans to the Secretary of Commerce for review, adoption, and implementation.

Another large number of regulatory actions reported in the agenda are proposed or final Federal Information Processing Standards (FIPS), issued by the National Bureau of Standards under Pub. L. 89-306. FIPS consist of standards and guidelines to improve Federal Government use and management of computers and information technology.

The standards, while often of great use to industry and the public, apply only to the Federal Government. In developing the standards and guidelines, and in providing technical guidance and coordination to Federal agencies, NBS works closely with private industry standard-setting organizations.

The DOC regulatory agenda follows. DATED: February 27, 1985. Malcolm Baldrige, Secretary of Commerce.

Office of the Secretary—Current and Projected Rulemakings	
Title	Regulation Identifier Number
Age Discrimination Act of 1975: Implementation	0690-AA00 0690-AA06 0690-AA07
Office of the Secretary—Existing Regulations Under Review	
Title	Regulation Identifier Number
	Age Discrimination Act of 1975: Implementation

Office of the Secretary—Completed Actions

Public Information, Freedom of Information (Fees).....

Se- quence Number	Title	Regulation Identifier Number
5	Commerce Acquisition Regulation	0690-AA05

Bureau of Economic Analysis—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
6	*Surveys of International Trade in Services Between U.S. and Foreign Persons	0691-AA03

^{*}Indicates priority regulation.

Bureau of the Census-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
7 8	Foreign Trade Statistics (SEDs)	0607-AA02 0607-AA03

DOC

Economic Development Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
- 9	Energy Conservation: Miscellaneous Amendments to Financial Assistance Programs Regarding Energy Conservation	0610-AA03
10	General Requirements for Financial Assistance - Design, Construction of Buildings to Accommodate the Physically Handicapped	0610-AA05
11	Economic Development Administration: Property Management Standards	0610-AA07
12	Designation of Public Works Impact Program Areas; Supplementary Grant Rates	
13	Property Management Standards - Mortgages	0610-AA12
14	Public Works and Development Facilities Program - Specific Types of Projects	
15	Business Development Program - Financial Assistance for Industrial and Commerical Purposes	0610-AA14
16	Property Management Standards - Mortgages	0610-AA15

General Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
17 18	Administrative Offsets for Debts Owed the Department of Commerce. Audit Requirements for State and Local Governments	0605-AA00 0605-AA01

International Trade Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
19	*Export Administration Regulations	0625-AA00
20	General Regulations Governing Foreign Trade Zones in the United States, with Rules of Procedures	0625-AA04
21	Adjustment Assistance for Firms and Industries	0625-AA05
22	Adjustment Assistance for Firms and Industries ** Antidumping Duties; Countervailing Duties.**	0625-AA08
23	*General Licenses, Part 371 of the Export Administration Regulations	0625-AA12
24	*Technical Data, Part 379 of the Export Administration Regulations	0625-AA13
25	*Export Licensing General Policy, Part 370 of the Export Administration Regulations	0625-AA14
26	Effect of Imported Articles on the National Security	0625-AA15
27	*Special Nuclear Controls, Part 378 of the Export Administration Regulations	0625-AA16
28	Removal of the Short Supply Validated Licensing Requirement on Exports of Linear Alpha Olefins and Other Acyclic Organic Compounds *Petroleum Partly Refined for Further Refining	0625-AA17
29	*Petroleum Partly Refined for Further Refining	0625-AA18
30	Commodities Subject to the Naval Petroleum Resources Production Act of 1976 (NPRPA)	0625-AA19

^{*}Indicates priority regulation.

International Trade Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
31 32	*Guidelines for the Issuance of Export Trade Certificates of Review	0625-AA10 0625-AA11

^{*}Indicates priority regulation.

DOC

Minority Business Development Agency—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
33	Determination of Group Eligibility for MBDA Assistance	0640-AA01

National Bureau of Standards—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
34	FIPS for Computer Data Authentication	0693-AA02
35	FIPS for Password Usage	0693-AA03
36	Revision to FIPS 21-1, COBOL	0693-AA04
37	FIPS for Storage Module Interfaces.	0693-AA05
38	FIPS for Transport Protocol	0693-AA06
39	FIPS for Session Protocol Standard	0693-AA12
40	Revision to FIPS 70, Representation of Geographic Point Locations for Information Interchange	
41	FIPS for Message Transfer Protocol	0693-AA17
42	FIPS for Message Transfer Protocol	0693-AA20
43	FIPS for 130 mm (5.25 in) Flexible Disk Cartridge Track Format Using Two-Frequency Recording at 3979 bprad on	
40	One Side - 1.9 tpmm (48 tbi) for Information Interchange	0693-AA21
44	FIPS for Flexible Disk Cartridge Labelling and File Structure for Information Interchange	0693-AA22
45	FIPS for 130 mm (5.25 in) Flexible Disk Cartridge Track Format Using Modified Frequency Modulation Recording at	
45	7958 bprad on Two Sides - 1.9 tpmm (48 tpi) for Information Interchange	0693-AA23
46	FIPS for 200 mm (8 in) Flexible Disk Cartridge Track Format Using Modified Frequency Modulation Recording at	
E Minor	13262 bprad on Two Sides - 1.9 tpmm (48 tpi) for Information Interchange	0693-AA24
47	FIPS for 200 mm (8 in) Flexible Disk Cartridge Track Format Using Two-Frequency Recording at 6631 bprad on One	
1911 3 333	Side - 1.9 tpmm (48 tpi) for Information Interchange	0693-AA25
48	Revision to FIPS 68, Minimal BASIC	0693-AA26
49	FIPS for Ada	0693-AA27
50	FIPS for Network Database Language (NDL)	0693-AA28
51	FIPS for Graphical Kernel System (GKS)	0693-AA29
52	FIPS for Videotex/Teletext Presentation Level Protocol Syntax (North American PLPS)	
53	Revision to FIPS 69. FORTRAN	0693-AA31
23	nevision of the od, forther	000071701

National Bureau of Standards—Completed Actions

Se- quence Number	Title Title	Regulation Identifier Number
54	FIPS for Pascal Programming Language	0693-AA07
55	FIPS for Alphanumeric Computer Output Microform Quality Test Slide	0693-AA08
56	FIPS for Local Networks Baseband Carrier Sense Multiple Access with Collision Detection; Physical Layer	
	Specifications and Link Layer Protocol.	0693-AA10
57	Revisions to FIPS 1-1 and 2; Code for Information Interchange, Its Representations, Subsets, and Extensions and	
	Perforated Tape Code for Information Interchange	0693-AA11
58	National Voluntary Laboratory Accreditation Program Procedures	0693-AA19

National Oceanic and Atmospheric Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
59 60 61 62 63 64	*Civil Procedures	0648-AA26 0648-AA27 0648-AA38 0648-AA40 0648-AA41 0648-AA43

DOC

National Oceanic and Atmospheric Administration—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
65	U.S. Standards for Grades of Fish Steaks	0648-AA44
66	Processed Fishery Products, Processed Products Thereof & Certain Other Processed Food Products: U.S. Standards for Grades of Frozen Fish Blocks & Products Made Therefrom ETC	
67	U.S. General Standards for Grades of Shrimp	
68	Marking Requirements for the Importation, Exportation, & Interstate Transportation of Fish or Wildlife	
69	Tanner Crab Fishery Management Plan (FMP) - Regulatory Amendment to Change Pot Storage Areas	0648-AA71
70	U.S. Standards for Grades of Fresh or Frozen North American Freshwater Catfish and Products Made Therefrom	0648-AA73
71	*Amendment No. 3 to the High Seas Salmon Fishery Management Plan: Implementing Regulations	0648-AA75
72	Taking of Marine Mammals Incidental to Space Shuttle Launches	0648-AA84
73	Amendment to the Fishery Management Plan (FMP) for Atlantic Sea Scallops to Ensure Better Conservation of the Scallop Resources	0648-AA97
74	Final Rule Implementing the Northeast Multispecies Fishery Management Plan	0648-AB05
75	Regulations Governing the Taking and Importing of Marine Mammals; Definition of Commercial Fishing Operation	0648-AB07
76	Regional Fishery Management Councils	0648-AB09
77	Foreign Fishing (Segment 1): Foreign Fishing Vessel Permit Fees, 1985	0648-AB10
78	Swordfish Fishery Management Plan: Proposed Regulations	0648-AB13
79	Atlantic Surf Clam and Ocean Quahog Fisheries: Implementing Regulations for Size Limits Framework Measure	0648-AB14
80	Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic: Implementing Regulations	0648-AB15
81	Atlantic Surf Clam and Ocean Quahog Fisheries: Implementing Regulations	0648-AB16
82	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan - Control Sablefish Fishing off Southeast	2010 1010
00	Alaska Amendment No. 3 for the Spiny Lobster Fisheries of the Western Pacific Region	0648-AB18
83 84	Foreign Fishing - Scientific Research	0648-AB21
85	Notice of the National Marine Fisheries Service's Proposed Policies for the Management of Interjurisdictional	0648-AB23
00	Fisheries and Fishery Resources	0648-AB24
86	Striped Bass Fishery Management Plan	0648-AB25
87	Shallow-Water Reeffish Fishery of Puerto Rico and the U.S. Virgin Islands	0648-AB26
88	Fishery Management Plan for Bluefish	
89	Development of a Fishery Management Plan for Summer Flounder	0648-AB30
90	Fishery Management Plan for Sand Eel	0648-AB31
91	Amendment to American Lobster Fishery Management Plan-Gear Marking	0648-AB32
92	Atlantic Billfishes and Sharks - Foreign Fishing Regulations	0648-AB33
93	*Foreign Fishing - Prohibitions and Observer Regulations	0648-AB34
94	South Atlantic Shrimp Fishery: Implementing Regulations	
95	Atlantic Surf Clam and Ocean Quahog Fisheries: Implementing Regulations	0648-AB36
96	Atlantic Mackerel, Squid, and Butterfish Fisheries: Implementing Regulations	
97	Amendment 10 to the Tanner Crab Fishery Management Plan (FMP)	0648-AB38
98	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan - Redefine Sablefish Management Boundaries	0648-AB39
99	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan - Regional Director's Authority to Allow Fishing for Other Species to Continue When OY for Target Species Has Been Reached	0648-AB40
100	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan - Close FCZ Intrusion into State Waters	0648-AB41
101	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan - Establish New Optimum Yields	
102	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan - Catch Limits for Pacific Halibut	0648-AB43
103	Reporting Requirements Governing Salmon Taken off Alaska and Delivered or Landed Outside Alaska	0648-AB44
104	Amendment 8 to the Bering Sea/Aleutian Islands Groundfish Fishery Management Plan	0648-AB45
105	Regulations Governing the Taking and Importing of Marine Mammals; Importation of Yellowfin Tuna	0648-AB46
106	Endangered Fish or Wildlife; Permits for the Incidental Taking of Endangered Marine Species	0648-AB47
107	Threatened Fish and Wildlife; Guadalupe Fur Seal	0648-AB48
108	Groundfish of the Gulf of Alaska and High Seas Salmon Fishery off Alaska; Technical Amendment	0648-AB51
109	Amendment 9 to the Bering Sea/Aleutian Islands Groundfish Fishery Management Plan	0648-AB52
110	Amendment 11 to the Tanner Crab Fishery Management Plan (FMP)	0648-AB53
111	Amendment to American Lobster Fishery Management Plan - V-Notch on Female Lobsters	0648-AB54
112	Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region	0648-AB27
113	*Regulations for Proposed La Parguera, Puerto Rico National Marine Sanctuary	0648-AA32
114	*Federal Consistency with Approved Coastal Zone Management Programs	0648-AA34
115	*Proposed Regulations for the Proposed Fagatele Bay National Marine Sanctuary *Draft Regulations for the Proposed Flower Garden Banks National Marine Sanctuary	0648-AA74
117	*Draft Regulations for the Proposed Flower Garden Bank National Marine Sanctuary	0648-AB49
118	*Deep Seabed Mining Regulations for Commercial Recovery	0648-AB50
119	*Licensing of Ocean Thermal Energy Conversion Facilities and Plantships	0648-AA36 0648-AA69
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^{*}Indicates priority regulation.

DOC

National Oceanic and Atmospheric Administration—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
120 121	U.S. General Standards for Grades of Fish Fillets *Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry - Notice of Funds Availability	0648-AA45 0648-AB28

^{*}Indicates priority regulation.

National Oceanic and Atmospheric Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
122 123 124 125 126 127 128 129 130 131 132	*Northwest Atlantic Foreign Fishing *Reef Fish Resources of the Gulf of Mexico Fishery Management Plan: Implementing Regulations *Spiny Lobster Fishery in Puerto Rico & the Virgin Islands Fishery Management Plan: Implementing Regulations *King Crab (Bering Sea/Aleutian Islands) Fishery Management Plan: Implementing Regulations *Supplemental Observer Program Endangered Fish or Wildlife: Cochito Amendment No. 9 to the Tanner Crab Fishery Management Plan (FMP): Implementing Regulations Regulations Governing the Taking and Importing of Marine Mammals; Taking of Marine Mammals Incidental to Commercial Fishing Operations Foreign Fishing (Segment 2), Schedule of Fees, 1985 Regulations Related to the Allocation of Pacific Halibut off the Coasts of Washington, Oregon, and California Ocean Salmon Fisheries off the Coasts of Washington, Oregon and California - Management Plan: Implementing Regulations for a Framework Amendment to the Plan. Regulatory Amendment to Gulf of Alaska Groundfish Fishery Management Plan	0648-AA05 0648-AA10 0648-AA12 0648-AA22 0648-AA55 0648-AB02 0648-AB02 0648-AB02 0648-AB11 0648-AB12
134 135	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan Threatened Marine Reptiles.	

^{*}Indicates priority regulation.

National Telecommunications and Information Administration—Existing Regulations Under Review

Se- quence Number	Title III	Regulation Identifier Number
136	*Public Telecommunications Facilities Program; Interim Revision of Regulations	0660-AA01

^{*}Indicates priority regulation.

Office of Productivity, Technology and Innovation-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
137 138	*Rights to Inventions Made by Nonprofit Organizations and Small Business Firms	0692-AA01 0692-AA02

^{*}Indicates priority regulation.

Patent and Trademark Office—Current and Projected Rulemakings

Se- quence Number	Title Strain as a second control of the strain as a second control of the second control	Regulation Identifier Number
139 140 141	Requests for Identifiable Records	0651-AA04 0651-AA12 0651-AA13

Patent and Trademark Office—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
142	Miscellaneous Amendments of Trademark Rules	0651-AA16
143	Trademark Applications	0651-AA17
144	*Trademark Automated Search System Fees	0651-AA18
145	*Revision of Patent and Trademark Fees	0651-AA19
146	Arbitration of Patent Interference Cases	0651-AA20
147	*Miscellaneous Patent Provisions	0651-AA21
148	*Rules for Extension of Patent Term	0651-AA22
149	*Trademark Applications	0651-AA23

^{*}Indicates priority regulation.

Patent and Trademark Office—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
150 151 152	*Final Rule for Patent Maintenance Fees *Patent Interference Proceedings Practice Before the Patent and Trademark Office	0651-AA11 0651-AA14 0651-AA15

^{*}Indicates priority regulation.

DEPARTMENT OF COMMERCE (DOC) Office of the Secretary (OS)

Current and Projected Rulemakings

1. AGE DISCRIMINATION ACT OF 1975: IMPLEMENTATION

Legal Authority: PL 94-1135 Age Discrimination Act of 1975

CFR Citation: 15 CFR 8a

Abstract: These regulations would set forth policies and procedures of the Department of Commerce to ensure that there is no discrimination on the basis of age in non-Federal Government programs or activities receiving financial assistance from the Department. Proposed regulation issued. See Timetable below for preparation and issuance of Department final regulations.

Timetable:

Action	Date		FR	Cite
NPRM	07/10/80	45	FR	134
Final Action	07/00/85			
Final Action Effective	03/00/86			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: Local, State, Federal

Agency Contact: Arthur E. Cizek, Chief, Compliance Division, Department of Commerce, Office of the Secretary, Office of Civil Rights, Washington, DC 20230, 202 377-4993

RIN: 0690-AA00

2. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF COMMERCE PROGRAMS

Legal Authority: 29 USC 794; EO 12250

CFR Citation: 15 CFR 8c

Abstract: Regulations will be proposed providing for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended. These regulations will ensure programmatic and physical accessibility for handicapped individuals in Department of Commerce activities.

Timetable:

Action	Date	100	FR	Cite
NPRM	11/24/84	49	FR	4586
NPRM Comment Period Begin	11/24/84	49	FR	4586
NPRM Comment Period End	03/21/85			
Final Action	07/01/85			

Small Entity: No

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Richard Stearns, Chief, EEO Division, Department of Commerce, Office of the Secretary, Office of Civil Rights, 14th and Constitution Avenue, NW, Washington, DC 20230, 202 377-5691

RIN: 0690-AA06

3. DEPARTMENT OF COMMERCE IMPLEMENTATION OF THE COMPETITION IN CONTRACTING ACT OF 1984 AND THE SMALL BUSINESS AND FEDERAL PROCUREMENT COMPETITION ENHANCEMENT ACT OF 1984

Priority: Agency Determination

Current and Projected Rulemakings

Legal Authority: 41 USC 251 et seg; PL 98-369; PL 98-577

CFR Citation: 48 CFR 1 to 53

Abstract: The Federal Acquisition Regulation (FAR) has been amended to incorporate the requirements of Public Law 98-369. Agencies are required to provide necessary implementing regulations which are peculiar to the executive agency. This is accomplished by Commerce through amendments to the existing Commerce Acquisition Regulation (CAR) (48 CFR 13). The provisions of the Public Law are

effective April 1, 1985. Public Law 98-577 also requires amendments to the FAR and the CAR. Effective dates of Public Law 98-577 sections vary, but implementing regulations will be prepared by Mar. 1986. Commerce will amend the existing CAR once the amendments to the FAR are available to the public. Specific parts of the FAR requiring agency supplements cannot be readily determined at this time. Periodic updates are anticipated to implement regulatory and new statutory requirements.

		e:

Action	Date	FR Cite
Interim Final Rule	04/00/85	A STREET
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Robert A. Welch. Director, Department of Commerce. Office of the Secretary, Office of Procurement Management, 14th Street & Constitution Avenue, NW, Washington. DC 20230, 202 377-2773

RIN: 0690-AA07

DEPARTMENT OF COMMERCE (DOC)

Office of the Secretary (OS)

Existing Regulations Under Review

4. PUBLIC INFORMATION, FREEDOM OF INFORMATION (FEES)

Legal Authority: 5 USC 552 CFR Citation: 15 CFR 4

Abstract: These regulations set the fee structure for search and reproduction charges in response to Freedom of Information Act (FOIA) requests. The Department will study the existing fee structure, and then if warranted, propose revisions to the regulations.

Timetable:

Action	Date	FR Cite
Begin Review	07/00/85	
End Review	09/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA would be required or prepared if it is decided to propose revisions to these regulations.

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Geraldine P. LeBoo. Management Analyst, Department of Commerce, Office of the Secretary, Information Management Division, 14th & Constitution Avenue, NW, Washington, DC 20230, 202 377-3271

RIN: 0690-AA04

DEPARTMENT OF COMMERCE (DOC)

Office of the Secretary (OS)

COMPLETED RULEMAKINGS 5. COMMERCE ACQUISITION REGULATION

Legal Authority: 41 USC 251; EO 12352

CFR Citation: 48 CFR 1 to 53

Abstract: The General Services Administration and the Department of Defense have jointly issued the Federal Acquisition Regulation (FAR) which established uniform policies and procedures for the acquisition of supplies and services by all executive agencies. The FAR replaced the Federal Procurement Regulations (FPR) and the Defense Acquisition Regulation (DAR) and is intended to be a simplified, more understandable and unified version of the FPR and the DAR. The FAR was published September 19, 1983 and is effective April 1, 1984. Executive agencies are expected to implement the FAR by April 1, 1984. Even though

agencies are advised to control and limit issuance of supplemental implementing regulations and not repeat, paraphrase or restate FAR material, substantial agency regulations are still anticipated to supplement the FAR which consists of about 2000 pages. The extent of specific FAR parts requiring supplemental agency regulations cannot be readily determined at this time. However, periodic updates are anticipated to implement statutory and regulatory requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/23/84	49 FR 6508
NPRM Comment Period Begin	02/23/84	
NPRM Comment Period End	03/23/84	
Final Action	03/30/84	49 FR 12956

Action	Date	FR Cite
Final Action	03/30/84	49 FR 12956
Final Action Effective	04/01/84	
Final Action	04/01/84	49 FR 12956

Completed Actions

Small Entity: Undetermined

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: All

Government Levels Affected: Federal

Agency Contact: John H. Dammeyer, Department of Commerce, Office of the Secretary, Office of Procurement Management, 14th & Constitution Ave... NW, Washington, DC 20230, 202 377-4248

RIN: 0690-AA05

[FR Doc. 85-6487 Filed 04-26-85; 8:45 am]

BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC) Bureau of Economic Analysis (BEA)

Current and Projected Rulemakings

6. SURVEYS OF INTERNATIONAL TRADE IN SERVICES BETWEEN U.S. AND FOREIGN PERSONS

Priority: Agency Determination

Legal Authority: 22 USC 3101 to 3108 International Investment Survey Act of 1976; PL 98-573, Sec 306 Trade and Tariff Act of 1984

CFR Citation: 15 CFR 802, (Revision); 15 CFR 803, (Revision)

Abstract: Action will fill gaps in data on international services transactions so U.S. Government can better assess size and impact of these transactions, more effectively formulate international economic policies and conduct negotiations to reduce the barriers to services trade, improve recording of services transactions in the U.S. balance of payments accounts, and assist U.S. services businesses in

identifying and evaluating market opportunities. Annual cost to BEA of conducting surveys will be about \$470,000; initial cost to respondents will be about 100,000 manhours, or \$2.5 million, at a maximum. Benefits in terms of reduction in barriers to services trade, increased sales of services, and improved balance of payments statistics will far exceed costs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	09/00/85	
Final Action	01/00/86	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost. \$2,500,000; Yearly Recurring Cost. \$2,000,000; Base Year for Dollar Estimates: 1985

Affected Sectors: All

Government Levels Affected: State, Federal

Agency Contact: George R. Kruer, Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 608, Tower Building, Washington, DC 20230, 202 523-6657

RIN: 0691-AA03 [FR Doc. 85-6487 Filed 04-28-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC) Bureau of the Census (CENSUS)

Current and Projected Rulemakings

7. FOREIGN TRADE STATISTICS (SEDS)

Legal Authority: 13 USC 301 to 307; 5 USC 301

CFR Citation: 15 CFR 30.3(b); 15 CFR 30.7(a); 15 CFR 30.7(d)(2); 15 CFR 30.7(i)(1); 15 CFR 30.7(j)(1); 15 CFR 30.7(q)(1); 15 CFR 30.7(t); 15 CFR 30.7(v)(1); 15 CFR 30.7(v)(2); 15 CFR 30.9; 15 CFR 30.10; 15 CFR 30.22(b); 15 CFR 30.55(h)

Abstract: It is proposed to amend the Foreign Trade Statistics Regulations (FTSR) to incorporate additional Shipper's Export Declaration (SED) data requirements and changes resulting from the redesign of the SEDs and their continuation sheets. It is also proposed to amend the FTSR to raise the upper limit of the present exemption from SED filing requirements based on value from \$500 to \$1,000 except for shipments through the U.S. Postal Service.

Timetable:

Action	Date		FR	Cite
NPRM	12/10/84	49	FR	48055
NPRM Comment Period Begin	12/10/84	49	FR	48055
NPRM Comment Period End	02/08/85			
Final Action	00/00/00			

Small Entity: No

Agency Contact: Barry Cohen, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 2108, Federal Building 3, Washington, DC 20233, 301 763-5342

RIN: 0607-AA02

8. FOREIGN TRADE STATISTICS

Legal Authority: 13 USC 301 to 307; 5 USC 301

CFR Citation: 15 CFR 30.1(a)(1)

Abstract: It is proposed to amend the Foreign Trade Statistics Regulations to

eliminate the requirement for filing Shipper's Export Declarations (SEDs) for shipments from the United States and Puerto Rico to the Northern Mariana Islands and to reflect the transfer of the Panama Canal to the Republic of Panama.

Timetable:

Action	Date	FR	Cite
NPRM	09/24/84	49 FR	37425
NPRM Comment Period Begin	09/24/84	49 FR	37425
NPRM Comment Period End	11/23/84		
Final Action	00/00/00		

Small Entity: No

Agency Contact: Barry Cohen, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 2108, Federal Building 3, Washington, DC 20233, 301 763-5342

RIN: 0607-AA03 [FR Doc. 85-6487 [Filed 04-26-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC) Economic Development Administration (EDA)

Current and Projected Rulemakings

9. ENERGY CONSERVATION: MISCELLANEOUS AMENDMENTS TO FINANCIAL ASSISTANCE PROGRAMS REGARDING ENERGY CONSERVATION

Legal Authority: EO 12185

CFR Citation: 13 CFR 305.59; 13 CFR 306.12(g)(14); 13 CFR 306.12(j); 13 CFR 307.22(b); 13 CFR 307.28(c)(6); 13 CFR 307.55(a)(15); 13 CFR 307.55(b)(5); 13 CFR 307.56(h); 13 CFR 307.56(h); 13 CFR 308.6(a)(8)

Abstract: Interim regulations were issued to bring the existing regulations within the bounds of the requirements of EO 12185 which directed Federal agencies to revise their regulations to encourage recipients of Federal financial assistance to conserve energy. The new regulations are designed to encourage EDA assistance recipients to undertake energy conservation measures on a voluntary basis. There are no viable alternatives to the regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/10/82	47 FR 19982
Beg. Comment Period on Interim Rule	05/10/82	47 FR 19982
Period on Interim Rule	07/10/82	47 FR 19982
Final Action	04/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Analysis: See Additional Information

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, Washington, DC 20230, 202 377-5441

RIN: 0610-AA03

10. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE - DESIGN, CONSTRUCTION OF BUILDINGS TO ACCOMMODATE THE PHYSICALLY HANDICAPPED

Legal Authority: 42 USC 4151 to 4156; 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.14

Abstract: The existing regulation will be amended to reflect the most recent (1980) standards of the American National Standards Institute (ANSI) for handicap accessibility as well as the "Minimum Guidelines and Requirements for Accessible Design" published by the Architectural and Transportation Barriers Compliance Board (47 FR 33862, August 14, 1982) and the proposed "Uniform Federal Accessibility Standards" published by GSA (comments due by August 22, 1983).

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	
Beg. Comment Per Interim Final Rule	04/00/85	
Per Interim Final Rule	06/00/85	
Final Action	07/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Analysis: See Additional Information

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7009 Washington, DC 20230, 202 377-5441

RIN: 0610-AA05

11. ECONOMIC DEVELOPMENT ADMINISTRATION: PROPERTY MANAGEMENT STANDARDS

Legal Authority: 40 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314

Abstract: EDA's regulations regarding the use and disposition of real property acquired or improved with Federal funds will be revised to clarify EDA policy regarding the authorized use and disposition of grant property (real property) and in particular requirements regarding the lease and/or sale of such property. In addition, revisions will clarify present requirements for determining the appropriate amount of

compensation due the Federal Government upon the sale of real property acquired or improved with grant funds.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	
Beg Comment Period on Interim Final	04/00/85	
End Comment Period on Interim Final	06/00/85	
Final Action	07/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7009 Washington, DC 20230, 202 377-5441

RIN: 0610-AA07

12. DESIGNATION OF PUBLIC WORKS IMPACT PROGRAM AREAS; SUPPLEMENTARY GRANT RATES

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 302.7; 13 CFR 305.5

Abstract: These amendments were in effect for a limited time under the Emergency Jobs Act which has ended and for which funds are no longer available. The rules, with two technical exceptions (changing description of Assistant Secretary to "he/she" and implementing the change in delegation to the Assistant Secretary for project approval), are to revert back to the original.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/83	48 FR 23154
Begin Review	05/23/83	
End Review	07/23/83	
Final Action	03/00/85	

Small Entity: No

Additional Information: Neither an RIA or RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, 14th and Constitution Avenue, NW, Room 7009, Washington, DC 20230, 202 377-5441

RIN: 0610-AA10

13. PROPERTY MANAGEMENT STANDARDS - MORTGAGES

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314.5

Abstract: These amendments allow the Assistant Secretary to waive the prohibition against placing mortgages on property which has been financed by an EDA public works grant, if an additional condition is met. This additional condition for waiver is that all proceeds from a loan which is secured by a mortgage or lien on property which has been financed by an EDA public works grant shall be available only to the grantee and such proceeds shall be used on the project which secures such loans, or for working capital purposes relating to that project.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/30/84	49 FR 22463
Begin Review	05/30/84	
End Review	07/30/84	
Final Action	05/00/85	

Small Entity: No

Additional Information: Neither an RIA, nor an RFA is required or will be prepared.

Agency Contact: James F. Marten,
Deputy Chief Counsel, Department of
Commerce, Economic Development
Administration, Operations and
Administration, 14th & Constitution
Ave., NW, Room 7009, Washington, DC
20230, 292 377-5441

RIN: 0610-AA12

14. © PUBLIC WORKS AND DEVELOPMENT FACILITIES PROGRAM - SPECIFIC TYPES OF PROJECTS

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 305

Abstract: This rule amends EDA's tourism and recreation regulation to conform to an EDA policy position exempting the Public Works Impact Program (PWIP) projects from the tourism and recreation requirements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/07/85	50 FR 725
Final Action	06/00/85	
Final Action Effective	06/00/85	Market San

Small Entity: No

Additional Information: Neither a RIA nor a RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten,
Deputy Chief Counsel Operation and
Admin, Department of Commerce,
Economic Development Administration,
14th & Constitution Ave., NW, Rm.
H7001, Washington, DC 20230, 202 3775441

RIN: 0610-AA13

15. © BUSINESS DEVELOPMENT PROGRAM - FINANCIAL ASSISTANCE FOR INDUSTRIAL AND COMMERCIAL PURPOSES

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 306

Abstract: This rule amends EDA's project financing regulation by increasing EDA's ordinary maximum participation for business loan projects from \$10,000 to \$20,000 per job created or saved. Findings from EDA and GAO studies indicate that the current average government cost per job saved or created far exceeds the \$10,000 limit. An increased limit of \$20,000 per job created or saved is consistent with these findings.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	Mark San
Final Action	06/00/85	

Small Entity: No

Additional Information: Neither a RIA nor a RFA is required or will be prepared.

Affected Sectors: Multiple

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW Rm. H7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA14

16. PROPERTY MANAGEMENT STANDARDS - MORTGAGES

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 314

Abstract: This rule amends EDA's Property Management regulations concerning mortgages. It provides that funds obtained from loans secured by mortgages on property which has been financed by an EDA grant shall be provided only to the grantee, with the exception of public utilities subject to existing bonds containing after-acquired property clauses, for use on the project which is being mortgaged or for working capital purposes relating to that project.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	
Final Action	06/00/85	

Small Entity: No

Additional Information: Neither a RIA, nor a RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State DOC-EDA

Current and Projected Rulemakings

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW Rm. H7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA15 [FR Doc. 85-6487 Filed 04-26-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC) General Administration (ADMIN)

Current and Projected Rulemakings

17. ADMINISTRATIVE OFFSETS FOR DEBTS OWED THE DEPARTMENT OF COMMERCE

Legal Authority: PL 97-365, Sec 10 CFR Citation: 15 CFR 2A, (New)

Abstract: The proposed regulation will cover Department procedures for withholding money due individuals and businesses indebted to the Federal Government. Administrative offsets will be used by the Department when debtors have failed to make timely and adequate payments to satisfy such debts. Prior to collecting claims through administrative offset, debtors will be provided under the regulations with a notification of the amount and nature of the claim and the Department's intention to collect the claim through administrative offset, and explanation of the debtor's rights, an opportunity for the debtor to inspect and copy the agency's records relating to the claim, an opportunity for review of the claim by the agency if contested by the debtor, and an opportunity to enter into a written agreement with the agency for repayment of the amount due. These procedures will ensure the effective use of administrative offsets when appropriate, thereby increasing collections of amounts due the Federal

Government. The result will be better cash management and a slight reduction in the need of the Federal Government to borrow funds in the capital market.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	A SAVAL
Final Action	05/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: Multiple

Agency Contact: Roger J. Mallet, Program Analyst, Department of Commerce, General Administration, Office of Finance and Federal Assistance, Room 6823, 14th & Constitution Ave. NW, Washington, DC 20230, 202 377-2324

RIN: 0605-AA00

18. • AUDIT REQUIREMENTS FOR STATE AND LOCAL GOVERNMENTS

Legal Authority: PL 98-502 Single Audit Act of 1984 CFR Citation: Not yet determined

Abstract: An appropriate regulation or regulations will be issued to address the problem of the numerous audits which are conducted on State and local Governments with Federal aid. The regulation will consolidate audits conducted on State and local Governments and thus improve audits of Federal aid programs.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	-

Small Entity: No

Agency Contact: W. Dan Haigler, Management Analyst, Department of Commerce, General Administration, Room 5327 - Hoover Building, 14th & Constitution Avenue, NW, Washington, DC 20230, 202 377-0142

RIN: 0605-AA01 [FR Doc. 85-6487 Filed 04-26-85; 8:95 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC) International Trade Administration (ITA)

Current and Projected Rulemakings

19. EXPORT ADMINISTRATION REGULATIONS

Priority: Major, Task Force

Legal Authority: 50 USC App. 2401 et seq Export Admin. Act of 1979; EO 12002; EO 12214 **CFR Citation:** 15 CFR 368; 15 CFR 370 to 376; 15 CFR 378; 15 CFR 379; 15 CFR 385; 15 CFR 386; 15 CFR 390; 15 CFR 399

Abstract: The existing regulations provide procedures for the administrative programs required to carry out the Department's responsibilities for regulating exports of

U.S. goods and technology for purposes of national security, foreign policy, and short supply. Review of these regulations to remove artificial barriers to small business exports was initiated by the President's Task Force on Regulatory Relief. Revisions to the regulations will be proposed to improve organization, indexing, simplify

language, eliminate unnecessary administrative requirements and obsolete provisions, reduce documentation requirements, review certain policy issues, and lessen the compliance burden. Economic impacts will be reviewed and addressed. A more readable and understandable set of regulations with reduced administrative and documentation requirements will result from these revisions. This should considerably aid small business in making exports.

Timetable:

Illietable.	-			Market 1
Action	Date		FR	Cite
ANPRM on simplification of language & format	04/30/82	47	FR	18613
ANPRM on Policy Review	10/12/82	47	FR	44747
Interim Final Rule	12/29/82	47	FR	58122
Beg. Comment Per. for Interim Rule	12/29/82			
End Comment Per. for Interim Rule	02/28/83			
Multiple NPRMs July 1985 - April 1986	05/01/86			
Final Action	05/01/86			
Final Action Effective	10/01/86			

Small Entity: Yes

Additional Information: An RIA and an RFA are required. The RFA will be included in the RIA which is being prepared. Section 13(a) of the Export Administration Act of 1979 exempts these regulations from the public participation in rulemaking procedures of the Administrative Procedure Act (5 USC 553).

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: John K. Boidock, Department of Commerce, International Trade Administration, Office of Export Administration, Washington, DC 20230, 202 377-2118

RIN: 0625-AA00

20. GENERAL REGULATIONS
GOVERNING FOREIGN TRADE ZONES
IN THE UNITED STATES, WITH RULES
OF PROCEDURES

Legal Authority: 19 USC 81a et seq Foreign-Trade Zones Act of 1934 CFR Citation: 15 CFR 400

Abstract: Revision of the regulation is needed to administer the Foreign-Trade Zones Act of 1934, as amended, to provide for the establishment, operation, and maintenance of foreigntrade zones in ports of entry of the United States. At the time the ANPRM was published the emphasis was on changing the rules to provide improved guidance to the public on procedures and criteria followed in making decisions concerning special-purpose subzones and operations detrimental to the public interest. Since that time, it has been decided to propose revisions to the entire 15 CFR 400 in order to update the language and conform it to current CFR format.

Timetable:

Action	Date	FR Cite
ANPRM	10/14/80	45 FR 67681
ANPRM Comment Period Begin	10/14/80	
ANPRM Comment Period End	12/15/80	
NPRM	02/18/83	48 FR 07188
NPRM Comment Period Begin	02/18/83	
NPRM Comment Period End	04/19/83	
Final Action	12/31/85	

Small Entity: No

Additional information: These rules apply to approximately 100 zones and subzones throughout the United States. Of the 1500 companies using these zones, 900 do so on a full time basis. This level of activity is not sufficient to classify these rules as major under Executive Order 12291. Accordingly, no RIA is required or will be prepared. No RFA is required or will be prepared.

The ITC and GAO completed studies of the foreign-trade zones program in March 1984 at the request of the House Ways and Means Committee. The foreign-trade zones staff has postponed preparation of a set of final proposed rules pending comments from the Committee on the results of the study.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Analysis: See Additional Information

Agency Contact: John L. Evans, Deputy to the Deputy Assistant Secretary, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-1780

RIN: 0625-AA04

21. ADJUSTMENT ASSISTANCE FOR FIRMS AND INDUSTRIES

Legal Authority: 19 USC 2341 et seq

CFR Citation: 15 CFR 320

Abstract: This regulation will implement the responsibilities transferred from EDA to ITA concerning the provision of adjustment assistance to firms and industries adversely affected by imports. The proposed rule will reflect amendments to the authorizing legislation and make procedural changes required because of the transfer of the program to ITA.

Timetable:

Action	Date	29/1	FR	Cite
NPRM	11/13/84	49	FR	44903
NPRM Comment Period Begin	11/13/84	49	FR	44903
NPRM Comment Period End	12/13/84			
Final Action	04/00/85			

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. This rule is exempt from the requirements of the Regulatory Flexibility Act, since the Department is not required by Section 553 of Title 5 of the United States Code or any other law to publish general notice of proposed rulemaking for regulations implementing the adjustment assistance program (See Section 553(a)(2) concerning loans and grants).

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: August Fromuth,
Acting Assistant Secretary, Department
of Commerce, International Trade
Administration, Office of Trade
Adjustment Assistance, Washington,
DC 20230, 202 377-0150

RIN: 0625-AA05

22. ANTIDUMPING DUTIES; COUNTERVAILING DUTIES

Priority: Agency Determination

Legal Authority: 19 USC 1303; 19 USC 1671 et seq

CFR Citation: 19 CFR 353; 19 CFR 355

Abstract: Certain unfair trade practices by foreign governments that could be penalized as dumping or subsidization are either not subject to such remedies under the current law or regulations, subject to challenge if penalized, or escape detection by petitioners and the Department. While certain constraints are imposed by the statutes, the relevant Codes, and the effects on U.S. exporters, all possibilities will be examined with a goal of achieving the maximum benefit for U.S. trading interests and amendments to the regulations will be proposed to take care of as much of the problem as possible through the regulatory process.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	AG THE
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	05/00/85	
Final Action	06/00/85	
Final Action Effective	07/01/85	

Small Entity: Undetermined

Additional Information: An RIA and an RFA are required. The RFA will be included in the RIA.

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: C. Christopher Parlin, Director, Office of Policy, Department of Commerce, International Trade Administration, Import Administration, Washington, DC 20230, 202 377-1780

RIN: 0625-AA08

23. GENERAL LICENSES, PART 371 OF THE EXPORT ADMINISTRATION REGULATIONS

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 371

Abstract: Part 371 of the Export
Administration Regulations, General
Licenses, will be revised to reduce
required documentation and otherwise
simplify the regulatory language
governing the validated licensing
program. The regulations governing
general licenses will be revised to place
related subjects together, reduce

footnotes, improve readability and help the public locate information.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	distribution.
NPRM Comment Period Begin	06/00/85	
NPRM Comment Period End	08/00/85	
Multiple NPRMs July 1985 - 1986	05/01/86	
Final Action	05/01/86	
Final Action Effective	10/01/86	

Small Entity: Undetermined

Additional Information: This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-2118

RIN: 0625-AA12

24. TECHNICAL DATA, PART 379 OF THE EXPORT ADMINISTRATION REGULATIONS

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 379

Abstract: Existing Part 379 "Technical Data" of the Export Administration Regulations is being revised to put it in a simpler style and to include more specific definitions of various types of technical data: publicly available data, scientific and educational data, critical data, etc. When these revisions are published exporters should be able to determine more easily if and how their particular technical data is controlled. The revised regulation will be easier to read and use, and should result in fewer export license applications returned to exporters for lack of proper information, speedier license approvals, and less paperwork for Office of Export Administration.

Timetable:

Action	Date	FR Cite
Multiple NPRMs July 1985 - April 1986	05/01/86	
Final Action	05/01/86	
Final Action Effective	10/01/86	

Small Entity: Undetermined

Additional Information: The proposed text of the revision will not be published in the Federal Register. Rather, a notice will be published explaining the nature of the proposed changes and how to obtain a copy of the text for review and comment.

This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-2118

RIN: 0625-AA13

25. EXPORT LICENSING GENERAL POLICY, PART 370 OF THE EXPORT ADMINISTRATION REGULATIONS

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 370

Abstract: Part 370 of the Export Administration Regulations, Export Licensing General Policy, is being revised to simplify its style and organization. This revision will consolidate much general information presently scattered throughout various parts of the regulations. An expanded Glossary of Terms will be included as a supplement to this Part, with concise definitions of many terms exporters feel are ambiguous. A simpler style and more logical organization of this regulation will provide the public with a clearer introduction to the Office of Export Administration and its export control program.

Timetable:

Action	Date	FR Cite
Multiple NPRMs July 1985 - April 1986	05/01/86	tana da

Current and Projected Rulemakings

Action	Date	FR Cite
Final Action	05/01/86	
Final Action	10/01/86	
Effective		

Small Entity: Undetermined

Additional Information: This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-2118

RIN: 0625-AA14

26. EFFECT OF IMPORTED ARTICLES ON THE NATIONAL SECURITY

Legal Authority: 19 USC 1862 Trade Expansion Act of 1962, as amended; 5 USC App. Reorganization Plan No. 3 of 1979; EO 12188

CFR Citation: 15 CFR 359

Abstract: Section 359.10(a) of the existing regulation requires that a report of an investigation be organized into several sections containing classified and unclassified information. Paragraph (c) of that section requires that the report (excluding confidential material) be published in the Federal Register. Paragraph (a) will be amended to delete the report organization requirement and paragraph (b) will be amended to permit publication of either the full report or a summary thereof. It is impractical, time consuming, and not cost effective to organize the report, and publish the full report, as now required by the regulation. Section 359.10(c) will also be amended to provide that a copy of the report will be available to the public from the Publications Distribution Office of the Department rather than at ITA's Freedom of Information Records Inspection Facility.

Timotable:

Action	Date	FR Cite
Final Action	06/30/85	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Agency Contact: Richard V. Meyers, Compliance Officer, Department of Commerce, International Trade Administration, Office of Industrial Resource Administration, Priorities and Allocations Division, Washington, DC 20230, 202 377-3634

RIN: 0625-AA15

27. SPECIAL NUCLEAR CONTROLS, PART 378 OF THE EXPORT **ADMINISTRATION REGULATIONS**

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 378

Abstract: Part 378 of the Export Administration Regulations, Special Nuclear Controls, was revised in 1980 following a policy review, and we do not anticipate further significant policy changes. However, Part 378 will be further revised to make it clearer, reduce redundancy, and improve organization and readability.

Timetable:

Action	Date	FR Cite
Multiple NPRMs July 1985 - 1986	05/01/86	
Final Action	05/01/86	
Final Action Effective	10/01/86	
Small Entity: U	ndetermined	

Additional Information: This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-2118

RIN: 0625-AA16

28. REMOVAL OF THE SHORT SUPPLY VALIDATED LICENSING REQUIREMENT ON EXPORTS OF LINEAR ALPHA OLEFINS AND OTHER **ACYCLIC ORGANIC COMPOUNDS**

Legal Authority: 50 USC 1702 PL 95-223, as amended, Sec 203; 50 USC 1704 PL 95-223, as amended, Sec 206; EO 12470 March 30, 1984 (49 FR 13099, April 3, 1984); 42 USC 6212 PL 94-163, as amended, Sec 103; EO 11912 April 13, 1976 (49 FR 15825, as amended); 10 USC 7430 as amended by PL 94-258, Sec 201(10)

CFR Citation: 15 CFR 377

Abstract: Linear Alpha Olefins are currently subject to validated export licensing requirements under a basket category which applies to naphthas [Group N of Supplement No 2 to 377 of the Export Administration Regulations). The Department is considering removing licensing requirements for LAOs and similar commodities because they do not have a likely energy end use. During the comment period, all respondents favored the removal of licensing requirements on the grounds that current requirements are burdensome, that LAOs are not naphthas, that they do not have a likely energy end use, and that they are not in short supply. Accordingly, the Department is in the process of considering the most appropriate course of action with regard to possible decontrol of this and smaller commodities.

Timatable

Innetable.				
Action	Date	-12	FR	Cite
ANPRM	06/29/84	49	FR	2675
ANPRM Comment Period Begin	06/29/84	49	FR	2675
ANPRM Comment Period End	07/13/84			
Interim Final Rule	01/07/85	50	FR	729
Public comment period began	01/07/85	50	FR	729
Public comment period ends	02/06/85	50	FR	729
Final Action	06/30/85			

Small Entity: Not Applicable

Agency Contact: John A. Richards. Director, Department of Commerce. International Trade Administration, Office of Industrial Resource Administration, Washington, DC 20230, 202 377-4506

RIN: 0625-AA17

29. PETROLEUM PARTLY REFINED FOR FURTHER REFINING

Priority: Agency Determination

Legal Authority: 50 USC 1702 PL 95-223, as amended, Sec 203; 50 USC 1704 PL 95-223, as amended, Sec 206; EO 12470 March 30, 1984 (49 FR 13099, April 3, 1984); 42 USC 6212 PL 94 163, as amended, Sec 103; EO 11912 April 13, 1976 (49 FR 15825, as

amended); 10 USC 7430 as amended by PL 98-258, Sec 201(10)

CFR Citation: 15 CFR 377

Abstract: With few exceptions, the Congress prohibits the export of crude oil. However, the Department wants to ensure that it does not unnecessarily restrict sales of refined petroleum products by imposing regulatory barriers that were not intended by statutes. Accordingly, the Department will attempt to clarify the definition of refined petroleum products to provide greater certainty to exporters as to what may be exported. There are no costs associated with this action.

Timetable:

Action	Date		FR	Cite
ANPRM	01/15/85	50	FR	2064
ANPRM	01/15/85	50	FR	2064
Comment				
Period Begin				
ANPRM	02/14/85			
Comment			150	
Period End				
NPRM	03/00/85			
NPRM Comment	03/00/85			
Period Begin				
NPRM Comment	04/00/85			
Period End				

Action Date FR Cite	۰

Final Action 06/00/85

Small Entity: Not Applicable

Agency Contact: John A. Richards, Director, Department of Commerce, International Trade Administration, Office of Industrial Resource Administration, Room 3876, Washington, DC 20230, 202 377-4506

RIN: 0625-AA18

30. COMMODITIES SUBJECT TO THE NAVAL PETROLEUM RESOURCES PRODUCTION ACT OF 1976 (NPRPA)

Legal Authority: 50 USC 1702 PL 95-223, as amended, Sec 203; 50 USC 1704 PL 95-223, as amended, Sec 206; EO 12470 March 30, 1984 (49 FR 13099, April 3, 1984); 42 USC 6212 PL 94-163, as amended, Sec 103; EO 11912 April 13, 1976 (49 FR 15825, as amended); 10 USC 7430 as amended by PL 94-258, Sec 201(10)

CFR Citation: 15 CFR 377

Abstract: The Naval Petroleum Resources Production Act of 1976 (NPRPA) prohibits the export of products refined from crude oil produced from the Naval Petroleum Reserves. However, many commodities now subject to NPRPA restrictions include products which are far removed from crude oil and do not require validated export licenses. Accordingly, the Department proposes to limit the applicability of the NPRPA to those products currently subject to a validated export license. There are no costs associated with this action which would promote the export of decontrolled products.

Timetable:

Action	Date		FR	Cite	
NPRM	01/07/85	50	FR	835	ī
NPRM Comment Period Begin	01/07/85	50	FR	835	
NPRM Comment Period End	02/06/85				
Final Action	05/00/85				

Small Entity: Not Applicable

Agency Contact: John A. Richards, Director, Department of Commerce, International Trade Administration, Office of Industrial Resource Administration, Room 3876, Washington, DC 20230, 202 377-4506

RIN: 0625-AA19

DEPARTMENT OF COMMERCE (DOC) International Trade Administration (ITA)

Completed Actions

COMPLETED RULEMAKINGS

31. GUIDELINES FOR THE ISSUANCE OF EXPORT TRADE CERTIFICATES OF REVIEW

Priority: Agency Determination Legal Authority: 15 USC 4017

Abstract: Section 307 of PL 97-290 (15 USC 4017) authorizes the Secretary of Commerce to issue, with the concurrence of the Attorney General, guidelines for the issuance of certificates of review setting forth the standards and analytical approach which will be applied in determining whether to certify an applicant's proposed export trade, export trade activities and methods of operation. A person to whom a certificate of review is issued is protected from the trebling of damages for any injury resulting from and criminal liability for, conduct specified in the certificate.

Timetable:

Action	Date	FR	Cite
First Notice of Guidelines	04/13/83	48 FR	15937
Final Action Guidelines (Second Edition)	01/11/85	50 FR	1786
Final Action Effective	01/11/85	50 FR	1786

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. PL 97-290 (15 USC 4017) exempts the issuance of guidelines under Section 307 from the provisions of Section 553 of Title 5 of the United States Code.

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: Eleanor Roberts Lewis, AGC for Export Trading Companies, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-0937

RIN: 0625-AA10

32. REGULATIONS FOR ISSUANCE OF EXPORT TRADE CERTIFICATES OF REVIEW

Priority: Agency Determination

Legal Authority: 15 USC 4011 et seq

CFR Citation: 15 CFR 325

Abstract: The regulations set forth the procedures by which a person can obtain an export trade certificate of review. Title III of PL 97-290 (15 USC 4011-4021) authorizes the Secretary of Commerce to issue, with the concurrence of the Attorney General, such certificates. A person to whom a certificate of review is issued is protected from the trebling of damages for any injury resulting from, and

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Completed Actions

Completed Actions

criminal liability for, export trade, export trade activities and methods of operation specified in the certificate.

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Action	Date	FR Cite
NPRM	12/21/82	47 FR 56972
NPRM Comment Period Begin	12/21/82	
NPRM Comment Period End	01/20/83	
Interim Final	03/11/83	48 FR 10596

Action	Date	FR Cite
Beg. Comment Per. for Interim Rule	03/00/83	THE SALES
Per. for Interim Rule	05/00/83	
Final Action	01/11/85	50 FR 1804

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RPA nor an EIS is required or will be prepared. Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: Eleanor Roberts Lewis, AGC for Export Trading Companies, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-0937

RIN: 0625-AA11

[FR Doc. 85-6487 Filed 04-26-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC)

Minority Business Development Agency (MBDA)

COMPLETED RULEMAKINGS 33. DETERMINATION OF GROUP

Legal Authority: 15 USC 1512; EO 11625; 3 CFR 616 to 20 (1971-75); EO 12432; 3 CFR 198 to 99 (1993)

ELIGIBILITY FOR MBDA ASSISTANCE

CFR Citation: 15 CFR 1400

Abstract: To be eligible to receive MBDA assistance, an applicant must qualify as a socially or economically disadvantaged individual, business enterprise, or group. The purpose of this proposed rule is to provide guidance to groups, not enumerated in E.O. 11625 and not previously designated by the Secretary of Commerce as eligible for

assistance, who believe they are entitled to MBDA funded programs. Upon adequate showing to the Secretary of Commerce by representatives of a group that the group is as a whole, socially or economically disadvantaged the Secretary will designate the group as such and individuals of the group will be eligible for MBDA assistance.

Timetable:

Action	Date	FR	Cite
NPRM	06/27/84		
NPRM Comment Period Begin	06/27/84	49 FR	26254
NPRM Comment Period End	08/27/84	18.5	

 Action
 Date
 FR Cite

 Final Action
 10/24/84
 49 FR 42697

 Final Action
 11/23/84

 Effective
 11/23/84

Small Entity: Not Applicable

Agency Contact: Kathleen Vanston, Attorney-Advisor, Department of Commerce, Minority Business Development Agency, MBDA, Office of Chief Counsel, Room 5069, Washington, DC 20230, 202 377-5045

RIN: 0640-AA01 (FR Doc. 85-8487 Filed 04-28-85; 8:45 am) BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC) National Bureau of Standards (NBS)

34. FIPS FOR COMPUTER DATA AUTHENTICATION

Legal Authority: 40 USC 759(f); EO

Abstract: This standard specifies a process that Federal Government agencies may use to detect unauthorized modifications, both intentional and accidental, of data that is transmitted or stored in either plain text or cipher text form. The standard will enable managers of Federal data systems to protect data and computer systems through the use of cryptographic authentication and to detect intentional modifications of data.

Timetable:

Action	Date		FR	Cite
NPRM	08/10/82	47	FR	34613
NPRM Comment Period Begin	08/10/82	47	FR	34613
NPRM Comment Period End	11/08/82			
Final Action	06/00/85			

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Current and Projected Rulemakings

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA02

35. FIPS FOR PASSWORD USAGE

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will specify the factors to be considered in the design, implementation and use of Federal Government computer systems. It will specify certain procedures to be used in the generation, distribution, use, storage, protection, and replacement of passwords to enable Federal agencies

to protect data stored and transmitted by computer systems.

Timetable:

Action	Date		FR	Cite
NPRM	07/28/81	46	FR	38564
NPRM Comment Period Begin	07/28/81	46	FR	38564
NPRM Comment Period End	09/30/81			
Final Action	06/00/85			

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA03

36. REVISION TO FIPS 21-1, COBOL

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will adopt the revised American National Standard Programming Language COBOL for Federal Government use. The standard will promote the portability of COBOL programs for use on a variety of data processing systems and will enable Federal agencies and departments to exercise more effective control over the production, management, and use of Federal Government information resources.

Timetable:

Action	Date	FR Cite
NPRM	11/20/84	49 FR 45772
NPRM Comment Period Begin	11/20/84	49 FR 45772
NPRM Comment Period End	03/20/85	
Final Action	09/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack. Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA04

37. FIPS FOR STORAGE MODULE INTERFACES

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will provide to Federal agencies the mechanical, electrical and functional requirements for the storage module class of interface between disk drives and their respective control units. It will establish a minimum set of requirements for Federal agencies to enable compatibility and interchangeability of disk drives connected to computer systems.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA05

38. FIPS FOR TRANSPORT PROTOCOL

Legal Authority: 40 USC 759(f); EO

Abstract: This standard provides for reliable, transparent transfer of data between two heterogeneous or homogeneous computer systems. The standard is based on an international consensus and is compatible with the International Organization for Standardization (ISO) document ISO/TC97/SC 16 N 1169, class 2 and class 4. This is one of a family of computer network protocol standards which will make possible computer-tocomputer communication of Federal ADP systems. It will enable Federal agencies to select equipment based on cost and performance considerations and to interconnect equipment of different manufacturers.

Timetable:

Date		FR	Cite
03/03/81	46	FR	14913
03/03/81	46	FR	14913
	03/03/81	03/03/81 46	03/03/81 46 FR

Action	Date		FR	Cite
ANPRM Comment Period End	05/03/81	Nº 1	0	2014
NPRM	05/20/83	48	FR	22770
NPRM Comment Period Begin	05/20/83	48	FR	22770
NPRM Comment Period End	08/18/83			
Final Action	06/00/85			

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA06

39. FIPS FOR SESSION PROTOCOL STANDARD

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will provide for reliable connections between users on a computer network. It is one of a family of computer network protocol standards which will make possible computer-to-computer communication of Federal ADP systems. It will enable Federal Government agencies to select equipment based on cost and performance considerations and to interconnect equipment of different manufacturers.

Timetable:

Date	FR Cite
06/00/85	
06/00/85	
09/00/85	
00/00/00	
	06/00/85 06/00/85 09/00/85

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-

RIN: 0693-AA12

40. REVISION TO FIPS 70, REPRESENTATION OF GEOGRAPHIC POINT LOCATIONS FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO

CFR Citation: 15 CFR 6

Abstract: This revision will extend the current FIPS which establishes uniform formats for geographic point location data that is collected, processed and analyzed by Federal Government agencies. The extensions will provide for more complete and accurate representation of data.

Timetable:

Action	Date		FR	Cite
NPRM	09/15/83	48	FR	41478
NPRM Comment Period Begin	09/15/83	48	FR	41478
NPRM Comment Period End	12/14/83			
Final Action	09/00/85			

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA13

41. FIPS FOR MESSAGE TRANSFER PROTOCOL

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will provide for reliable exchange of messages through Federal Government computer networks. It is one of a family of computer network protocol standards which will make possible computer-to-computer communication of Federal ADP systems. It will enable Federal agencies to select equipment based on cost and performance considerations and to interconnect equipment of different manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA17

42. PROCEDURES FOR THE DEVELOPMENT OF VOLUNTARY PRODUCT STANDARDS

Legal Authority: 15 USC 272 CFR Citation: 15 CFR 10

Abstract: The Department of Commerce proposes to revise its existing procedures for the development of Voluntary Product Standards. The Department proposes to modify the provisions for the withdrawal of standards and to establish a new appeals mechanism and provisions for developing interpretations of standards.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	and the later
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	
Final Action	10/00/85	

Small Entity: No

Affected Sectors: 208 Beverages; 242 Sawmills and Planing Mills; 243 Millwork, Veneer, Plywood, and Structural Wood Members; 322 Glass and Glassware, Pressed or Blown

Agency Contact: Donald R. Mackay, Associate Manager, Standards Management Prog, Department of Commerce, National Bureau of Standards, Office of Product Standards Policy, Admin A625, Gaithersburg, Maryland 20899, 301 921-3287

RIN: 0693-AA20

43. FIPS FOR 130 MM (5.25 IN)
FLEXIBLE DISK CARTRIDGE TRACK
FORMAT USING TWO-FREQUENCY
RECORDING AT 3979 BPRAD ON ONE
SIDE - 1.9 TPMM (48 TPI) FOR
INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: These specifications will adopt for Federal government use an international standard (ISO 6596/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	
Final Action	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA21

44. FIPS FOR FLEXIBLE DISK CARTRIDGE LABELLING AND FILE STRUCTURE FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO

Abstract: These specifications will adopt for Federal government use an international standard (ISO 7665) for labelling and file structure of flexible disks. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date		FR	Cite
NPRM	09/08/82	47	FR	39554
NPRM Comment Period Begin	09/08/82	47	FR	39554
NPRM Comment Period End	12/07/82			
Final Action	06/00/85			

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Current and Projected Rulemakings

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA22

45. FIPS FOR 130 MM (5.25 IN)
FLEXIBLE DISK CARTRIDGE TRACK
FORMAT USING MODIFIED
FREQUENCY MODULATION
RECORDING AT 7958 BPRAD ON TWO
SIDES - 1.9 TPMM (48 TPI) FOR
INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO

Abstract: These specifications will adopt for Federal government use an international standard (ISO 7487/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date		FR	Cite
NPRM	09/08/82	47	FR	39554
NPRM Comment Period Begin	09/08/82	47	FR	39554
NPRM Comment Period End	12/07/82			
Final Action	06/00/85			

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA23

46. FIPS FOR 200 MM (8 IN) FLEXIBLE DISK CARTRIDGE TRACK FORMAT USING MODIFIED FREQUENCY MODULATION RECORDING AT 13262 EPRAD ON TWO SIDES - 1.9 TPMM (48 TPI) FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO

Abstract: These specifications will adopt for Federal government use an international standard (ISO 7065/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	en in Action
Final Action	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA24

47. FIPS FOR 200 MM (8 IN) FLEXIBLE DISK CARTRIDGE TRACK FORMAT USING TWO-FREQUENCY RECORDING AT 6631 BPRAD ON ONE SIDE - 1.9 TPMM (48 TPI) FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO

Abstract: These specifications will adopt for Federal government use an international standard (ISO 5654/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	

Action	Date	FR Cite
Final Action	06/00/85	114

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA25

48. © REVISION TO FIPS 68, MINIMAL BASIC

Legal Authority: 40 USC 759(f); EO

Abstract: This revision of the current standard (FIPS 68) will change the Applicability and Objectives sections to clarify issues related to the use of programming languages. The revision will make the goals of the FIPS more definitive, recognize advances in programming technology, provide more specific guidance concerning the applicability of FIPS languages, and provide consistent policy for all FIPS languages. The language specifications (American National Standard Programming Language Minimal BASIC, X3.60-1978) are not changed.

Timetable:

Action	Date	FR Cite
NPRM	11/20/84	49 FR 45774
NPRM Comment Period Begin	11/20/84	49 FR 45774
NPRM Comment Period End	03/20/85	
Final Action	09/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, MD 20899, 301 921-2731

RIN: 0693-AA26

49. • FIPS FOR ADA

Legal Authority: 40 USC 759(f); EO

Current and Projected Rulemakings

Abstract: This standard will adopt for Federal agency use American National Standard ANSI/MIL-STD-1815A-1983, Reference Manual for the Ada Programming Language, which is a voluntary industry standard developed by the Department of Defense. This standard will enable programs written in Ada to be used in a variety of data processing systems and will enable agencies to encourage more effective utilization and management of programmers by ensuring that programming skills acquired in one job are transportable to other jobs, thereby reducing the cost of training.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	11-11-0
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	07/00/85	
Final Action	00/00/00	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, MD 20899, 301 921-2731

RIN: 0693-AA27

50. FIPS FOR NETWORK DATABASE LANGUAGE (NDL)

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will adopt for Federal agency use an American National Standard currently undergoing formal public review. Use of the specifications will enable Federal agencies to acquire database management systems and other database software that will operate on many different computer systems. Further, training and skills of staff will be transferable to different systems.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	-
NPRM Comment Period Begin	09/00/85	
NPRM Comment Period End	12/00/85	
Final Action	00/00/00	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, MD 20899, 301 921-2731

RIN: 0693-AA28

51. ● FIPS FOR GRAPHICAL KERNEL SYSTEM (GKS)

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will adopt for Federal government use an American National Standard for GKS. Use of this standard will enable Federal agencies to exchange graphics programs between different installations. The standard will enable agencies to encourage more effective utilization and management of graphics application programmers by ensuring that skills acquired in one job are transportable to other jobs, thereby reducing the costs of training.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	a Company
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	07/00/85	
Final Action	00/00/00	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, MD 20899, 301 921-2731

RIN: 0693-AA29

52. • FIPS FOR VIDEOTEX/TELETEXT PRESENTATION LEVEL PROTOCOL SYNTAX (NORTH AMERICAN PLPS)

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will adopt for Federal agency use American National Standard X3.110-1983, Videotex/Teletext Presentation Level Protocol Syntax (North American PLPS). This standard will enable Federal agencies to acquire data processing and communications and related equipment that interchange coded information in accordance with the voluntary industry standard.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	07/00/85	
Final Action	00/00/00	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, MD 20899, 301 921-2731

RIN: 0693-AA30

53. ● REVISION TO FIPS 69, FORTRAN

Legal Authority: 40 USC 759(f); EO

Abstract: This revision of the current standard (FIPS 69) will change the Applicability and Objectives sections to clarify issues related to the use of programming languages. The revision will make the goals of the FIPS more definitive, recognize advances in programming technology, provide more specific guidance concerning the applicability of FIPS languages, and provide consistent policy for all FIPS languages. The language specifications (American National Standard Programming Language FORTRAN, X3.9-1978) are not changed.

Timetable:

Action	Date	FR Cite
NPRM	11/20/84	49 FR 45774
NPRM Comment Period Begin	11/20/84	49 FR 45774
NPRM Comment Period End	03/20/85	
Final Action	09/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

DOC-NBS

Current and Projected Rulemakings

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, MD 20899, 301 921-2731

RIN: 0693-AA31

DEPARTMENT OF COMMERCE (DOC) National Bureau of Standards (NBS)

Completed Actions

COMPLETED RULEMAKINGS 54. FIPS FOR PASCAL PROGRAMMING LANGUAGE

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will adopt the American National Standard Programming Language Pascal for Federal Government use. The standard will promote the portability of Pascal programs for use on a variety of data processing systems and will enable Federal agencies and departments to exercise more effective control over the production, management, and use of Government information resources.

Timetable:

Action	Date	FR Cite
NPRM	09/13/83	48 FR 41062
NPRM Comment Period Begin	09/13/83	48 FR 41062
NPRM Comment Period End	12/12/83	
Final Action	01/16/85	50 FR 2324

Small Entity: No.

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA07

55. FIPS FOR ALPHANUMERIC COMPUTER OUTPUT MICROFORM QUALITY TEST SLIDE

Legal Authority: 40 USC 759(f); EO

Abstract: This standard will adopt for Federal Government use a National Micrographics Association Standard (renamed Association for Information and Image Management). The standard is recommended for the acquisition of

test form slides by Federal Government agencies. The slides are used to verify and maintain the quality of microforms generated by Federal alphanumeric computer output microform devices.

Timetable:

Action	Date	FR	Cite
NPRM	06/29/83	48 FR	29935
NPRM Comment Period Begin	06/29/83	48 FR	29935
NPRM Comment Period End	09/27/83		
Final Action	11/05/84	49 FR	44229

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA08

56. FIPS FOR LOCAL NETWORKS
BASEBAND CARRIER SENSE
MULTIPLE ACCESS WITH COLLISION
DETECTION; PHYSICAL LAYER
SPECIFICATIONS AND LINK LAYER
PROTOCOL

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will adopt for Federal Government use an IEEE standard for the mechanical, electronic, functional, and procedural specifications and link protocol required to interconnect computer equipment to local area computer networks. This standard is one in a family of local area network standards to make possible computer-to-computer and terminal-to-computer communications of Federal computer systems. It is consistent with international consensus and the reference model for network

architecture adopted by the International Organization for Standardization.

Timetable:

Action	Date	0.7	FR	Cite
NPRM	09/08/83	48	FR	40540
NPRM Comment Period Begin	.09/08/83	48	FA	40540
NPRM Comment Period End	12/07/83			
Final Action	10/31/84	49	FR	43740

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology. Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA10

57. REVISIONS TO FIPS 1-1 AND 2; CODE FOR INFORMATION INTERCHANGE, ITS REPRESENTATIONS, SUBSETS, AND EXTENSIONS AND PERFORATED TAPE CODE FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO

Abstract: The revision to FIPS 1-1 consolidates and supersedes five existing FIPS dealing with the implementation of the Code for Information Interchange by Federal Government agencies. No substantive changes are made. The revision to FIPS 2 clarifies the existing standard. These revisions will result in easier administration of the existing FIPS.

Timetable:

Action	Date		FR	Cite
Final Action	11/14/84	49	FR	45041
Small Entity: No				

DOC-NBS

Completed Actions

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B253 Technology, Gaithersburg, Maryland 20899, 301 921-

RIN: 0693-AA11

58. NATIONAL VOLUNTARY LABORATORY ACCREDITATION **PROGRAM PROCEDURES**

Legal Authority: 15 USC 272; 15 USC

CFR Citation: 15 CFR 7

Abstract: The proposed revision of NVLAP procedures is intended to reduce program administrative costs, to increase program operating efficiency and to reflect the transfer of the administration of NVLAP from DOC to NBS.

Timetable:

Action	Date	FR Cite
NPRM	05/16/84	49 FR 20723
NPRM Comment Period Begin	05/16/84	
NPRM Comment Period End	07/16/84	
Final Action	11/08/84	49 FR 44622

Action Date FR Cite Final Action 12/10/84 49 FR 44622 Effective

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Peter S. Unger, Associate Manager, Laboratory Accreditation, Department of Commerce, National Bureau of Standards, Admin A531, Gaithersburg, Maryland 20899, 301 921-3431

RIN: 0693-AA19 [FR Doc. 85-8487 Filed 04-26-85; 8:45 am] **BILLING CODE 3510-BW-T**

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Current and Projected Rulemakings

NATIONAL MARINE FISHERIES SERVICE

59. CIVIL PROCEDURES

Priority: Agency Determination

Legal Authority: 15 USC 1801 et seg Magnuson Fishery Conservation & Mgmt. Act; 16 USC 773 et seq Northern Pacific Halibut Act of 1982

CFR Citation: 15 CFR 904

Abstract: The existing regulations (15 CFR 904) provide uniform procedures for enforcement and civil proceedings under the various fishery and marine resource statutes administered by NOAA. The regulations are being revised to consolidate all aspects of NOAA's civil process which can be uniformly treated. The revised regulations will provide uniform permit processing procedures and sanction procedures; means of addressing the respondent's ability to pay in civil penalty proceedings; procedures for issuance and appeal of written warnings, summary forfeitures, and for selling seized perishable fish. The revisions will clarify for the public the procedures which NOAA follows in carrying out its enforcement responsibilities. The amendments thus are beneficial rather than burdensome to the public. These procedural regulations will not increase costs to the public or local governments. Nor will they have a significant adverse effect on competition, employment or industry. The alternative of not further consolidating the procedures was

considered and rejected. There is no alternative to making the updating and housekeeping portions of the amendments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/06/84	49 FR 1037
NPRM Revising Interim Final Rule	10/31/84	
Beg. Comment Period on NPRM	10/31/84	
End Comment Period on NPRM	12/31/84	
Final Action	06/01/85	
Final Action Effective	07/01/85	· menumi

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Margaret H. Frailey, Asst. General Counsel, Department of Commerce, National Oceanic and Atmospheric Administration, Enforcement & Litigation, 2001 Wisconsin Avenue, NW, Washington, DC 20235, 202 254-8350

RIN: 0648-AA26

60. DESIGNATED CRITICAL HABITAT; HAWAIIAN MONK SEAL

Legal Authority: 16 USC 1531 et seg Endangered Species Act of 1973

CFR Citation: 50 CFR 226.11

Abstract: Designation of Critical Habitat is conducted pursuant to the Endangered Species Act of 1973, as amended. Critical Habitat is that area within (or outside) the geographic range of the animal wherein are found those physical and/or biological features essential for the conservation of the species and which may require special management considerations. The objective is to protect the Hawaiian Monk Seal.

Timetable:

Action	Date	FR Cite
NPRM	01/09/85	50 FR 01089
NPRM Comment Period Begin	01/09/85	50 FR 01089
NPRM Comment Period End	03/11/85	
Final Action	12/00/85	
Final Action Effective	01/00/86	

Small Entity: Undetermined

Additional Information: A supplemental environmental impact statement is available for public review. It has been determined that this is not a major rule under E.O. 12291, therefore no RIA is required, and that this rule will not have a significant economic impact on a substantial number of small entities, therefore no RFA is required.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731, 213 548-2575

RIN: 0648-AA27

61. FISHERY CONSERVATION AND MANAGEMENT: CONFIDENTIALITY OF STATISTICS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 603

Abstract: The regulations provide internal procedures to protect statistics collected from the public under the Magnuson Fishery Conservation and Management Act from disclosure.

Timetable:

Action	Date		FR	Cite	
NPRM	01/09/78	43	FR	1460	
Interim Final Rule	12/07/79	44	FR	237	
Final Action	03/00/85				

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared. The Regulatory Flexibility Act does not apply because the regulations affect only internal operations of an agency.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: B. G. Thompson, Acting Chief, Fisheries Statistics Program, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Data & Information Management,NMFS, Washington, DC 20235, 202 634-7366

RIN: 0648-AA38

62. GENERAL AND RECREATIONAL FOREIGN FISHING

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 611.1 to 611.98

Abstract: The regulations will be amended to revise the general regulations governing foreign fishing within the fishery conservation zone (FCZ). The action is necessary because the regulations no longer reflect current practice in the fisheries; they are not deterring illegal actions, and are disjointed, contradictory and difficult to use. The revision is intended to make the regulations consistent with current practices in the fisheries, reduce illegal fishing and simplify and improve the utility of the regulations. The revision reorganizes almost every section of the two affected subparts. Additional definitions are added, including one for recreational fishing which would exempt foreign recreational fishing vessels from permit requirements. Obsolete material is deleted. Reports required for foreign fishing vessels are revised. Additional requirements for facilitation are added. Recordkeeping requirements are revised and requirements for joint ventures are specified.

Timetable:

Action	Date	F	R	Cite
NPRM	12/28/84	49 F	R	50498
NPRM Comment Period Begin	12/28/84	49 F	R	50498
Final Action	05/24/85			
Final Action Effective	07/24/85			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: LCDR William D. Chappell, USCG, Coast Guard Liaison, Department of Commerce, National Oceanic and Atmospheric Administration, Fees, Permits, & Regulations Division, NMFS, 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AA40

63. PREEMPTION OF STATE AUTHORITY UNDER SECTION 306(B) OF THE MAGNUSON FISHERY CONSERVATION & MANAGEMENT ACT

Legal Authority: 16 USC 1856 Sec 306, Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 619

Abstract: The regulations interpret certain statutory terms applicable to. and establish procedures governing, formal adjudicatory hearings to be held before the Secretary of Commerce can apply Federal fishery regulations to certain waters within State boundaries. Section 306(b) of the Magnuson Fishery Conservation and Management Act authorizes the Secretary of Commerce to regulate a fishery within State boundaries in certain circumstances. Before the Secretary is authorized to do so, he must make certain findings after providing an opportunity for a formal adjudicatory hearing. The regulations apprise affected parties of the procedures to be followed at such a hearing and also of the types of information to be scrutinized that is relevant to the findings to be made.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/22/82	47 FR 12181
Final Action	10/01/85	
Final Action Effective	11/01/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Wendy Raymont, Attorney, Department of Commerce, National Oceanic and Atmospheric Administration, 3300 Whitehaven St., NW, Page Bldg. 2, Room 404, Washington, DC 20235, 202 634-4224

RIN: 0648-AA41

64. INTERAGENCY COOPERATION -ENDANGERED SPECIES ACT OF 1973, AS AMENDED

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 402

Abstract: The regulations will update existing regulations pursuant to the 1978, 1979 and 1982 amendments to the Endangered Species Act. The revisions will explain, organize, and simplify the consultation process required by Section 7 of the Act, and will be published jointly with the U.S. Fish and Wildlife Service.

Timetable:

Action	Date	FR Cite
NPRM	06/29/83	48 FR 29990
NPRM Comment Period Begin	06/29/83	48 FR 29990
NPRM Comment Period End	08/29/83	1 19 1
Final Action	06/00/85	
Final Action Effective	07/00/85	

Small Entity: No

Additional Information: The Department of the Interior, as lead agency in the development of the regulations, has prepared a draft environmental assessment. A determination will be made at the time of the final rule as to whether this is a major Federal action within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969. It has been determined that the regulations will not constitute a major rule under EO 12291 and will not have a significant economic impact on a substantial number of small entities under the terms of the Regulatory Flexibility Act.

Affected Sectors: 951 Administration of Environmental Quality Programs

Government Levels Affected: Federal Analysis: See Additional Information Agency Contact: Charles Karnella,
Marine Resource Management
Specialist, Department of Commerce,
National Oceanic and Atmospheric
Administration, Office of Protected
Species, and Habitat Conservation,
NMFS, Washington, DC 20235, 202 6347471

RIN: 0648-AA43

65. U.S. STANDARDS FOR GRADES OF FISH STEAKS

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 262A

Abstract: The interim rule would establish a voluntary standards system to classify fish steaks by quality into four categories - U.S. Grade A, B, C, and Substandard. The objective is to facilitate trade in fish steaks classified by quality thereby benefiting the consumer and the industry. The standards would be used in a voluntary program of fishery products inspection and certification by NMFS. The total value of the industry product in 1981 was \$19 million. Industry has expressed a high level of interest in and support for the voluntary standards. The timetable for this action is very tentative. Further research will be needed before the rule is published.

Timetable:

Action Da	ate FR	Cite
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Next Action Undetermined

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA44

66. PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS THEREOF & CERTAIN OTHER PROCESSED FOOD PRODUCTS: U.S. STANDARDS FOR GRADES OF FROZEN FISH BLOCKS & PRODUCTS MADE THEREFROM ETC

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 264A; 50 CFR 264B; 50 CFR 264C; 50 CFR 264D; 50 CFR 264E; 50 CFR 264F

Abstract: The revised rule will expand the coverage of established voluntary standards for grades of fishery products to include new products made from fish blocks. The standards will take into account new technology and equipment. These standards will be used in a voluntary program of fishery products inspection and certification by the NMFS. Industry has shown a high level of interest and support for the revisions. The timetable for this action is very tentative. Further research will be needed before the rule is published.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA46

67. U.S. GENERAL STANDARDS FOR GRADES OF SHRIMP

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 265A

DOC-NOAA

Current and Projected Rulemakings

Abstract: The final rule will establish general quality grading standards for all non-breaded forms of fresh or frozen shrimp. These grading standards will provide for the systematic differentiation of the quality of shrimp into four categories -- U.S. Grades A, B, C and Substandard. The proposed standards will be applied to all commercial species of fresh or frozen shrimp in raw or cooked states in all non-breaded market forms. The adoption of grading standards is expected to facilitate trade in shrimp of all commercial species, as consumers will be able to select shrimp on the basis of identified quality. Industry has shown great interest in and support for the standards. Timetable for next action is very tentative. Public comments received indicate a need for further research before the rule is published.

Timetable:

Action	Date		FR	Cite
NPRM	05/20/82	47 1	FR	21840
NPRM Comment Period Begin	05/20/82	47	FR	21840
Interim Final Rule	05/20/82	47	FR	21840
NPRM Comment Period End	08/18/82			

Next Action Undetermined

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA47

68. MARKING REQUIREMENTS FOR THE IMPORTATION, EXPORTATION, & INTERSTATE TRANSPORTATION OF FISH OR WILDLIFE

Legal Authority: 16 USC 3371 to 3375 Lacey Act Amendments of 1981

CFR Citation: 50 CFR 14.81 to 14.83

Abstract: These regulations will enable NOAA to monitor interstate and foreign

commerce in fish and fishery-products, for the purpose of detecting violations of Federal, state and foreign laws. The regulations will conform to current industry practices.

Timetable:

Action	Date	FR Cite
NPRM	06/01/86	View Print
NPRM Comment Period Begin	06/01/86	
NPRM Comment Period End	09/01/86	
Final Action	11/01/86	
Final Action Effective	12/01/86	

Small Entity: No

Additional Information: The regulations will be issued jointly with the Department of the Interior. Neither an RIA nor an RFA is required.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Steven C. Springer, Special Agent In Charge, Department of Commerce, National Oceanic and Atmospheric Administration, Enforcement Div., NMFS, Washington, DC 20235, 202 634-7265

RIN: 0648-AA53

69. TANNER CRAB FISHERY MANAGEMENT PLAN (FMP) -REGULATORY AMENDMENT TO CHANGE POT STORAGE AREAS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 671

Abstract: This regulatory amendment would modify crab pot storage in the Eastern Bering Sea and Gulf of Alaska. Changes are needed to establish new shallow water areas to store domestic Tanner crab pots during closed seasons around the Pribilof Islands, and to prevent preemption of productive fishing grounds for other species.

Timetable:

Action	Date		FR	Cite
NPRM	12/02/83	48	FR	54383
NPRM Comment Period Begin	12/02/83	48	FR	54383
NPRM Comment Period End	01/16/84			
Final Action	05/01/85			

Action	Date	FR Cite
Final Action Effective	06/01/85	NUMBER

Small Entity: Yes

Additional Information: An environmental assessment was prepared which includes a socioeconomic analysis upon which the determinations of non-major under EO 12291 and non-significant under the Regulatory Flexibility Act were made. The environmental assessment is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Environmental assessment 12/02/83 (48 FR 54383)

Agency Contact: Mr. Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AA71

70. U.S. STANDARDS FOR GRADES OF FRESH OR FROZEN NORTH AMERICAN FRESHWATER CATFISH AND PRODUCTS MADE THEREFROM

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 267, (New)

Abstract: This proposed standard will establish a voluntary standards system to identify various products made from North American Freshwater Catfish and to grade these products A, B, C and Substandard. The objective of the standard is to facilitate trade in these products thereby benefiting the consumer. The standard will be used by NMFS in the voluntary program of fishery products inspection and certification. Industry has expressed strong support for these voluntary standards.

Timetable:

Action	Date	-4	FR	Cite
Interim Final Rule	07/05/84	49	FR	27514
Final Action	01/06/86			
Final Action Effective	02/06/86			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 027 Animal Specialties; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, 3300 Whitehaven Street, N.W., Washington, DC 20235, 202 634-7458

RIN: 0648-AA73

71. AMENDMENT NO. 3 TO THE HIGH SEAS SALMON FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 674

Abstract: Amendment No. 3 and implementing regulations to the High Seas Salmon Fishery Management Plan (FMP) may be needed to prevent depletion of the stocks by overfishing if naturally spawning stocks of southeast Alaska and Pacific Northwest chinook salmon are depressed. Reducing the optimum yield (OY) could contribute to resolution of the problem; alternatively reducing the harvest level within the current OY range may be adequate to address the problem. Adjustment of fishing season dates may also be appropriate. Adjustment of OY levels or the fishing season would impact over 3,000 commercial salmon trollers. Adverse impacts could include lower catch/revenues or increase competition for available catch. It is unknown at this time whether a 1985 or 1986 amendment will be necessary.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	- Links
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	06/15/85	
Final Action	07/20/85	
Final Action Effective	08/20/85	

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. An RFA is required and will be prepared. A Regulatory Impact Review/Initial RFA will be available in the spring of 1985.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AA75

72. TAKING OF MARINE MAMMALS INCIDENTAL TO SPACE SHUTTLE LAUNCHES

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 228.20 to 228.29, (New)

Abstract: Based on request from the Air Force, the NMFS will propose regulations which would allow a small number of marine mammals to be incidentally taken as a result of sonic booms from space shuttle launches from Vandenberg Air Force Base, California. Section 101 (a)(5) of the Marine Mammal Protection Act provides for allowing the taking of small numbers of marine mammals incidental to specified activities provided that certain findings can be made and regulations are established which set forth permissible methods of taking, and requirements for monitoring and reporting.

Timetable:

Action	Date		FR	Cite
ANPRM	05/04/84	49	FR	19098
ANPRM	05/04/84			
Comment Period Begin				
ANPRM	07/03/84			
Comment Period End			47	
NPRM	05/00/85			
NPRM Comment	05/00/85			
Period Begin				
NPRM Comment Period End	07/00/85			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared. An environmental assessment is being prepared.

Affected Sectors: 966 Space Research and Technology

Government Levels Affected: Federal

Analysis: See additional information.

Agency Contact: R. B. Brumsted, Acting Chief, Protected Species Division, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Of. of Protected Species & Habitat Conserv., Washington, DC 20235, 202 634-7529

RIN: 0648-AA84

73. AMENDMENT TO THE FISHERY MANAGEMENT PLAN (FMP) FOR ATLANTIC SEA SCALLOPS TO ENSURE BETTER CONSERVATION OF THE SCALLOP RESOURCES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 650

Abstract: New England Fishery Management Council will prepare an amendment to the FMP for Atlantic Sea Scallops. With the current low scallop abundance and poor recruitment prospects, the present FMP does not appear to be providing the degree of resource protection anticipated by the Council. If the resource is to be conserved for the benefit of the industry and public, revised management measures are needed to ensure that incoming recruitment to the fishery, when and if it occurs, be better protected. The proposed measure will be a minimum individual meat size. rather than the present average minimum meat count. The valuable Atlantic sea scallop resource is capable of yielding 100 million dollars annually. and requires additional protection.

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	THE PROPERTY.
NPRM Comment Period Begin	04/01/85	
NPRM Comment Period End	05/15/85	
Final Action	06/20/85	
Final Action Effective	07/20/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Schaefer, Actg. Regional Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AA97

74, FINAL RULE IMPLEMENTING THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 651

Abstract: The New England Fishery Management Council is developing a comprehensive, long-term, groundfish plan to cover all of the important groundfish species caught in the New England trawl fishery. This plan, termed the Northeast Multispecies Fishery Management Plan (FMP) is intended to replace the present "Interim Fishery Management Plan for Atlantic Groundfish" which has regulated fishing for cod, haddock, and yellowtail flounder since 1982. The Northeast Multispecies FMP will take into account the fact that many different groundfish species are taken together in the same trawl, and that the mix of species changes on a trip and seasonal basis. The Council has adopted a set of management policies and is considering alternative management measures and impacts. The conservation focus is on maintenance of a minimum stock abundance size which reasonably protects against recruitment failure; emphasis is on minimum regulatory intervention or restrictions on fishing options.

Timetable:

/85 /85	
/85	
/85	
/85	
/85	
	/85

Small Entity: Undetermined

Additional Information: An RIA is not required and will not be prepared. An RFA, a regulatory impact review, an

Environmental Impact Statement, and the FMP will be available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Reg. Impact Review/RFA/EIS 02/06/85

Agency Contact: Richard Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB05

75. REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS; DEFINITION OF COMMERCIAL FISHING OPERATION

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.3

Abstract: It is proposed to modify the definition of "commercial fishing operation" to include commercial passenger fishing vessels (party boats) under that definition. This modification would allow party boat owners and operators to apply for general permits and certificates of inclusion which allow the incidental taking of marine mammals during fishing operations. Under the Marine Mammal Protection Act, no marine mammals may be taken in the course of fishing operations unless permits and certificates have been obtained and until now, party boats were excluded from obtaining permits and certificates. Therefore, they were unable to protect the catch and gear of their paid passengers from depredations. Modification of definition should improve fishing conditions and result in increased revenue. Potential total costs to applicants are estimated at \$450. Cost per applicant is estimated at \$2.50.

Timetable:

Action	Date	FR Cite
ANPRM	12/15/83	48 FR 55755
ANPRM Comment Period Begin	12/15/83	
ANPRM Comment Period End	01/31/84	
NPRM	01/30/85	50 FR 04244

Action	Date	FR Cite
NPRM Comment Period Begin	01/30/85	50 FR 04244
NPRM Comment Period End	03/18/85	
Final Action	08/00/85	

Small Entity: No

Additional Information: It has been determined that the proposed regulation (1) is a non-major Federal action under NEPA and an Environmental Assessment has been prepared and released to general public; (2) will not constitute a major rule under E.O. 12291 and thus does not require a R.I.A. and (3) will not have a significant impact on a substantial number of small entities and thus does not require a Regulatory Flexibility Analysis.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: See Additional Information

Agency Contact: K. R. Hollingshead, Marine Resources Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species and Habitat, Conservation, NMFS, Washington, DC 20235, 202 634-7529

RIN: 0648-AB07

76. REGIONAL FISHERY MANAGEMENT COUNCILS

Priority: Undetermined

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 601

Abstract: Revision of regulatory guidance with regard to the operations of the Regional Fishery Management Councils is being considered to conform with new legislation and administration regulatory policy. These guidelines will not have a direct regulatory impact on the fishing industry or entities participating in the industry.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Loretta Williams, Fishery Management Assistant, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, 202 634-7218

RIN: 0648-AB09

77. FOREIGN FISHING (SEGMENT 1): FOREIGN FISHING VESSEL PERMIT FEES, 1985

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.22

Abstract: This rule will set permit fees for foreign fishing vessels that desire to fish in the U.S. FCZ during Calendar Year 1985 (Segment One (1)).

Timetable:

Action	Date		FR	Cite
NPRM	11/23/84	49	FR	46177
NPRM Comment Period Begin	11/23/84	49	FR	46177
Final Action	03/29/85			
Final Action Effective	04/29/85			
NPRM Comment Period End	12/24/85			

Small Entity: No

Additional Information: A RIA is not required and will not be prepared. A Regulatory Impact Review will be prepared and will be available in September 1984.

Government Levels Affected: Federal

Agency Contact: John D. Kelly, Fishery Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AB10

78. SWORDFISH FISHERY MANAGEMENT PLAN: PROPOSED REGULATIONS

Priority: Undetermined

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 630

Abstract: The Plan proposes time, area and quota restrictions on foreign fishing

to minimize the bycatch of swordfish. American fishermen would be controlled by time, area or size restrictions (variable season closure). Data collection will be by onboard technicians carried on a random stratified sample of trips.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	111 1530
NPRM Comment Period Begin	05/01/85	
NPRM Comment Period End	07/15/85	A COUNTY OF
Final Action	07/19/85	
Final Action	08/19/85	

Small Entity: Yes

Additional Information: A RIA is not required. A regulatory impact review and a regulatory flexibility analysis will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Draft RFA 05/01/85; Regulatory Impact Review 05/01/85

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AB13

79. ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES: IMPLEMENTING REGULATIONS FOR SIZE LIMITS FRAMEWORK MEASURE

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 652

Abstract: Amends the regulations governing the harvest of Atlantic surf clams to provide a means of adjusting the minimum size within a range of 5.5 - 4.75 inches. The Regional Director, after consultation with the Mid-Atlantic Council and opportunity for public comment, must adjust the size limit as necessary so that discards on average would not exceed 30 percent of the total catches. Requires tagging of surf clam cages.

Timetable:

Action	Date	FR Cite
NPRM	12/26/84	49 FR 50060
NPRM Comment Period Begin	12/26/84	49 FR 5006
NPRM Comment Period End	02/08/85	
Final Action	03/15/85	
Final Action Effective	04/15/85	

Small Entity: Yes

Additional Information: A RIA is not required. A regulatory impact review and a regulatory flexibility analysis are available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Draft RFA 12/26/84 (49 FR 50060); Regulatory Impact Review 12/26/84 (49 FR 50060)

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, Federal Bldg., 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB14

80. COASTAL MIGRATORY PELAGIC RESOURCES OF THE GULF OF MEXICO AND SOUTH ATLANTIC: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 642

Abstract: Amendment 1 to the plan would revise the implementing regulation to modify management of king mackerel. The resource is divided into Gulf and South Atlantic Migratory Groups. For each group an annual total allowable catch is determined that is allocated among recreational and commercial fishermen. A portion of the commercial quota is allocated to the purse seine fishery. Annual permits are required for vessels fishing the Gulf group. When a commercial quota is attained, commercial fishing must cease for that group. Recreational quotas will be controlled by a bag limit on charter and private boats of 3 fish per person per trip.

Timetable:			
Action	Date	FR Cite	
NPRM	03/15/85	THE PARTY	
NPRM Comment Period Begin	03/15/85		
NPRM Comment Period End	04/13/85		
Final Action	06/09/85		
Final Action Effective	07/09/85		

Small Entity: Yes

Additional information: A RIA is not required and will not be prepared. A RIR/RFA will be available in March 1985.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Draft RFA 03/15/85; Regulatory impact Review 03/15/85

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AB15

81. ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 Magnuson Fishery Conservation & Management Act

CFR Citation: 50 CFR 652

Abstract: Amends the regulations governing harvest of surf clams from the New England Area to increase the maximum annual quota to 200,000 bushels, implement a minimum size limit and specify effort controls to distribute fishing pressure throughout the year.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	
NPRM Comment Period Begin	04/30/65	
NPRM Comment Period End	05/29/85	
Final Action	06/03/85	
Final Action Effective	07/03/85	

Small Entity: Undetermined

Additional Information: A RIA is not required and will not be prepared. A

Regulatory Impact Review will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: Regulatory Impact Review 04/30/85

Agency Contact: Richard H. Schaefer, Acting Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, Federal Building, 14 Elm Street, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB16

82. AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN - CONTROL SABLEFISH FISHING OFF SOUTHEAST ALASKA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will terminate sablefish fishing by United States vessels in certain parts of the fishery conservation zone off Southeast Alaska.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	of the state
NPRM Comment Period Begin	04/30/85	
NPRM Comment Period End	07/14/85	
Final Action	07/20/85	
Final Action Effective	08/18/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 04/30/85

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB18

83. AMENDMENT NO. 3 FOR THE SPINY LOBSTER FISHERIES OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 681

Abstract: This amendment will change the tail width size limits.

Timetable:

Action	Date	FR Cite
NPRM	07/09/85	
NPRM Comment Period Begin	07/09/85	
NPRM Comment Period End	08/23/85	
Final Action	09/27/85	
Final Action Effective	10/27/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fish-

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 07/09/85

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731, 213 548-2575

RIN: 0648-AB21

84. FOREIGN FISHING - SCIENTIFIC RESEARCH

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.14

Abstract: The action would revise the scientific research provisions of the foreign fishing regulations. The action is necessary to bring the regulations into compliance with current policy on scientific research and clarify what foreign vessels may be considered scientific research vessels while

conducting activities which might otherwise be considered fishing.

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	300 - 13
NPRM Comment Period Begin	03/15/85	
NPRM Comment Period End	04/15/85	
Final Action	05/24/85	
Final Action Effective	07/24/85	

Small Entity: No

Additional Information: This action is related to RIN 0648-AA40 General and Recreational Foreign Fishing

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: LCDR William D. Chappell, Coast Guard Liaison Officer, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AB23

85. NOTICE OF THE NATIONAL MARINE FISHERIES SERVICE'S PROPOSED POLICIES FOR THE MANAGEMENT OF INTERJURISDICTIONAL FISHERIES AND FISHERY RESOURCES

Legal Authority: 16 USC 661 et seq CFR Citation: Not yet determined

Abstract: The policies are to guide Federal participation in, and support of, interjurisdictional fisheries management by defining the Federal role, proposing general management objectives, and identifying means of implementation. These policies are needed to: provide a framework for more effective management planning and other actions concerning interjurisdictional fisheries and fishery resources; (2) develop a broad awareness of the shared State & Federal responsibilities, and benefits of, long-term management of these fisheries and resources; (3) promote consistent conservation & management throughout the entire range of interjurisdictional fisheries and resources; and (4) establish specific & effective means of resolving

jurisdictional differences which

interfere with effective fisheries

management. It is expected that these policies will result in closer cooperations between State and Federal government agencies responsible for interjurisdictional fisheries programs.

Timetable:

Action	Date	FR Cite
NPRM	02/28/85	rewer
NPRM Comment Period Begin	02/28/85	
NPRM Comment Period End	04/15/85	
Final Action	06/07/85	
The same of the sa		

Small Entity: No

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Roland Finch, Dir.
Off. of Resource Conser & Management,
Department of Commerce, National
Oceanic and Atmospheric
Administration, 3300 Whitehaven St.
NW, Washington, DC 20235, 202 6347218

RIN: 0648-AB24

86. STRIPED BASS FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: Not yet determined

Abstract: The Mid-Atlantic Fishery Management Council will prepare a fishery management plan (FMP) for the Atlantic coast migratory stock of striped bass. The drastic 10-year decline of commercial and recreational landings of striped bass indicates the need for protective management measures for territorial waters and the fishery conservation zone (FCZ). The territorial waters will be managed by the Interstate Striped Bass Plan of the Atlantic States Marine Fisheries Commission, while the FCZ needs management with compatible measures through the striped bass FMP. Proposed management measures include a minimum fish size limit, a maximum fish size limit and prohibition of taking striped bass in the FCZ on a seasonal closure basis.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
NPRM Comment Period Begin	09/00/85	

Action	Date	FR Cite
NPRM Comment Period End	11/00/85	
Interim Final Rule	01/00/86	
Final Action	02/00/86	

Small Entity: Yes

Additional Information: A RIA is not required. A regulatory impact review and a regulatory flexibility analysis will be available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Draft RFA 09/00/85; Regulatory Impact Review 09/00/85

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FNER, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB25

87. ● SHALLOW-WATER REEFFISH FISHERY OF PUERTO RICO AND THE U.S. VIRGIN ISLANDS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: Not yet determined

Abstract: The Caribbean Fishery Management Council has prepared a Fishery Management Plan (FMP) for shallow-water reeffish of Puerto Rico and the U.S. Virgin Islands. A fishery for various species of snappers, groupers, grunts, porgies, goatfishes, and other edible reeffish using fish traps exists in the territorial waters of Puerto Rico and the U.S. Virgin Islands and the fishery conservation zone. These states have agreed to adopt compatible regulations with those developed by the FMP. Declining catch per unit effort for the reeffish fishery indicates that management measures are necessary to maximize spawning potential and prevent overfishing. Within a 2-3 yr. period after implementation, benefits are predicted to outweigh costs for proposed regulations concerning minimum fish sizes for yellowtail snapper and Nassau grouper. The propose minimum mesh size for fish traps will allow some juvenile stages of most reeffishes to escape the gear & optimize the size of goatfish which are retained.

DOC-NOAA

Current and Projected Rulemakings

Timetable:		
Date	FR Cite	
04/01/85	Man average	
04/01/85		
05/15/85		
06/20/85		
07/20/85		
	04/01/85 04/01/85 05/15/85 06/20/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FSER, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AB26

88. • FISHERY MANAGEMENT PLAN FOR BLUEFISH

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: Not yet determined

Abstract: The FMP will control the level of fishing in order to prevent the decline of this valuable recreational and commercial species. The FMP, which was disapproved on 9/7/84, will be revised.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	DILLE STORY OF THE
NPRM Comment Period Begin	09/00/85	
NPRM Comment Period End	11/00/85	
Final Action	12/00/85	
Final Action Effective	01/00/86	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FNER, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB29

89. © DEVELOPMENT OF A FISHERY MANAGEMENT PLAN FOR SUMMER FLOUNDER

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: Not yet determined

Abstract: Summer flounder is seasonably vulnerable to very large and varied commercial and recreational fisheries. Landings have declined in recent years and there is concern that overfishing may occur. The summer flounder crosses Council and Regional boundaries necessitating close coordination between the constituent agencies. The long-term benefits of higher production and revenue to the fishermen and processors are expected to outweigh any short-term limitations on catches in order to rebuild the stocks. Rebuilding the stocks to the maximum level, the efficiency of the fleet will improve as catches per unit of effort will correspondingly rise.

Timetable:

Action	Date	FR Cite
NPRM	01/01/86	of the London
NPRM Comment Period Begin	01/01/86	
NPRM Comment Period End	02/16/86	
Final Action	03/21/86	
Final Action	04/21/86	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St. FNER, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB30

90. FISHERY MANAGEMENT PLAN FOR SAND EEL

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management

CFR Citation: Not yet determined

Abstract: An FMP will be prepared to address the problem of an expanding trawl fishing for sand eel in the Northeast which threatens to reduce the abundance of this important food source for traditional commercial and recreational species.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	
NPRM Comment Period Begin	01/00/86	
NPRM Comment Period End	02/00/86	
Final Action	03/00/86	
Final Action Effective	04/00/86	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FNER, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB31

91. AMENDMENT TO AMERICAN LOBSTER FISHERY MANAGEMENT PLAN-GEAR MARKING

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: Not yet determined

Abstract: An amendment to the American Lobster Fishery Management Plan has been proposed to incorporate gear marking requirements. Mandatory reporting of fixed gear is not expected to be part of the amendment. The proposed gear marking would allow fishermen that are harvesting species other than lobster with moving gear such as an otter trawl to avoid entanglement with lobster traps which are fixed gear.

Timetable:

Action	Date	FR Cite
NPRM	08/31/85	
NPRM Comment Period Begin	08/31/85	
NPRM Comment Period End	10/15/85	
Final Action	11/20/85	
Final Action Effective	12/20/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fish-

Government Levels Affected: Federal

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FNER, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB32

92. • ATLANTIC BILLFISHES AND SHARKS - FOREIGN FISHING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fisherv Conser and Management Act

CFR Citation: 50 CFR 611

Abstract: Amends foreign fishing regulations to provide means to adjust seasonal closures affecting foreign longline fishermen to reduce conflicts with domestic fishermen and foreign incidental catches of billfishes.

Timetable:

Action	Date	FR Cite
NPRM .	07/09/85	and the latest of
Begin Review	07/09/85	
End Review	08/08/85	
Final Action	10/10/85	
Final Action Effective	11/09/85	

Small Entity: Undetermined

Agency Contact: Carmen J. Blondin, Deputy Assistant Admin. for Fishery Mgmt., Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, 202 634-7514

RIN: 0648-AB33

93. FOREIGN FISHING -PROHIBITIONS AND OBSERVER REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.7 to 611.8

Abstract: The interim rule revises the regulations which require foreign fishermen to assist U.S. observers and makes it illegal for foreign fishermen to take certain actions. The action is necessary to address a growing number of incidents of obstruction and harassment of observers by foreign fishermen affecting the safety and proper functions of those personnel.

The regulations give explicit instructions to foreign fishermen to ensure the safety of observers, detail the assistance foreign fishermen are to give observers, and specify the actions or inactions that are prohibited to foreign fishermen.

Timetable:

Action	Date		FR	Cite
Begin Review	12/28/84	49	FR	50498
End Review	02/26/85			
Interim Final Rule	03/08/85			

Small Entity: No

Agency Contact: LCDR William D. Chappell, USCG, Coast Guard Liaison Officer, Department of Commerce, National Oceanic and Atmospheric — Administration, National Marine Fisheries Service, 3300 Whitehaven St. NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AB34

94. SOUTH ATLANTIC SHRIMP FISHERY: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 643

Abstract: Problems are overcapitalization of shrimp fishing vessels, conservation of shrimp spawning stocks, and inconsistency of State management. Alternatives are continuing with management by each State (no action), limited entry to transfer surplus capital from the fishery. cooperative Federal/State restrictions on fishing on spawning stocks, consistency of State fishing regulations (seasons, areas), improved data collection and analysis on a regional basis and gear modifications that could conserve threatened sea turtles that are incidental catch in shrimp trawls.

Timetable:

Action	Date	FR Cite
NPRM	03/20/86	
NPRM Comment Period Begin	03/20/86	
NPRM Comment Period End	04/18/86	
Final Action	06/08/86	
Final Action	07/07/86	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FSER, 9450 Koger Blvd., St. Petersburg, FL 33702, 206 526-6150

RIN: 0648-AB35

95. • ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Fishery Conser & Management Act

CFR Citation: 50 CFR 652

Abstract: Amends the regulations governing the harvest of surf clams from Georges Bank. Establishes an optimum yield of 25,000 to 300,000 bushels and a western boundary at 69 degrees longitude. Adds a provision that Mid-Atlantic surf clam vessels may land clams only once during an authorized fishing period.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	
NPRM Comment Period Begin	04/30/85	
NPRM Comment Period End	05/29/85	

Small Entity: Undetermined

Additional Information: An RIA will not be required and will not be prepared. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 04/30/85

Agency Contact: Richard H. Shaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FNER, Federal Bldg. 14 Elm St., Gloucester, MA 01930, 617 281-3600

96. • ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERIES: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 655; 50 CFR 611

Abstract: The Fishery Management Plan for Atlantic Mackerel, Squid and Butterfish Fisheries and its implementing regulations expire on March 31, 1986, and must be extended to continue the management regime governing the harvest of these species by domestic and foreign fishermen. Alternatives are being considered for the mackerel fishery to condition direct foreign fishing on the purchase of U.S. processed mackerel and for the butterfish fishery to reduce the harvest of small butterfish by various gear modifications.

Timetable:

Action	Date	FR Cite
NPRM	01/11/86	
NPRM Comment Period Begin	01/11/86	
NPRM Comment Period End	02/10/86	
Final Action	04/01/86	
Final Action Effective	04/01/86	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard H. Schaefer, Acting Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FNER, 14 Elm St. Federal Bldg., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB37

97. AMENDMENT 10 TO THE TANNER CRAB FISHERY MANAGEMENT PLAN (FMP)

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 671

Abstract: An amendment to the existing Tanner crab fishery management plan to expand the Alaska Regional Director's field order authority to adjust harvest levels and seasons. A similar proposal contained in

Amendment 9 was disapproved by the Secretary.

Timetable:

Action	Date	FR Cite
NPRM	06/01/85	
NPRM Comment Period Begin	06/01/85	
NPRM Comment Period End	07/15/85	
Final Action	08/20/85	
Final Action Effective	09/20/85	

Small Entity: Yes

Additional Information: A RIA is not required. A regulatory impact review and a regulatory flexibility analysis will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Draft RFA 06/01/85; Regulatory Impact Review 06/01/85

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668 FAKR, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB38

98. ● AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN - REDEFINE SABLEFISH MANAGEMENT BOUNDARIES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will redefine the management boundaries in the sablefish fishery throughout the Gulf of Alaska.

Timetable:

Action	Date	FR Cite
NPRM	05/07/85	
NPRM Comment Period Begin	05/07/85	
NPRM Comment Period End	06/21/85	
Final Action	07/26/85	
Final Action Effective	08/25/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 05/07/85

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB39

99. • AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN - REGIONAL DIRECTOR'S AUTHORITY TO ALLOW FISHING FOR OTHER SPECIES TO CONTINUE WHEN OY FOR TARGET SPECIES HAS BEEN REACHED

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will provide the Regional Director with the authority to allow additional fishing for other target species when the optimum yield for another species has been achieved.

Timetable:

Action	Date	FR Cite
NPRM	05/21/85	The Park of the Park
NPRM Comment Period Begin	05/21/85	
NPRM Comment Period End	07/05/85	
Final Action	08/09/85	
Final Action Effective	09/08/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A Regulatory Impact Review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 05/27/85

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

Current and Projected Rulemakings

100. AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN - CLOSE FCZ INTRUSION INTO STATE WATERS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will implement the intent of current legislation that refers to the State of Alaska management of groundfish in Federal waters that intrude into the intercoastal waters of southeastern Alaska.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	
NPRM Comment Period Begin	04/30/85	
NPRM Comment Period End	06/14/85	
Final Action	07/19/85	
Final Action Effective	08/18/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Regulatory Impact Review

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB41

04/30/85

101. • AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN - ESTABLISH NEW OPTIMUM YIELDS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will establish new optimum yields for groundfish.

Ti			

Action	Date	FR Cite
NPRM .	05/14/85	
NPRM Comment Period Begin	05/14/85	
NPRM Comment Period End	06/28/85	
Final Action	08/02/85	
Final Action Effective	09/01/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A Regulatory Impact Review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 05/14/85

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB42

102. AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN - CATCH LIMITS FOR PACIFIC HALIBUT

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will revise the prohibited species catch limits for Pacific halibut in the domestic groundfish fisheries.

Timetable:

Action	Date	FR Cite
NPRM	05/07/85	
NPRM Comment Period Begin	05/07/85	
NPRM Comment Period End	06/21/85	
Final Action	07/26/85	
Final Action Effective	08/25/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 05/07/85

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB43

103. • REPORTING REQUIREMENTS GOVERNING SALMON TAKEN OFF ALASKA AND DELIVERED OR LANDED OUTSIDE ALASKA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 674

Abstract: A mandatory reporting requirement for fishing vessel operators who harvest salmon in the fishery conservation zone (FCZ) off Alaska and who sell, transfer, or deliver salmon in the FCZ or to a U.S. port outside Alaska. The operator must submit a fish ticket to the Alaska Department of Fish and Game after each sale, transfer, or delivery. Receipt of this ticket is necessary to obtain timely data on salmon catches.

Timetable:

Action	Date	FR Cite
Interim Rule and request for	07/23/84	49 FR 29611
comments pub. Interim Rule	01/23/85	49 FR 29611
expired Final Action	05/00/85	

Small Entity: No

Additional Information: This rule contains a collection of information requirements subject to the Paperwork Reduction Act, which has been approved as OMB control number 0648-0016.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

104. AMENDMENT 8 TO THE BERING SEA/ALEUTIAN ISLANDS GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 675

Abstract: An amendment to the existing fishery management plan and regulations was proposed by the North Pacific Fisheries Management Council to ban foreign trawling within 20 miles of the Aleutian Islands in order to eliminate gear conflicts with longliners in this area.

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	
NPRM Comment Period Begin	04/01/85	
NPRM Comment Period End	05/15/85	
Final Action	06/20/85	
Final Action Effective	07/20/85	

Small Entity: Undetermined

Additional Information: A RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 04/01/85

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB45

105. • REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS; IMPORTATION OF YELLOWFIN TUNA

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.24

Abstract: U.S. tuna purse seine fishermen operating in the eastern tropical Pacific have been subject to certain restrictions relating to the take of marine mammals, whereas often other nations fishing in a similar manner that export tuna to the U.S. do

not impose similar constraints on their own industry. Therefore, the Marine Mammal Protection Act of 1972 was amended to require all such nations, prior to being allowed to import tuna to provide documentary evidence that they have adopted a program governing the incidental taking of marine mammals that is comparable to that of the U.S. and that the average rate of incidental take in the fishery is comparable to the U.S. These regulations will implement this requirement.

Timetable:

Action	Date		FR	Cite
ANPRM	11/29/84	49	FR	46921
NPRM	07/00/85		65	
NPRM Comment Period Begin	07/00/85			
NPRM Comment Period End	08/00/85			

Small Entity: No

Additional Information: This action will require restrictions on foreign nations that export tuna to the U.S. similar to those imposed on U.S. tuna fishermen. These regulations will have no impact domestically in terms of bringing more U.S. nationals under Federal regulations.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Kenneth R.
Hollingshead, Marine Resource
Management Specialist, Department of
Commerce, National Oceanic and
Atmospheric Administration, Office of
Protected Species &, Habitat
Conservation, NMFS, Washington, DC
20235, 202 634-7529

RIN: 0648-AB46

106. • ENDANGERED FISH OR WILDLIFE; PERMITS FOR THE INCIDENTAL TAKING OF ENDANGERED MARINE SPECIES

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 222.22

Abstract: The proposed regulations implement Section 10(a)(1)(B) of the Endangered Species Act, as amended (ESA). The proposal establishes a mechanism whereby non-Federal entities whose actions may affect certain endangered marine species under the jurisdiction of the Secretary

of Commerce, may receive permits allowing the incidental taking of such species, provided the takings will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. The proposal applies only to those private individuals/entities or local or State governments faced with having otherwise lawful actions not subject to Federal involvement or control, prevented by prohibitions against taking. Under the ESA, the taking of endangered species is prohibited except for scientific research or to enhance the propagation or survival of the species. Permits issued under these regulations will allow commercial shrimp fishermen, recreational fishermen and others to conduct their activities without risk of prosecution for incidentally taking species covered under these provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Self-Laide Self-
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: Undetermined

Additional Information: Potential cost to applicants is estimated at 2500. Cost per applicant is estimated at \$10. Each applicant will be required to submit a conservation plan as part of the permit process. As part of their conservation plan, fishermen will have the option of voluntary use of the Trawling Efficiency Device which allows trapped sea turtles to escape from fishing nets. Selection of this option will result in an additional cost of approximately \$400 per Device. NEPA, E.O. 12291 and RFA determinations have not been undertaken.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Agency Contact: Patricia A. Carter. Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species, and Habitat Conservation, NMFS, Washington, DC 20235, 202 634-7471

107. THREATENED FISH AND WILDLIFE; GUADALUPE FUR SEAL

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 227.4; 50 CFR 227.11, (New); 50 CFR 227.71

Abstract: Regulations are proposed to list and protect the Guadalupe fur seal (Arctocephalus townsendi) under the Endangered Species Act of 1973. No critical habitat is proposed. In response to a petition, the NMFS conducted a review of the status of the species and determined that it should be listed as a threatened species.

Timetable:

The second secon				2
Action	Date		FR	Cite
ANPRM	02/08/84	49	FR	04804
ANPRM	02/08/84	49	FR	04804
Comment Period Begin				
ANPRM	04/10/84			
Comment Period End				
NPRM	01/03/85	50	FR	00294
NPRM Comment Period Begin	01/03/85	50	FR	00294
NPRM Comment Period End	03/04/85			
Final Action	09/00/85			
Final Action Effective	10/00/85			

Small Entity: Not Applicable

Additional Information: The Endangered Species Act requires that decisions on listings be made solely on the basis of the best scientific and commercial data available regarding a species status. Based upon this limitation of criteria for a listing decision, the NMFS has determined that the requirements of the National Environmental Policy Act, E.O. 12291, the Regulatory Flexibility Act, and the Paperwork Reduction Act do not apply.

Affected Sectors: 138 Oil and Gas Field Services; 966 Space Research and Technology

Government Levels Affected: Local, State, Federal

Agency Contact: Patricia A. Montanio, Fishery Biologist, Protected Species Div., Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species, & Habitat Conservation, NMFS, Washington, DC 20235, 202 634-7529

RIN: 0648-AB48

108. © GROUNDFISH OF THE GULF OF ALASKA AND HIGH SEAS SALMON FISHERY OFF ALASKA; TECHNICAL AMENDMENT

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 672; 50 CFR 674

Abstract: As required under P.L. 98-623, NOAA issues a technical amendment to codify the fishery management boundaries of southeastern Alaska established by that law.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	
Small Entity: 1	Undetermined	

Affected Sectors: 091 Commercial Fish-

Government Levels Affected: State, Federal

Agency Contact: Marilyn Luipold, Attorney Advisor, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service GCF, 3300 Whitehaven St. NW, Washington, DC 20235, 202 634-4224

RIN: 0648-AB51

109. AMENDMENT 9 TO THE BERING SEA/ALEUTIAN ISLANDS GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 675

Abstract: An amendment to the fishery management plan for the Bering Sea/Aleutian Islands Groundfish Fishery to increase the optimum yield range to equal the range of maximum sustainable yield.

Timetable:

Action	Date	FR Cite
NPRM	08/01/85	100000
NPRM Comment Period Begin	08/01/85	
NPRM Comment Period End	09/15/85	
Final Action	10/20/85	
Final Action Effective	11/20/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB52

110. ● AMENDMENT 11 TO THE TANNER CRAB FISHERY MANAGEMENT PLAN (FMP)

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 671

Abstract: An amendment to the existing Tanner crab fishery management plan and regulations to close fishery conservation zone intrusions into State of Alaska waters. Boundary changes are proposed so that these areas of intrusion fall under State management.

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	ASSESS DO
NPRM Comment Period Begin	07/01/85	
NPRM Comment Period End	08/15/85	
Final Action	09/20/85	
Final Action Effective	10/20/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB53

111. MAMENDMENT TO AMERICAN LOBSTER FISHERY MANAGEMENT PLAN - V-NOTCH ON FEMALE LOBSTERS

Legal Authority: 16 USC 1801 et seg Magnuson Fishery Conser and Management Act

CFR Citation: 48 CFR 36266

Abstract: An amendment to the American Lobster Fishery Management Plan has been proposed to place a three-year moratorium on the taking or possession of V-notched lobsters (markings made on adult female lobsters by commercial fishermen). The purpose of the amendment is to return females that are bearing eggs or have previously carried eggs so as to enhance recruitments.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/85	
NPRM	10/01/85	
ANPRM	10/31/85	
Comment Period Begin		
NPRM Comment Period Begin	10/31/85	
ANPRM Comment Period End	12/15/85	
NPRM Comment Period End	12/15/85	
Final Action	01/19/86	
Final Action Effective	02/18/86	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FNER, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB54

112. • FISHERY MANAGEMENT PLAN FOR THE BOTTOMFISH AND SEAMOUNT GROUNDFISH FISHERIES OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: Not yet determined

Abstract: The FMP will establish framework measures for the bottomfish/ groundfish resources within the FCZ off American Samoa, Guam and Hawaii. This FMP would achieve optimum yield by preventing stock reductions that would cause instability in the production and market supply of fresh bottomfish, proposes to collect the data necessary to monitor the fishery and would promote an expanded domestic harvest of underutilized

bottomfish/groundfish resources in an orderly manner.

Timetable:

Action	Date	FR Cite
NPRM	03/25/86	NAME OF TAXABLE PARTY.
NPRM Comment Period Begin	03/25/86	
NPRM Comment Period End	05/09/86	
Final Action	06/13/86	
Final Action Effective	07/13/86	

Small Entity: Undetermined

Additional Information: A RIA is not required and will not be prepared. A regulatory impact review will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 03/25/86

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service FSWR, 300 S. Ferry St., Terminal Island, CA 90731, 213 548-2575

RIN: 0648-AB27

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

113. REGULATIONS FOR PROPOSED LA PARGUERA, PUERTO RICO NATIONAL MARINE SANCTUARY

Priority: Agency Determination

Legal Authority: 16 USC 1431 to 1434 Mar. Prot., Research & Sanct Act

CFR Citation: 15 CFR 939

Abstract: These regulations will protect the ecological, recreational, and esthetic resources of the waters off La Parguera, Puerto Rico if this area is designated as a national marine sanctuary.

Timetable:

Action	Date		FR	Cite
NPRM .	03/04/83	48	FR	09286
NPRM Comment Period Begin	03/04/83	48	FR	09286
NPRM Comment Period End	05/04/83			
Final Action	08/00/85			
Final Action Effective	10/00/85			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Dr. Nancy Foster.
Chief, Department of Commerce.
National Oceanic and Atmospheric
Administration, Sanctuary Programs
Division, OCRM, 3300 Whitehaven
Street, NW, Washington, DC 20235, 202
634-4236

RIN: 0648-AA32

114. FEDERAL CONSISTENCY WITH APPROVED COASTAL ZONE MANAGEMENT PROGRAMS

Priority: Agency Determination

Legal Authority: 16 USC 1456 Coastal Zone Management Act of 1972

CFR Citation: 15 CFR 930

Abstract: On January 11, 1984, the U.S. Supreme Court issued its decision in Secretary of the Interior et al. v. California et al. No. 82-1326. The Court held that the sale of Outer Continental Shelf (OCS) oil and gas leases is not an activity "directly affecting" the coastal zone within the meaning of Section 307(c)(l) of the Coastal Zone Management Act of 1972, as amended (CZMA), and, therefore, that a consistency determination is not required under that section before such sales may be made. Section 307 [c][1] requires that Federal agencies conducting or supporting activities "directly affecting the coastal zone" must conduct or support those activities in a manner which is consistent to the maximum extent practicable with federally-approved state coastal zone management programs. NOAA is engaging in rulemaking to revise certain CZMA regulations as a result of the Supreme Court decision. NOAA intends to remove those references which identify OCS lease sales as activities covered by the Section 307(c)(I) requirements.

Timetable:

Action	Date		FR	Cite
ANPRM	06/01/84	49	FR	22825
ANPRM Comment Period Begin	06/01/84	49	FR	22825

DOC-NOAA

Current and Projected Rulemakings

Action	Date	FR Cite
ANPRM Comment Period End	08/31/84	
NPRM	01/28/85	50 FR 3798
NPRM Comment Period Begin	01/28/85	50 FR 3798
NPRM Comment Period End	03/01/85	
Final Action	05/00/85	
Small Entity: N	a Tell	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: JoAnn Chandler, Chief, Policy Coordination Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mangmnt, 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-4245

RIN: 0648-AA34

115. PROPOSED REGULATIONS FOR THE PROPOSED FAGATELE BAY NATIONAL MARINE SANCTUARY

Priority: Agency Determination

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 941

Abstract: The American Samoa Government does not currently possess the legal authorities necessary for managing site-specific marine resources such as the Fagatele Bay National Marine Sanctuary. Regulations will be proposed for the Fagatele Bay National Marine Sanctuary to fulfill a need evidenced by uncontrolled harvesting of reef fisheries and the loss of habitat via destructive fishing methods. Long-term benefits include resource protection and restoration of habitat; public education and development of an environmental ethic; and ecological succession studies. This project will serve as a prototype for other resource protection initiatives by the American Samoa Government.

Timetable:

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Action	Date	FR Cite
NPRM	12/04/84	49 FR 47415
NPRM Comment Period Begin	12/04/84	
NPRM Comment Period End	02/04/85	
Final Action	05/00/85	
Final Action Effective	07/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State

Analysis: See Additional Information

Agency Contact: Dr. Nancy Foster, Chief, Sanctuary Programs Div., Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean & Coastal Resource Mgmt., 3300 Whitehaven Street, N.W., Washington, DC 20235, 202 634-4236

RIN: 0648-AA74

116. DRAFT REGULATIONS FOR THE PROPOSED FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

Priority: Agency Determination

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 943

Abstract: These regulations will protect the ecological and biological reef communities of the East and West Flower Garden Banks offshore Texas and Louisiana, if the area is designated as a national marine sanctuary.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
NPRM Comment Period Begin	06/00/85	
NPRM Comment Period End	08/00/85	(Front
Final Action	11/00/85	
Constl Entitue No	AND NOT BEEN	

Small Entity: No

Agency Contact: Dr. Nancy Foster, Chief, Sanctuary Programs Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mgt., 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-4236

RIN: 0648-AB49

117. DRAFT REGULATIONS FOR THE PROPOSED CORDELL BANK NATIONAL MARINE SANCTUARY

Priority: Agency Determination

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 942

Abstract: These regulations will protect the ecological, recreational, and esthetic resources of the waters surrounding Cordell Bank, if the area is designated as a national marine sanctuary.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	TAR TO
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Dr. Nancy Foster, Chief, Sanctuary Programs Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mgt., 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-4236

RIN: 0648-AB50

NATIONAL OCEAN SURVEY/OFFICE OF MINERAL ENERGY

118. DEEP SEABED MINING REGULATIONS FOR COMMERCIAL RECOVERY

Priority: Major

Legal Authority: 30 USC 1401 et seq Deep Seabed Hard Mineral Resources Act

CFR Citation: 15 CFR 971

Abstract: Under 15 CFR 970. prospective deep seabed miners may apply to NOAA for the exploration license needed to explore the deep seabed for manganese nodules. Under the new regulations, prospective miners will be able to apply to NOAA for a permit to commercially recover and process nodules to obtain strategic metals (nickel, copper, cobalt, manganese). These permits would provide security of tenure for applicants with respect to other U.S. citizens and other nations' permittees in accordance with applicable international agreements. Fees for securing and maintaining a permit will be based on the Government's processing costs. These fees would be an inconsequential portion of the cost of a commercial recovery operation. The cost of a commercial recovery operation is expected to exceed one billion dollars. Alternatives to the regulation would require amending the Deep Seabed Hard Mineral Resources Act, which

Current and Projected Rulemakings

would be considered in the context of the U.S. law of the sea policy.

Timetable:

Action	Date	B;	FR	Cite
ANPRM	12/28/82	47	FR	57903
NPRM	06/00/85			
NPRM Comment Period Begin	06/00/85			
Public Hearing	07/00/85			
NPRM Comment Period End	08/00/85			
Final Action	08/00/85			
Final Action Effective	09/00/85			

Small Entity: No

Additional Information: The RIA and RFA prepared for the exploration license regulations will be reviewed and reaffirmed or supplemented as needed to cover new issues raised by the commercial recovery permit regulations. It is expected that small entities will not be permittees. Rather some small entities are expected to be contractors or subcontractors to permittees. The RIA and RFA are available, as are the programmatic Environmental Impact Statement and supporting guidance document on seabed mining using currently foreseeable technology.

Affected Sectors: 102 Copper Ores; 106 Ferroalloy Ores, Except Vanadium; 108 Metal Mining Services; 331 Blast Furnaces, Steel Works, and Rolling and Finishing Mills; 333 Primary Smelting and Refining of Nonferrous Metals; 951 Administration of Environmental Quality Programs

Government Levels Affected: Local, State, Federal Analysis: See Additional Information

Agency Contact: John W. Padan,
Program Manager, Deep Seabed Mining,
Department of Commerce, National
Oceanic and Atmospheric
Administration, Office of Ocean
Minerals and Energy, 2001 Wisconsin
Avenue, NW, Suite 105, Washington,
DC 20235, 202 653-8257

RIN: 0648-AA36

119. LICENSING OF OCEAN THERMAL ENERGY CONVERSION FACILITIES AND PLANTSHIPS

Priority: Agency Determination

Legal Authority: 42 USC 9101 et seq Ocean Thermal Energy Conversion Act; as amended by PL 96-623

CFR Citation: 15 CFR 981 et seq

Abstract: These regulations (15 CFR 981) established a stable legal system and a streamlined licensing process to facilitate commercial development of ocean thermal energy conversion (OTEC) facilities and plantships. These regulations are being reviewed to determine if they should be revised. The details of the simplified licensing system for ownership, construction, location, and operation of OTEC facilities and plantships which are associated with the United States or U.S. Citizens, are being examined to gauge the effect on the developing OTEC industry. Section 117 of the Ocean Thermal Energy Conversion Act of 1980 requires NOAA to review these regulations periodically, at intervals of not more than every three years, and to revise them as necessary based on that

review. Agency planning amendments to regulations as a result of OMB review under the Paperwork Reduction Act. There is potential revision of antitrust provisions in the regulations which will be considered separately.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Section 1
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	06/00/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: A Final Regulatory Impact Analysis (July 1981) and a Final Programmatic Environmental Impact Statement (July 1981) are available. Neither an RIA nor an RFA is required or prepared for a review of an existing regulation.

Affected Sectors: 281 Industrial Inorganic Chemicals; 287 Agricultural Chemicals; 361 Electric Transmission and Distribution Equipment; 362 Electrical Industrial Apparatus

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: James B. Rucker, OTEC Program Manager, Department of Commerce, National Oceanic and Atmospheric Administration, Ocean Minerals and Energy Division, 2001 Wisconsin Ave., NW, Page 1 Rm. 105, Washington, DC 20235, 202 254-3483

RIN: 0648-AA69

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Existing Regulations Under Review

NATIONAL MARINE FISHERIES SERVICE

120. U.S. GENERAL STANDARDS FOR GRADES OF FISH FILLETS

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 263A; 50 CFR 263B; 50 CFR 263C; 50 CFR 263D; 50 CFR 263E

Abstract: This revision would amend 50

CFR Subpart 263A and delete 50 CFR Subparts 263A, B, C & D. The revision will simplify the voluntary standards for the inspection/grading of fish fillets by industry and Government inspection personnel by incorporating general criteria for the standards. The timetable for this action is very tentative. Further research will be needed before publication of the rule.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing: 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State; Federal

Analysis: See Additional Information

Agency Contact: Rita A. Greitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA45

121. © FINANCIAL ASSISTANCE FOR RESEARCH AND DEVELOPMENT PROJECTS TO STRENGTHEN AND DEVELOP THE U.S. FISHING INDUSTRY - NOTICE OF FUNDS AVAILABILITY

Priority: Agency Determination

Legal Authority: 15 USC 713(c) Saltonstall-Kennedy Act CFR Citation: Not yet determined

Abstract: To provide widespread solicitation for proposals/applications to compete for fisheries Development and Utilization Research and Demonstration Grants and Cooperative Agreements.

No alternative or limited competition alternatives are being considered.

Direct benefits include award of about \$9 million in project grants representing about 70 percent of total project costs.

Direct costs include required matching funds of about 10 percent of total project costs or \$4 million.

Costs and benefits associated with project accomplishments not quantifiable.

Timetable:

Action	Date	FR	Cito
Final Action Effective	03/01/85		7/6

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1984.

Government Levels Affected: Federal

Agency Contact: Roger W. Hutchinson, Manager, S-K Program Administration Staff, Department of Commerce, National Oceanic and Atmospheric: Administration, National Marine Fisheries Service, Industry Services Division, Washington, DC 20235, 202 634-7451

RIN: 0648-AB28

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

COMPLETED RULEMAKINGS 122. NORTHWEST ATLANTIC FOREIGN FISHING

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.50

Abstract: The foreign areas, seasons, and gear requirements need to be reassessed in light of expanding U.S. fishing operations and a change in the foreign fisheries. Suggested regulatory changes and options will be presented for comment at a series of public hearings.

Timetable:

Action Date FR Cite

Rescinded Action 02/27/85 overtaken by events in other rulemaking activity.

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. A Regulatory Impact Review is being prepared.

Affected Sectors: None

Government Levels Affected: Federal

Analysis: Reg. Impact Review/Initial RFA 09/00/83

Agency Contact: Ken Beal, Department of Commerce, National Oceanic and Atmospheric Administration, Northeast Region, Nat. Marine Fisheries Ser., 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AAQ5

123. REEF FISH RESOURCES OF THE GULF OF MEXICO FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Migmt. Act

CFR Citation: 50 CFR 641

Abstract: Biological data indicate a substantial decline in reef fish stocks in the Gulf of Mexico. Overfishing contributes to this decline in many nearshore areas by recreational & commercial users. In addition, there is expanding competition between recreational & commercial users for limited resource. Objectives are: rebuild declining reef fish stocks; establish fishery reporting system; increase reef

fish habitats in approp. areas; provide protection for juveniles while protecting existing & new habitats; and minimize conflicts between user groups. Benefits from implementation of the plan over a 5-year period could reach discounted maximum of \$8 million for commercial fishermen & \$23.2 million for recreational fishermen. Annual costs for development & implementation of plan over a 5-year period are estimated at \$393,315. The adopted measures would minimize burden on public & address the problems in the fishery in a costeffective manner. The regulations will require some small entities to relocate their fishery areas. Net benefits will occur to the fishery because of the rebuilding of the resources.

Completed Actions

Timetable:

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Action	Date	FR Cite
NPRM	08/24/83	48 FRI 38511
NPRM Comment Period Begin	08/24/83	48 FR. 38511
NPRM Comment Period End	10/11/83	
Final Action	10/09/84	49 FR 39584
Final Action Effective	11/08/84	49 FR 39584

Small Entity: Yes

Completed Actions

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/Initial Regulatory Flexibility Analysis is available. A Fishery Management Plan is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Reg. Impact Review/Initial RFA 08/24/83 (48 FR 38511)

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AA10

124. SPINY LOBSTER FISHERY IN PUERTO RICO & THE VIRGIN ISLANDS FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 645

Abstract: A fishery management plan (FMP) and implementing regulations are needed to manage the spiny lobster resources of the U.S. Virgin Islands and Puerto Rico. Management measures will protect long-term yields, prevent depletion of the stocks, increase yields from the fishery, and acquire information necessary to better manage the fishery. The primary objective is to achieve optimum yields from a presently healthy fishery stock without encountering the problems of economic or biologic overfishing that have been known to occur in some other fisheries. The FMP imposes a minimum size limit which will cause an est. loss in income during the first year of \$228 per fisherman, and \$117 per fisherman in the second year. Size limits in subsequent years are expected to improve landings in the third and subsequent years, resulting in \$118 per fisherman increase in income. The prohibition of taking lobsters in certain areas may have minor supply and income effects on commercial and recreational harvesters which may be offset by aesthetic benefits to divers and research benefits to scientists.

Additional reporting burdens will be placed on some fishermen.

Timetable:

Action	Date		FR	Cite
NPRM	09/03/82	47	FR	38948
NPRM Comment Period Begin	09/03/82	47	FR	38948
NPRM Comment Period End	10/18/82			
Final Action	12/26/84	49	FR	50049
Final Action Effective	01/01/85	49	FR	50049

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. An RFA, a Regulatory Impact Review, an Environmental Impact Statement, and the FMP are available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: EIS 06/20/80 (45 FR 37275); Draft RFA 09/03/82 (47 FR 38948); Reg. Impact Review/RFA 09/03/82 (47 FR 38948)

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AA12

125. KING CRAB (BERING SEA/ALEUTIAN ISLANDS) FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 676

Abstract: This fishery management plan (FMP) and implementing regulations seek to ensure effective conservation and management of King Crab stocks in the Bering Sea and Aleutian Islands area while providing continued active participation of the State of Alaska in management of these fisheries. Non-resident Alaskan fishermen will have more effective input to fishery management. There is a need for enforcement of sex and minimum size limits to prevent overharvesting the King Crab optimum yield, and to prevent harvesting of females and under-sized crab. The regulation allows protection of smaller

vessels that compete with larger vessels in their ability to move between fishing areas. Regulatory measures also seek to ensure equitable representation of all components of the harvesting sector. Alternative measures under the FMP could have a significant impact on small entities. This is a framework FMP for which formal Secretarial review began on July 16, 1984.

Timetable:

Action	Date		FR	Cite
NPRM	08/20/84	49	FR	33033
Final Action	11/14/84	49	FR	44998
Final Action Effective	12/02/84	49	FR	44998

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/Initial Regulatory Flexibility Analysis is available. The final regulations contained a collection of information requirement, at Sec. 676.9 that is subject to the Paperwork Reduction Act. It was approved under OMB Contract Number 0648-0097.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: FEIS 09/26/84 (49 FR 38355)

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AA22

126. SUPPLEMENTAL OBSERVER PROGRAM

Priority: Agency Determination

Legal Authority: 16 USC 1821(i) The Magnuson Fishery Conser. and Management Act

CFR Citation: 50 CFR 611.8

Abstract: Pl. 97-453 requires the Secretary of Commerce to establish a supplementary U.S. observer program if full observer coverage of foreign fishing vessels cannot be achieved using Federal or contract employees that rely on Congressional appropriations as the source of funding. Under such circumstances, foreign fishing vessel owners would pay observer fees directly to supplementary U.S.

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observers or their agents. The Secretary of Commerce must certify observers and procedures for monitoring performance. No cost will be incurred by the U.S. to implement or operate this program as costs are charged to foreign fishermen. No alternative is envisioned because of the law's specificity.

Timetable:

Action	Date		FR	Cite
NPRM	09/19/83	48	FR	41789
NPRM Comment Period Begin	09/19/83	48	FR	41789
NPRM Comment Period End	10/19/83			
Final Action	02/28/85			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fish-

Government Levels Affected: Federal

Analysis: See Additional Information

Agency Contact: Gary A. Wood, Special Agent, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, 202 634-7265.

RIN: 0648-AA65

127. ENDANGERED FISH OR WILDLIFE: COCHITO

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 17.11; 50 CFR 222.23

Abstract: Regulations will be proposed which would list the Gulf of California harbor porpoise (Phocoena sinus) as an endangered species under the Endangered Species Act of 1973. An endangered species is a species which is determined to be in danger of extinction through all or a significant portion of its range. If listed as an endangered species, P. sinus would be protected under the provisions of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
ANPRM	06/03/83	48 FR 24903
ANPRM Comment Period Begin	06/03/83	48 FR 24903
ANPRM Comment Period End	08/02/83	

Action	Date	FR Cite
NPRM	04/25/84	49 FR 17781
NPRM Comment Period Begin	04/25/84	49 FR 25017
NPRM Comment Period End	07/25/84	
Final Action	01/09/85	50 FR 00156
Final Action Effective	02/08/85	50 FR 00156

Small Entity: No.

Additional Information: The Endangered Species Act requires that decisions on listings be made solely on the basis of the best scientific and commercial data available regarding a species status. Based upon this limitation of criteria for a listing decision, NMFS has determined that the requirements of the National Environmental Policy Act, E.O. 12291, Regulatory Flexibility Act, and the Paperwork Reduction Act do not apply.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Charles Karnella, Marine Resource Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species and Habitat, Conservation, Washington, DC 20235, 202 634-7471

RIN: 0648-AA94

128. AMENDMENT NO. 9 TO THE TANNER CRAB FISHERY MANAGEMENT PLAN (FMP): IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 671

Abstract: An amendment to the existing Tanner Crab fishery management plan and regulations has been submitted for Secretarial review: (1) to establish a framework measure to adjust fishing seasons by pre-season procedure; (2) to revise maximum sustainable yield and allowable biological catch values with resulting changes in optimum yields; and (3) to expand the Alaska Regional Director's field order authority to adjust harvest levels and seasons. On May 21, 1984 formal Secretarial review began. On August 24, 1984 the amendment was partially approved. The broadening of the Regional Director's field order authority was disapproved.

		DB	
22.31			

Action	Date	FR	Cite
NPRM Comment Period Begin	06/20/84	49 FR	26117
NPRM Comment	06/26/84 08/03/84	49. FR	26117
Period End Final Action	09/12/84		35779
Final: Action Effective	10/07/84	49) FR	35779

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/Initial RFA has been prepared and made available to the public.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Reg. Impact Review/Initial RFA 06/26/84 (49 FR 26117)

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB02

129. REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS; TAKING OF MARINE MAMMALS INCIDENTAL TO COMMERCIAL FISHING OPERATIONS

Legal Authority: 16 USC 1361 et seq. Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.24

Abstract: The 1984 amendments to the Marine Mammal Protection Act among other things: (1) extend indefinitely the general permit issued to the American Tunaboat Association to take marine mammals during commercial purse seine fishing operations: (2) establish quotas for two species of perpoise for which quotas have not been issued; (3) removed these two species from the accidental take enforcement policy; and, (4) placed additional importation requirements on nations purse seining for yellowfin tuna in the eastern tropical Pacific. These regulations codify the Congressional action. Since the actions are congressionally mandated and the Administration has no decision-making discretion, there are no alternatives to consider. No

Completed Actions

additional costs to the tuna industry are anticipated.

Timetable:

Action	Date		FR	Cite
Final Action	11/29/84	49	FR	46908
Final Action Effective	12/31/84	49	FR	46908
Final Action on yellowfin tuna	00/00/00			

Small Entity: Not Applicable

Additional Information: As the Administration has no discretion to act and no alternatives can be considered, NEPA does not apply. The regulation will not constitute a major rule under E.O. 12291 and does not require a RIA. As it will not have a significant impact on a substantial number of small entities, it does not require a RFA.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: K. R. Hollingshead, Marine Resources Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species and Habitat, Conservation, NMFS, Washington, DC 20235, 202 634-7529

RIN: 0648-AB08

130. FOREIGN FISHING (SEGMENT 2), SCHEDULE OF FEES, 1985

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.22

Abstract: New fees will be set for 1985 on foreign harvests in the U.S. FCZ to recover the foreign share of the costs of administering the Magnuson Act during FY 1984, Segment [2].

Timetable:

Action	Date		FR	Cite
NPRM	10/17/84	49	FR	40615
Final Action	01/04/85	50	FR	460

Small Entity: No

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review will be prepared and will be available in November 1984.

Government Levels Affected: Federal

Agency Contact: John D. Kelly. Fishery Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AB11

131. REGULATIONS RELATED TO THE ALLOCATION OF PACIFIC HALIBUT OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA

Priority: Undetermined

Legal Authority: 16 USC 773 Northern Pacific Halibut Act of 1982

CFR Citation: 50 CFR 301

Abstract: The problem relates to the allocation of Pacific halibut off the coasts of WA, OR, and CA, to comply with Indian treaty rights. The alternatives to be considered include the no action, international action, domestic action.

Timetable:

Action	Date	FR Cite
Rescinded Regulations will be promulgated by Int'l Pacific Halibut Com.	01/00/85	I lenettick

Small Entity: Undetermined

Additional Information: The need for an RIA has not been determined at this time.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Dr. Thomas E. Kruse, Acting Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 7600 Sand Point Way NE, Seattle, WA 98115, 206 527-6150

RIN: 0648-AB12

132. OCEAN SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON AND CALIFORNIA -MANAGEMENT PLAN: IMPLEMENTING REGULATIONS FOR A FRAMEWORK AMENDMENT TO THE PLAN

Priority: Undetermined

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act CFR Citation: 50 CFR 661

Abstract: These regulations implement the fishery management plan (FMP) for commercial and recreational salmon fisheries off the coasts of Washington, Oregon, and California. This plan was developed by the Pacific Fishery Management Council. It was first implemented in 1977 and has undergone annual amendments since then. These regs. establish fishing areas, fishing seasons, allowable fishing gear, allowable harvest, & for adjusting the regs. during the year. The intended effect is to protect the salmon from being overharvested, to allocate allowable harvest equitably among the various groups of fishermen to allow adequate numbers of salmon to reach internal water fisheries, & to achieve spawning escapement goals. The FMP & its implementing regs. undergo continuous review & will be modified when conditions warrant changes. These annual adjustments to the management measures will be implemented by publishing revised regs. for the fishery (opening & closing dates. fishing seasons, quotas, bag limits, & similar restrictions) by May 1. Changes outside scope of the framework amendment will be made by the normal regulatory process.

Timetable:

Action	Date	FR	Cite
NPRM	08/14/84	49 FR	32414
NPRM Comment Period Begin	08/14/84		5115
NPRM Comment Period End	09/21/84		
Final Action	10/31/84	49 FR	43679
Final Action Effective	10/31/84	49 FR	43679

Small Entity: Yes

Additional Information: Linked with 0648-AB04. The fishery management plan (FMP) & its implementing regs. have undergone & will continue to undergo continuous review. They will be changed whenever conditions warrant a change. The Council has prepared a "framework" amendment of the plan which if approved & implemented, will allow the annual fishery management measures to be implemented without amending the plan or regs. An RIA is not required, but the impacts of these regs. are analyzed in environmental impact statements and regulatory impact reviews.

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Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 7600 Sand Point Way, NE, Seattle, WA 98115, 206 527-6150

RIN: 0648-AB17

133. REGULATORY AMENDMENT TO GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will expand the Regional Director's field order authority to consider crab caught in the groundfish fisheries.

Timetable:

Action Date FR Cite

Suspended - 02/27/85
Other priorities have superseded the action at this time

Small Entity: Undetermined

Additional Information: A RIA is not required and will not be prepared. A RIR and RFA will be available in November, 1984.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, NOAA, DOC, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB19

134. AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will adjust the optimum yield for Pacific Ocean Perch.

Timetable:

Action Date FR Cite

Suspended - 02/27/85

Other priorities have superseded the action at this time.

Small Entity: Undetermined

Additional Information: A RIA is not required and will not be prepared. A RIR/RFA will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB20

COMPLETED REVIEWS 135. THREATENED MARINE REPTILES

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 227.71 to 227.72

Abstract: Based on requests from the residents and Governments of Guam and Hawaii, the NMFS is reviewing these regulations which prohibit the taking of sea turtles for subsistence purposes, except for the taking of green sea turtles by residents of the Trust Territory of the Pacific Islands. The review is to determine whether the subsistence regulations for the Trust territory should be modified and whether the taking of sea turtles for subsistence purposes should be allowed in other areas of the Central and Western Pacific Ocean.

Timetable:

Action	Date		FR	Cite
Begin Review	04/20/83	48	FR	16925
End Review - No changes to the regulations will be proposed	01/03/85	50	FR	00278

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or prepared for a review of an existing regulation.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731, 213 548-2575

RIN: 0648-AA79 [FR Doc. 85-6487 Filed 04-28-85: 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC)

National Telecommunications and Information Administration (NTIA)

Existing Regulations Under Review

136. PUBLIC TELECOMMUNICATIONS FACILITIES PROGRAM; INTERIM REVISION OF REGULATIONS

Priority: Agency Determination

Legal Authority: 47 USC 390 to 399

CFR Citation: 15 CFR 2301.1; 15 CFR 2301.3; 15 CFR 2301.4(a) to (b); 15 CFR 2301.4(d)(2); 15 CFR 2301.5(a) to (b); 15 CFR

2301.6(a); 15 CFR 2301.7(a) to (d); 15 CFR 2301.9; 15 CFR 2301.11(a); 15 CFR 2301.12(a) to (e); 15 CFR 2301.13; 15 CFR 2301.14(a) to (d); 15 CFR 2301.16(b) to (c); 15 CFR 2301.17(b) to (n); 15 CFR 2301.19(b);

Abstract: NTIA has completed two grant cycles since the last revision of its PTFP Rules. During these two cycles we have recognized several areas which cause confusion. We intend to clarify these areas to allow potential grantees to understand more easily the requirements and facilitate their application. The proposed changes to Rules and Regulations will allow for more uniformity and clarity in administering the program. Areas

included are: 1. Applicant eligibility for planning grants and making project eligibility language more consistent with the law and NTIA practices.

2. What constitutes a complete application and distinguishes it from an application that is deficient. 3. What does filing a timely application mean and how it is to be delivered in a timely manner. 4. How to amend an application. 5. How to reactivate a deferred application. 6. How to request special consideration. 7. Expanded discussions on control and use of

equipment, eligible equipment items, and non-eligible equipment items. 8.Expanded discussions on the close-out and monitoring procedures for a project.

Timetable:

Date	FR Cite
04/00/84	125044
09/18/84	49 FR 36600
09/03/85	
09/16/85	
	04/00/84 09/18/84 09/03/85

Small Entity: No

Agency Contact: Burnham S. Morse, Telecommunications Policy Analyst, Department of Commerce, National Telecommunications and Information Administration, 14th & Constitution Avenue NW, Room H4890, Washington, DC 20230, 202 377-1835

RIN: 0660-AA01

[FR Doc. 85-6487 Filed 04-26-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC)

Office of Productivity, Technology and Innovation (OPTI)

137. • RIGHTS TO INVENTIONS MADE BY NONPROFIT ORGANIZATIONS AND SMALL BUSINESS FIRMS

Priority: Agency Determination Legal Authority: 35 USC 206 CFR Citation: 37 CFR 401

Abstract: 35 USC 206 as amended by PL 98-620, requires the Secretary to issue regulations implementing 35 USC 202-204 which deals with the rights in inventions to be provided to nonprofit organizations and small businesses that perform Government supported research and development. Previously this was the responsibility of OFPP which issued OMB Cir. A-124. The proposed regulation is based on Cir. A-124 with such substantive changes as are necessary because of various amendments made by PL 98-620. No alternative is available since a major thrust of the statute was the development of a single regulation to replace the numerous regulations that were in effect prior to 1981. The statute and regulations will benefit contractors and the public by creating the certainty

necessary for the early commercialization of inventions by the private sector. Compared to the pre-1981 situation this reduces administrative costs of both the Government and contractors.

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	The state of the s
Final Action	06/01/85	
Small Entity:	Yes	

Agency Contact: Norman Latker, Director, Department of Commerce, Office of Productivity, Technology and Innovation, Federal Technology

Management Policy Div., Room H 4837, Washington, DC 20230, 202 377-0659

RIN: 0692-AA01

138. ● LICENSING OF GOVERNMENT OWNED INVENTIONS

Legal Authority: 35 USC 208 CFR Citation: 37 CFR 404

Abstract: PL 98-620 amended 35 USC 208 to shift authority for the

Current and Projected Rulemakings

promulgation of regulations concerning the licensing of federally owned inventions from GSA to Commerce. These regulations are identical in substance and will supersede GSA regulations at 41 CFR Subpart 101-4-1. Thus, there will be no changes in costs of benefits from this section. At a later date, we may consider whether changes to these regulations could lead to a more effective Government licensing program.

Timetable:

Action	Date	FR Cite
Final Action	03/15/85	THE REAL PROPERTY.

Small Entity: Not Applicable

Agency Contact: Norman Latker, Director, Department of Commerce, Office of Productivity, Technology and Innovation, Federal Technology Management Policy Div, Room H 4837, Washington, DC 20230, 202 377-0659

RIN: 0692-AA02 [FR Doc. 85-6487 Filed 04-28-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF COMMERCE (DOC) Patent and Trademark Office (PTO)

139. REQUESTS FOR IDENTIFIABLE RECORDS

Legal Authority: 35 USC 6 CFR Citation: 37 CFR 1.15

Abstract: The existing regulations govern requests for records not disclosed to the public as part of PTO's informational activities. The regulations need to be revised to eliminate obsolete provisions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
NPRM Comment Period Begin	03/00/85	
NPRM Comment	05/00/85	

Current and Projected Rulemakings

Action	Date	FR Cite
Final Action	08/00/85	Mary Mary
Final Action Effective	09/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

*ffected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: John W. Dewhirst, Department of Commerce, Patent and Trademark Office, Ofc. of the Solicitor, Washington, DC 20231, 703 557-4035

RIN: 0651-AA04

140. VARIETY NAMING REQUIREMENTS FOR PLANT PATENT APPLICATIONS

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.71; 37 CFR 1.163

Abstract: PTO will propose amendment of its rules of practice in patent cases to implement the International Convention for the Protection of New Varieties of Plants. The International Convention requires registration of a plant variety name at the time a patent on a plant variety is issued. Compliance with the registration requirements of the Convention would be determined in the process of examining plant patent applications.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	10000
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	06/00/85	
Final Action	08/00/85	
Final Action Effective	10/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3065

RIN: 0651-AA12

141. TERM OF DEPOSIT OF MICROORGANISM

Legal Authority: 35 USC 6 CFR Citation: 37 CFR 1.71 Abstract: PTO will propose amendment of its rules of practice in patent cases to set the duration of a microorganism deposit for patent purposes in accordance with the Budapest Treaty.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Section 1
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	
Final Action	09/00/85	
Final Action Effective	10/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3065

RIN: 0651-AA13

142. MISCELLANEOUS AMENDMENTS OF TRADEMARK RULES

Legal Authority: 15 USC 1123

CFR Citation: 37 CFR 2.1; 37 CFR 2.101(b); 37 CFR 2.104; 37 CFR 2.112(a); 37 CFR 2.114(c); 37 CFR 2.132(c); 37 CFR 2.145(d)

Abstract: PTO proposes amendment of the trademark rules to improve or clarify inter partes and appeal procedures.

Timetable:

Action	Date	FR Cite
NPRM	06/11/84	49 FR 24033
NPRM Comment Period Begin	06/11/84	49 FR 24033
NPRM Comment Period End	07/18/84	
Final Action	04/00/85	
Final Action Effective	05/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal Agency Contact: Janet E. Rice,

Member, Trademark Trial and Appeal Board, Department of Commerce, Patent and Trademark Office, Crystal Square 5, Suite 1008, Washington, DC 20231, 703 557-3551

RIN: 0651-AA16

143. TRADEMARK APPLICATIONS

Legal Authority: 15 USC 1123

CFR Citation: 37 CFR 2.21; 37 CFR 2.52; 37 CFR 2.54; 37 CFR 2.58

Abstract: PTO proposes amendment of its trademark rules to codify and improve procedures for processing trademark applications.

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30749
NPRM Comment Period Begin	08/01/84	
NPRM Comment Period End	10/30/84	
Final Action	04/00/85	
Final Action Effective	05/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Ellen J. Seeherman, Staff Assistant, Department of Commerce, Patent and Trademark Office, Crystal Plaza 3, Room 11C17, Washington, DC 20231, 703 557-7464

RIN: 0651-AA17

144. TRADEMARK AUTOMATED SEARCH SYSTEM FEES

Priority: Agency Determination

Legal Authority: 15 USC 1113; 15 USC 1123; PL 96-517; PL 97-247

CFR Citation: 37 CFR 2.6

Abstract: PTO proposes to amend its rules to establish user fees for members of the public desiring to conduct trademark searches of the computerized data bases in the PTO's automated trademark search system.

Timetable: FR Cite Action Date NPRM 08/07/84 49 FR 31460 NPRM Comment 08/07/84 Period Begin NPRM Comment 09/05/84 Period End 09/25/84 49 FR 35527 NPRM Comment Period Extended to 03/00/85 Final Action Final Action 06/00/85 Effective

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: J. Howard Bryant, Administrator for Automation, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-6000

RIN: 0651-AA18

145. • REVISION OF PATENT AND TRADEMARK FEES

Priority: Agency Determination

Legal Authority: 35 USC 6; 35 USC 41; 15 USC 1113; 15 USC 1123

CFR Citation: 37 CFR 1.16; 37 CFR 1.17; 37 CFR 1.18; 37 CFR 1.19; 37 CFR 1.20; 37 CFR 1.21; 37 CFR 2.6

Abstract: PTO plans to amend its rules of practice to adjust fees to compensate for the effects of inflation on the recovery of the estimated cost of providing services or materials relating to patents and trademarks. The fees have not been adjusted since their establishment on October 1, 1982.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	
Final Action	08/01/85	
Final Action Effective	10/01/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Bradford R. Huther, Asst. Commissioner for Finance and Planning, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-1572

RIN: 0651-AA19

146. ● ARBITRATION OF PATENT INTERFERENCE CASES

Legal Authority: 35 USC 6; PL 98-622

CFR Citation: 37 CFR 1.690

Abstract: An amendment of PTO's rules of practice relating to patent interferences will be proposed to implement the provision in Public Law 98-622 for arbitration of patent interference cases.

Timetable:

Action	Date		FR	Cite
ANPRM *	01/16/85	50	FR	02294
ANPRM Comment Period Begin	01/16/85	50	FR	02294
ANPRM Comment Period End	03/01/85			
NPRM	04/00/85			
NPRM Comment Period Begin	04/00/85			
NPRM Comment Period End	05/00/85	-		
Final Action	08/00/85			
Final Action Effective	09/00/85			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Fred E. McKelvey, Deputy Solicitor, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-4035

RIN: 0651-AA20

147. ● MISCELLANEOUS PATENT PROVISIONS

Priority: Agency Determination

Legal Authority: 35 USC 6; PL 98-620; PL

CFR Citation: 37 CFR 1.11; 37 CFR 1.14; 37 CFR 1.17; 37 CFR 1.19; 37 CFR 1.20; 37 CFR 1.45; 37 CFR 1.48; 37 CFR 1.60; 37 CFR 1.61; 37 CFR 1.62; 37 CFR 1.78; 37 CFR 1.101; 37 CFR 1.103; 37 CFR 1.104; 37 CFR 1.106; ...

Abstract: PTO proposes to amend its rules of practice in patent cases to implement miscellaneous patent provisions enacted by Public Laws 98-620 and 98-622. These provisions authorize the issuance of statutory invention registrations, simplify the filing of appeals to the U.S. Court of Appeals for the Federal Circuit, exclude certain prior art from consideration and change certain requirements relating to joint applications and international applications filed under the Patent Cooperation Treaty.

Timetable:

Action	Date		FR	Cite
NPRM	01/25/85	50	FR	03712
NPRM Comment Period Begin	01/25/85	50	FR	03712
NPRM Comment Period End	02/08/85			
Final Action	03/08/85			
Final Action Effective	05/08/85			

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: R. Franklin Burnett, Special Assistant, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-

RIN: 0651-AA21

148. ● RULES FOR EXTENSION OF PATENT TERM

Priority: Agency Determination

Legal Authority: 35 USC 6; PL 98-417

CFR Citation: 37 CFR 1.1; 37 CFR 1.8; 37 CFR 1.20; 37 CFR 1.710 to 1.785

DOC-PTO

Current and Projected Rulemakings

Abstract: PTO plans to propose rules and procedures for handling requests brought pursuant to the provisions of Public Law 98-417 for patent term extensions to restore the portion of the term lost as a result of regulatory delay.

Timetable:

Action	Date	FR Cite
NPRM	08/01/85	
NPRM Comment Period Begin	08/01/85	
NPRM Comment Period End	10/01/85	
Final Action	02/01/86	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local,

State, Federal

Analysis: See Additional Information

Agency Contact: R. Franklin Burnett, Special Assistant, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3054

RIN: 0651-AA22

149. TRADEMARK APPLICATIONS

Priority: Agency Determination

Legal Authority: 15 USC 1123; Crocker National Bank v. Canadian Imperial Bank of Commerce; 223 USPO 909 (TTAB 1984);

CFR Citation: 37 CFR 2.21; 37 CFR 2.33; 37 CFR 2.39; 37 CFR 2.56; 37 CFR 2.57; 37 CFR 2.58

Abstract: PTO plans to propose amendment of its rules of practice in trademark cases to revise the use and specimen requirements in trademark applications filed by foreign applicants pursuant to Section 44 of the Trademark Act, 15 USC 1126. The revision would conform the use and specimen requirements with the

decision of the Trademark Trial and Appeal Board in Crocker National Bank v. Canadian Imperial Bank of Commerce, 223 USPQ 909 (1984).

Timetable:

Action	Date	FR Cite
Final Action	06/01/85	The same
Final Action Effective	08/01/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Ms. Carlisle Walters, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3268

RIN: 0651-AA23

DEPARTMENT OF COMMERCE (DOC) Patent and Trademark Office (PTO)

Completed Actions

COMPLETED RULEMAKINGS 150. FINAL RULE FOR PATENT MAINTENANCE FEES

Priority: Agency Determination

Legal Authority: 35 USC 6; PL 96-517; PL 97-247

CFR Citation: 37 CFR 1.1; 37 CFR 1.9; 37 CFR 1.17; 37 CFR 1.19; 37 CFR 1.20; 37 CFR 1.33; 37 CFR 1.362; 37 CFR 1.363; 37 CFR 1.366; 37 CFR 1.377; 37 CFR 1.378

Abstract: PTO amended its rules of practice in patent cases to provide procedures for paying maintenance fees.

Timetable:

Action	Date	FR Cite
NPRM	04/24/84	49 FR 17692
NPRM Comment Period Begin	04/24/84	
NPRM Comment Period End	06/26/84	
Final Action	08/31/84	49 FR 34716
Final Action Effective	11/01/84	49 FR 34716

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: R. Franklin Burnett, Department of Commerce, Patent and Trademark Office, Ofc. of Asst. Com. for Patents, Washington, DC 20231, 703 557-3054

RIN: 0651-AA11

151. PATENT INTERFERENCE PROCEEDINGS

Priority: Agency Determination

Legal Authority: 35 USC 6; 35 USC 23; 35 USC 41; 35 USC 135

CFR Citation: 37 CFR 1.1; 37 CFR 1.4; 37 CFR 1.5; 37 CFR 1.8; 37 CFR 1.9; 37 CFR 1.11; 37 CFR 1.11; 37 CFR 1.14; 37 CFR 1.17; 37 CFR 1.36; 37 CFR 1.48; 37 CFR 1.55; 37 CFR 1.59; 37 CFR 1.68; 37 CFR 1.103; 37 CFR 1.122; ...

Abstract: Amendments were made to PTO's rules of practice in patent cases to simplify procedures for conducting interference proceedings, reduce the expense to the parties and normally conclude proceedings within 2 years. Other amendments were made to implement provisions in Public Law 98-622 for the consolidation of the Board of Appeals and the Board of Patent

Interferences into a single Board of Patent Appeals and Interferences and for the consideration of patentability issues in interference cases.

Timetable:

ACTION		Date		P.H.	Cite
ANPRM		08/01/80	3 48	FR.	34836
ANPRM Comme Period I		08/01/83	48	FR	34836
ANPRM Comme Period I		08/22/80	1		
NPRM		01/30/84	49	FR	3768
NPRM Co Period I		01/30/84	49	FR	3768
NPRM Co Period I		05/07/84	*		
Final Actio	on	12/12/84	49	FR	48416
Final Action		02/11/85	49	FR	48416

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal DOC-PTO

Completed Actions

Agency Contact: Fred E. McKelvey, Examiner-in-Chief, Department of Commerce, Patent and Trademark Office, Department of Commerce, Box 8, Washington, DC 20231, 703 557-4025

RIN: 0651-AA14

152. PRACTICE BEFORE THE PATENT AND TRADEMARK OFFICE

Legal Authority: 35 USC 6; 35 USC 31; 35 USC 32; 15 USC 1123

CFR Citation: 37 CFR 1.8; 37 CFR 1.21; 37 CFR 1.31; 37 CFR 1.33; 37 CFR 1.34; 37 CFR 1.56; 37 CFR 1.341 to 1.348; 37 CFR 1.455; 37 CFR 2.11; 37 CFR 2.12 to 2.16; 37 CFR 2.17; 37 CFR 2.19; 37 CFR 10.1 to 10.11; 37 CFR 10.12 to 10.13; 37 CFR 10.14 to 10.15; ...

Abstract: Amendments were made to PTO's rules of practice relating to professional conduct of attorneys and agents practicing before the PTO.

Amendments were also made to revise

the procedures for admission to practice in patent cases and to clarify the procedures followed in conducting investigations and disciplinary proceedings.

Timetable:

Action	Date		FR	Cite
ANPRM	03/16/84	49	FR	10012
ANPRM Comment Period Begin	03/16/84			
ANPRM Comment Period End	07/09/84			
NPRM	08/24/84	49	FR	33790
NPRM Comment Period Begin	08/24/84			30,00
NPRM Comment Period End	10/02/84			
Final Action	02/06/85	50	FR	5158
Final Action Effective on	03/08/85	50	FR	5158

Action	Date	FR Cite
Final Action Effective on Parts 37 CFR 1.21(a)(5) and (6)	04/08/85	

Small Entity: No

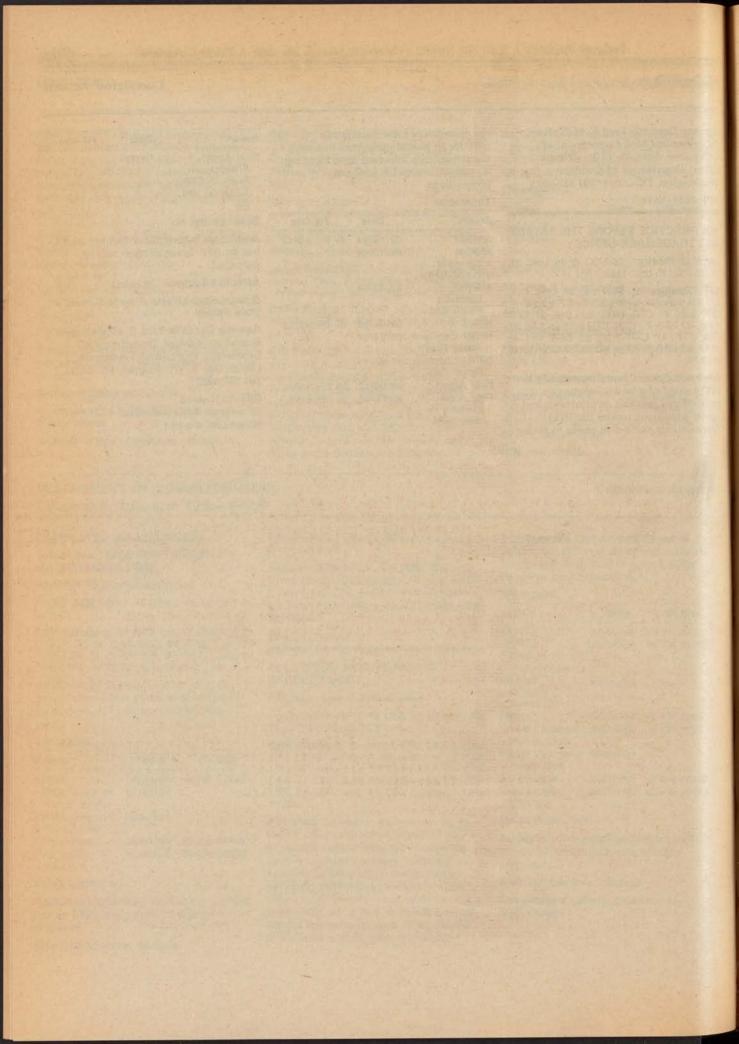
Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Fred E. McKelvey. Examiner-in-Chief, Department of Commerce, Patent and Trademark Office, Box 8, Washington, DC 20231, 703 557-4025

RIN: 0651-AA15 [FR Doc. 85-6487 Filed 04-26-85; 8:45 am] BILLING CODE 3510-BW-T





Monday April 29, 1985



Department of Defense

Semiannual Regulatory Agenda



DOD

DEPARTMENT OF DEFENSE (DOD) Office of the Secretary (OS)

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Chs. I, V, VI, and VII

33 CFR Ch. II

36 CFR Ch. III

Improving Government Regulations; Semiannual Agenda of Regulations

AGENCY: Department of Defense.

ACTION: Publication of the consolidated semiannual agenda of DoD regulatory documents.

SUMMARY: The Department of Defense is publishing this consolidated semiannual agenda of regulatory documents for public information and comments under E.O. 12291, "Federal Regulation." This agenda incorporates the objectives and criteria, when applicable, of the regulatory reform program under E.O. 12291, and other regulatory reform programs. It contains DoD issuances initiated by DoD Components that may have economic and environmental impact on state, local, public or private interests under the criteria of E.O. 12291. Although most DoD issuances listed in the agenda are of negligible public impact, their nature may be of public interest and are therefore published to provide notice of rulemaking and an opportunity for public participation in the internal DoD rulemaking process.

This agenda updates the report published in October 22, 1984 and includes regulations expected to be issued and under review over the next 12 months. The next agenda is scheduled to be published in October 1985. In addition to this agenda, DoD Components also publish rulemaking notices pertaining to their specific statutory administration requirements as required.

FOR FURTHER INFORMATION CONTACT:

For information concerning the overall DoD regulatory improvement program and for general semiannual agenda information contact Mr. Terry D. Judd, telephone 202-697-1142 or write to Directorate for Organizational and Management Planning, OASD(C), Washington, D.C. 20301.

For questions of a legal nature concerning the agenda and its statutory requirements or obligations, contact Ms. Kathleen Buck, legal counsel, Office of the General Counsel, Washington, D.C. 20301, or call 202-697-2714.

For specific agenda items, contact the appropriate individual indicated in each DoD Component report.

SUPPLEMENTARY INFORMATION: This consolidated agenda is composed of the regulatory status reports from the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force. Included also in this agenda is the regulatory report from the U.S. Army Corps of Engineers, whose civil works functions fall under the reporting requirements of E.O. 12291. Their agenda will reflect these requirements, with follow-on reporting actions taken, as necessary.

DoD issuances range from DoD Directives (reflecting departmental policy) to implementing instructions and regulations (largely internal and used to implement Directives). The OSD agenda section contains the primary Directives under which DoD Components promulgate their implementing regulations.

To ease identification and to clarify the differences between the variety of issuances reported, they are identified by their DoD internal numbering system, which denotes Component level of authority and type of issuance in addition to the required CFR number.

In addition, this agenda, although published under the reporting requirements of E.O. 12291, will continue to be the DoD single source reporting vehicle which will identify issuances that are currently applicable under the various regulatory reform programs in progress. Therefore, when applicable, DoD Components will identify those rules which come under the criteria of the:

- a. Regulatory Flexibility Act.
- b. Paperwork Reduction Act.
- c. GATT International Trade Agreement.

These DoD issuances which are directly applicable under these statutes will be identified in the agenda and their action status indicated. Generally, the reports contained in this agenda will contain three sections: (1) Current and projected rulemaking; (2) review of existing regulations; and (3) completed

Although not a regulatory agency, the Department of Defense will continue to participate in regulatory initiatives designed to reduce economic costs and unnecessary environmental burdens upon the public. Comments and recommendations are invited on the rules reported and should be addressed to the DoD Component representatives identified in each section.

Although sensitive to the needs of the public and regulatory reform, DoD reserves the right to exercise the exemptions and flexibility permitted in its rulemaking process in order to proceed with its overall defense-oriented mission.

Note: The publishing of this agenda does not waive the applicability of the military affairs exemption in title 5, section 553 and section 1 of E.O. 12291.

DATED: February 27, 1985.

Arthur H. Ehlers,

Director for Organizational and Management Planning.

AGENCY: Office of the Secretary, DoD.

ACTION: This agenda updates the report published in October 22, 1984 and includes regulations expected to be issued and under review over the next 12 months.

SUMMARY: The regulatory material listed below is in 3 parts: (1) Current and projected rulemaking; (2) review of existing regulations, and (3) completed actions.

FOR FURTHER INFORMATION CONTACT:

The Agency contact names and telephone numbers appear after each agenda entry. For other information on the agenda, contact Mrs. Patricia H. Means, Directives Division, Correspondence and Directives Directorate, Washington Headquarters Services, telephone 202-697-4111.

DOD-OS

SUPPLEMENTARY INFORMATION:

E.O. 12291. None of the regulatory documents listed below is a "major rule" and no major rules are presently under development.

Regulatory Flexibility Action, section 610. The Office of the Secretary of Defense has screened its existing regulatory documents and has concluded that none of its regulatory documents causes significant impact on a substantial number of small entities.

Paperwork Reduction Act, Pub. L. 96-511. None of the DoD regulatory documents listed in the agenda require information collection reports affecting the public sector under the criteria of Pub. L. 96-511.

GATT Agreement. None of the DoD regulatory documents listed in this agenda impact upon foreign trade under the GATT Agreement.

The OSD agenda follows.

DEPARTMENT OF DEFENSE (DOD) Office of the Secretary (OS)

Current and Projected Rulemakings

PUBLICATION OF PROPOSED AND ADOPTED REGULATIONS AFFECTING THE PUBLIC (DOD DIRECTIVE 5400.9)

Legal Authority: 5 USC 551 to 553

CFR Citation: 32 CFR 296

Abstract: To update DoD's implementation of the Administrative Procedure Act, and to include EO 12291, the Regulatory Flexibility Act (PL 96-354), and the Paperwork Reduction Act (PL 96-511).

Timetable:

Action Date FR Cite
Final Action 12/00/85

Small Entity: No

Agency Contact: John Morris, Department of Defense, Office of the Secretary, 202 695-6718

RIN: 0790-AA02

INVOLUNTARY CHILD AND SPOUSAL SUPPORT ALLOTMENTS (DOD DIRECTIVE 1340.XX)

Legal Authority: PL 97-248; 37 USC 101; 15 USC 1673; 42 USC 465

CFR Citation: 32 CFR 54

Abstract: This proposed rule (47 FR 46297, 10/18/82) implements section 172 of the Tax Equity and Fiscal Responsibility Act of 1982. It is being recoordinated within the Department of Defense.

Timetable:

Action Date FR Cite

NPRM 10/18/82 47 FR 46297
Final Action 12/00/85

Small Entity: No

Agency Contact: James T. Jasinski, Department of Defense, Office of the Secretary, 202 697-0536

RIN: 0790-AA08

VICTIM AND WITNESS ASSISTANCE (DOD DIRECTIVE 1030.1)

Legal Authority: PL 97-291; 10 USC 801 to 940

CFR Citation: 32 CFR 95

Abstract: This proposed rule (48 FR 51490), November 9, 1983, is being staffed within the Department of Defense. The rule will implement the Victim and Witness Protection Act of 1982.

Timetable:

Action Date FR Cite

NPRM 11/09/83 48 FR 51490

Final Action 04/00/85

Small Entity: No

Agency Contact: A. Effron, Department of Defense, Office of the Secretary, 202 695-1078

RIN: 0790-AA27

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS) (FEDERAL MEDICAL CARE RECOVERY ACT, CHAPTER 9) (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1088; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This proposed amendment (48 FR 45791, October 7, 1983) revises the CHAMPUS regulation by consolidating all federal claims provisions into one Chapter. It is also being staffed within the Department of Defense.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 10/07/83
 48 FR 45791

 Final Action
 04/00/85

Small Entity: No

Agency Contact: Tariq Shahid, Department of Defense, Office of the Secretary, 303 361-3587

RIN: 0790-AA29

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); CARDIAC PACEMAKER TELEPHONE MONITORING (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: An amendment to the proposed rule was published (49 FR 35934) that will allow coverage for transtelephonic monitoring of cardiac pacemakers which is currently excluded under CHAMPUS Basic Program.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 01/18/84
 48 FR 2118

 Final Action
 04/00/85

Small Entity: No

Agency Contact: David E. Bennett, Department of Defense, Office of the Secretary, 303 361-8608

RIN: 0790-AA31

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); ELIGIBILITY OF ADULT ADOPTEES FOR MEDICAL BENEFITS (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This proposed amendment clarifies the intent of Title 10 USC 1072 (2), concerning eligibility of adopted children. This is necessary to ensure that reasonable limits are placed on CHAMPUS eligibility. This clarification will result in uniform eligibility

DOD-OS

Current and Projected Rulemakings

determinations corresponding to the interest of Congress. It is also being staffed within the Department of Defense.

Timetable:

Control of the Contro		
Action	Date	FR Cite
NPRM	03/02/84	49 FR 7837
NPRM Comment Period Begin	03/02/84	
NPRM Comment Period End	04/02/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Rose M. Sabo, Department of Defense, Office of the Secretary, 303 361-4014

RIN: 0790-AA39

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); AMENDMENT OF AMBULANCE SERVICE COVERAGE (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 5 USC

CFR Citation: 32 CFR 199

Abstract: This proposed amendment (49 FR 17976, April 26, 1984) will revise the definition of "ambulance," remove the \$100 allowable charge ceiling used to distinguish between local and long distance ambulance service, and expand coverage for transfer to a Uniformed Service Medical Treatment Facility (USMTF). It is also being staffed within the Department of Defense.

Timetable:

Action	Date	FR Cite
NPRM	04/26/84	49 FR 17976
NPRM Comment Period Begin	04/26/84	
NPRM Comment Period End	05/25/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: David E. Bennett, Department of Defense, Office of the Secretary, 303 361-8608

RIN: 0790-AA40

 INDUSTRIAL PERSONNEL SECURITY CLEARANCE PROGRAM (DOD DIRECTIVE 5220.6)

Legal Authority: 5 USC 504; EO 10865 CFR Citation: 32 CFR 155

Abstract: This rule is being revised and reissued to (1) reflect organizational changes in the Department of Defense, (2) simplify the language contained in the existing rule, and (3) incorporate the Equal Access to Justice (5 USC 504)

standard in the section pertaining to reimbursement for lost earnings.

Timetable:

Action	Date		FR	Cite
NPRM	07/08/84	49	FR	31455
NPRM Comment Period Begin	07/08/84	49	FR	31455
NPRM Comment Period End	08/08/84		1	
Final Action	12/00/85			
Small Entity: No				

Government Levels Affected: Federal

Agency Contact: James P. Brown, Department of Defense, Office of the Secretary, Directorate for Industrial Security, Clearance Review, 202 696-4598

RIN: 0790-AA42

 COLLECTION OF INDEBTEDNESS FROM DOD EMPLOYEES (DOD INSTRUCTION 7045.XX)

Legal Authority: 5 USC 5514 CFR Citation: 32 CFR 90

Abstract: This proposed rule provides specific guidance to DoD Components on the conduct and management of debts, and provides advice to other federal agencies on how to request offset from debtors who are DoD military members or employees.

Timetable:

Action	Date	-	FR	Cite
NPRM	06/09/84	49	FR	35148
NPRM Comment Period Begin	06/09/84	49	FR	35148
NPRM Comment Period End	09/10/84			
Final Action	12/00/85			

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Adam Shaw, Department of Defense, Office of the Secretary, Office of the Deputy Assistant Secretary of, Defense (Management Systems), 202 697-0585

RIN: 0790-AA43

DEPARTMENT OF DEFENSE (DOD) Office of the Secretary (OS)

Completed Actions

COMPLETED RULEMAKINGS FORMER SPOUSE PAYMENTS FROM RETIRED PAY (DOD DIRECTIVE 1340.16)

Legal Authority: PL 97-252; 10 USC 1408

CFR Citation: 32 CFR 63

Abstract: This final rule implements section 1002 of the Uniformed Services Former Spouses' Protection Act.

Timetable:

Action	Date	FR Cite
NPRM	01/28/83	48 FR 4003
Final Action	01/02/85	50 FR 2665

Small Entity: No

Agency Contact: James T. Jasinski, Department of Defense, Office of the Secretary, 202 697-0536

RIN: 0790-AA07

WITHHOLDING OF UNCLASSIFIED TECHNICAL DATA FROM PUBLIC DISCLOSURE (DOD DIRECTIVE 5230.25)

Legal Authority: PL 98-94; 10 USC 140c

CFR Citation: 32 CFR 250

Abstract: This final rule provides that the Secretary of Defense may withhold from public disclosure certain unclassified technical data.

Timetable:

Action	Date		FR	Cite
NPRM	12/22/83	48	FR	56603
Final Action	11/06/84	49	FR	48040

Small Entity: No

Agency Contact: David E. Whitman, Department of Defense, Office of the Secretary, 202 695-2289

RIN: 0790-AA28

DOD-OS

Completed Actions

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

 COPYRIGHTED SOUND AND VIDEO RECORDINGS (DOD DIRECTIVE 5535.4)

Legal Authority: 10 USC 133 CFR Citation: 32 CFR 142

Abstract: Provides policy, prescribes procedures, and assigns responsibilities

regarding the use of copyrighted sound and video recordings within the Department of Defense.

Timetable:

Action	Date	FR	Cite
NPRM	03/20/84	49 FR	10275
Final Action	08/31/84	49 FR	49450

Small Entity: No

Government Levels Affected: Federal

Agency Contact: David W. Ream, Department of Defense, Office of the Secretary, Office of the General Counsel, 202 695-3272

RIN: 0790-AA44

[FR Doc. 85-6487 Filed 04-26-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF DEFENSE (DOD) Department of the Army (DOA)

AGENCY: Department of the Army.

ACTION: Semiannual agenda of regulatory information under review or development by the Department of the Army.

SUMMARY: The Department of the Army published its first agenda in 1978 and

annually thereafter in compliance with Executive Order 12044, Pub. L. 96-354 and the DoD plan for improving Government Regulations. This agenda provides the status of regulations that were previously reported.

SUPPLEMENTARY INFORMATION: The Department of the Army has no major regulations under development which meet the criteria of Pub. L. 96-354 and Executive Order 12291. If applicable, rules which come under the criteria of the Regulatory Flexibility Act, Paperwork Reduction Act, and the GATT International Trade Agreement are so identified.

DEPARTMENT OF DEFENSE (DOD) Department of the Army (DOA)

Current and Projected Rulemakings

THE ARMY GENERAL COUNSEL'S HONORS PROGRAMS

Legal Authority: 10 USC 302; 10 USC 3005

CFR Citation: 32 CFR 585

Abstract: Army General Counsel's Honors Program. To recruit highly qualified attorneys to fill vacancies in the Army General Counsel's Office. Comment period completed.

Timetable:

Action	Date	FR Cite
Review, editing and internal Army	00/00/00	Part will
coordination		

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. John Pavlick, Department of Defense, Department of the Army, Office of the Army General Counsel, 202 695-0562

RIN: 0702-AA00

AIRFIELD CERTIFICATION AND USE OF ARMY AIRFIELDS BY OTHER THAN US DEPARTMENT OF DEFENSE AIRCRAFT

Legal Authority: PL 85-726; PL 97-248; PL 91-258

CFR Citation: Not yet determined

Abstract: Prescribes responsibilities and procedures with regard to use of US Army airfields by other than DoD.

Timetable:

Action	Date	FR Cite
Final Action	12/00/85	
Small Entity: N	0	
TO POPULATION TO BE SE	1 Obj. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. Jesse Burch, Department of Defense, Department of the Army, US Army Air Traffic Control Activity, Aeronautical Service Office, 763 272-7796

RIN: 0702-AA02

CIVILIAN MARKSMANSHIP: RULES AND REGULATIONS FOR NATIONAL MATCHES AND OTHER EXCELLENCE IN COMPETITION (EIC) MATCHES

Legal Authority: 10 USC 4307 to 4313

CFR Citation: 32 CFR 544

Abstract: The rules and regulations for National Matches and other excellencein-competition (EIC) matches have been revised. It gives responsibilities for the National Matches, eligibility criteria, and categories for the competitors, and the program for the National Trophy Matches. This regulation has been revised to change the staff organization of the National Matches, show new eligibility requirements and programs for the National Trophy Matches, include women as a category in the matches, and introduce new awards. The regulation applies to the Active Army, Navy, Air Force and Marine Corps Reserve, and all other personnel competing in the National Matches, and civilians in other EIC matches.

DOD-DOA

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	02/13/85	05 THE S
NPRM Comment Period Begin	02/13/85	

Action	Date	FR Cite
NPRM Comment Period End	03/13/85	Linux Congression
Small Entity: No	ot Applicable	

Agency Contact: Col. Mahatha M.
Oliver, Director, Department of Defense,
Department of the Army, HQDA
(SFDM), Washington, DC 20314, 202
272-0810
RIN: 0702-AA08

DEPARTMENT OF DEFENSE (DOD) Department of the Army (DOA)

Existing Regulations Under Review

ARMY NATIONAL CEMETERIES

Legal Authority: 24 USC Chapter 7

CFR Citation: 32 CFR 553

Abstract: To publish revised guidelines and administration of Arlington National Cemetery and the Soldiers Home National Cemetery.

Timetable:		
Action	Date	FR Cite
End Review	04/01/85	
NPRM	04/01/85	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. Edward
McCarthy, Department of Defense,
Department of the Army, US Army
Military Personnel Center, Alexandria,
VA 22331-0400, 703 325-7960

RIN: 0702-AA07 [FR Doc. 85-6487 Filed 04-28-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF DEFENSE (DOD) U.S. Army Corps of Engineers (COE)

Current and Projected Rulemakings

RULES AND REGULATIONS GOVERNING PUBLIC USE OF WATER RESOURCE DEVELOPMENT OF PROJECTS ADMINISTERED BY THE CHIEF OF ENGINEERS

Legal Authority: 16 USC 460d CFR Citation: 36 CFR 327

Abstract: Final rule published in 1979.
Minor revisions will provide
clarification of authority used by field
personnel in the management of natural
resources.

Timetable:

Action	Date	FR Cite
ANPRM	04/19/84	49 FR 15796
NPRM	06/00/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Darrell E. Lewis, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-R, 202 272-0247

RIN: 0710-AA03

REGULATORY PROGRAMS OF THE CORPS OF ENGINEERS

Legal Authority: 33 USC 403; 33 USC 1341; 33 USC 1413

CFR Citation: 33 CFR 320 to 330

Abstract: Program policies and procedures for the conduct of the Regulatory Program of the Corps of Engineers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/22/82	47 FR 31794
NPRM	05/12/83	
Amendments proposed NPRM	05/22/83	48 FR 21466
NPRM Lawsuit Settlement Revisions (33 CFR 320, 323, 325, 330)	03/29/84	49 FR 12260
Publish final Lawsuit Rules	10/05/84	49 FR 39478
Final Action	05/00/85	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - The paperwork, reports, studies, etc., required of government at all levels, businesses and citizens will be reduced by the revised procedures.

Small Business Impact - By streamlining the procedures for obtaining a Corps permit, the regulatory burden on small businesses will be reduced.

GATT Impact - None.

Agency Contact: Bernard Goode, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-N, 202 272-0200

RIN: 0710-AA04

RECREATION USE FEES

Legal Authority: 16 USC 460; 16 USC 461

CFR Citation: 36 CFR 71

Abstract: Will provide updated version of ER 1130-2-404, Recreation Use Fees. The proposed regulation change expands the Corps recreation fee program at Corps projects.

Timetable:

Action	Date	FR Cite
Final Antina	00/00/05	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Darrell E. Lewis, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-R, 202 272-0247

RIN: 0710-AA10

DOD-COE

Current and Projected Rulemakings

ENVIRONMENTAL QUALITY, PROCEDURES FOR IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Legal Authority: 42 USC 4321 CFR Citation: 33 CFR 230

Abstract: Revisions will streamline Corps NEPA procedures consistent with improved management techniques and reduce unnecessary regulatory burdens on applicants who seek Department of the Army permits.

Timetable:

Action	Date		FR Cite	
NPRM	01/11/84	49	FR	1387
Final Action	03/00/85			

Small Entity: No

Additional Information: Additional agency contact: Dr. Robert Pierce (202) 272-0199

Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Mr. Richard L. Makinen, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWR-P, 202 272-0120

RIN: 0710-AA11

REGULATORY PROGRAMS OF THE CORPS OF ENGINEERS

Legal Authority: 33 USC 403; 33 USC 1341; 33 USC 1413

CFR Citation: 33 CFR 325, Appendix C

Abstract: Procedures for including concerns for the protection of historic properties in the regulatory program of the Corps of Engineers.

Timetable:

Action	Date	FR	Cite
NPRM	05/04/84	49 FR	19036
Final Action	03/00/85		

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - The paperwork, reports, studies, etc., required of government at all levels, business and citizens will be reduced by the revised procedures.

Small Business Impact - By streamlining the procedures for obtaining a Corps permit, the regulatory burden on small businesses will be reduced.

GATT Impact - None.

Agency Contact: Bernard Goode, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-N, 202 272-0200

RIN: 0710-AA12

DEPARTMENT OF DEFENSE (DOD) U.S. Army Corps of Engineers (COE)

Existing Regulations Under Review

CORPS OF ENGINEERS MANAGEMENT OF ARMY AND AIR FORCE REAL PROPERTY

Legal Authority: 5 USC 301; 10 USC 3012

CFR Citation: 32 CFR 644

Abstract: Chapter 8 of EP 405-1-2 is mainly comprised of instructions and guidance relating to internal agency procedures for managing and administering real property and interests in real property controlled by the Army and Air Force. Accordingly, it was determined that the entire chapter does not require publication in the Federal Register. Excerpts of applicable parts will be proposed for publication by Winter 1985.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/85	
Small Entitue	Undetermined	

Agency Contact: Mr. Terrence Wilmer, Chief, Programs Division, Department of Defense, U.S. Army Corps of Engineers, ATTN: DAEN-REP, Washington, DC 20314-1000, 202 272-0522

RIN: 0710-AA14 [FR Doc. 85-6487 Filed 04-26-85; 8-45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF DEFENSE (DOD) Department of the Navy (NAVY)

AGENCY: Department of the Navy.

ACTION: This agenda updates the report published on October 22, 1984 and includes regulations expected to be issued and under review over the next 12 months by the Department of the Navy.

SUMMARY: None of the regulations contained in this agenda meet the criteria of the Regulatory Flexibility Act (Pub. L. 96-354), have priority status, are major rules under E.O. 12291, or contain reporting requirements under the "Paperwork Act." Further, none of the regulations come under the GATT International Trade Agreement.

FOR FURTHER INFORMATION CONTACT:

Where a contact official is indicated, contact the specified individual. For general information, contact Ms.
Alcinda P. Wenberg, telephone 202-695-0792 or write to Department of the Navy, Chief of Naval Operations, OP-945C, Washington, D.C. 20350-2000.

DEPARTMENT OF DEFENSE (DOD) Department of the Navy (NAVY)

Current and Projected Rulemakings

NONNAVAL MEDICAL AND DENTAL CARE (NAVMEDCOMINST 6320.1)

Legal Authority: 5 USC 301; 5 USC 8140; 10 USC 1071 to 1085; 10 USC 5031; 10 USC 6148; 10 USC 6201 to 6203; 32 CFR 700.1202

CFR Citation: 32 CFR 732

Abstract: To update the NAVMEDCOM Instruction.

Timetable:

Action Date FR Cite

Final Action 06/00/85

Small Entity: No

Agency Contact: Mr. H. Pelham, Department of Defense, Department of the Navy, MEDCOM, 202 653-1179

RIN: 0703-AA00

DISPOSITION OF CASES INVOLVING PHYSICAL DISABILITY (SECNAVINST 1850.4)

Legal Authority: 5 USC 301; 10 USC 1216: 10 USC 5031

CFR Citation: 32 CFR 725

Abstract: Under revision due to change

in basic requirements.

Timetable:

Action Date FR Cite
Final Action 06/00/85

Small Entity: No

Agency Contact: LCDR M. W. Kirkpatrick, Department of Defense, Department of the Navy, NCPB, 202 696-4366

RIN: 0703-AA03

MANUAL OF THE JUDGE ADVOCATE GENERAL

Legal Authority: 3 USC 301; 5 USC 301; 10 USC 815; 10 USC 5031; 10 USC 5148; 32 CFR 700.206; 32 CFR 700.1202

CFR Citation: 32 CFR 719

Abstract: To update the JAG Manual.

Timetable:

Action Date FR Cite
Final Action 08/31/85

Small Entity: No

Agency Contact: LT W. F. Roos, Department of Defense, Department of the Navy, JAG, 202 325-9860

RIN: 0703-AA09

STANDARDS OF CONDUCT AND GOVERNMENT ETHICS (SECNAVINST 5370.2H)

Legal Authority: PL 95-521 as amended by PL 96-19 and PL 96-28; 5 USC 301; 10 USC 133; 10 USC 5031; EO 11222; 5 CFR 734; 5 CFR 737; 5 CFR 738; 32 CFR 40

CFR Citation: 32 CFR 721

Abstract: To update the standards of conduct.

Timetable:

Action Date FR Cite
Final Action 06/30/85

Small Entity: No

Agency Contact: CDR Sid Smith, Department of Defense, Department of the Navy, JAG, 202 325-9752

RIN: 0703-AA10

DEPARTMENT OF DEFENSE (DOD) Department of the Navy (NAVY)

COMPLETED RULEMAKINGS SHIPYARD ENTRY REGULATIONS (NAVSHIPYD PTSMHINST 5510.25A)

Legal Authority: 5 USC 301; 10 USC 6011; 18 USC 1382; 50 USC 797; 32 CFR 700,702

CFR Citation: 32 CFR 770

Abstract: New regulation to announce shippard entry policy.

Timetable:

Action Date FR Cite
Final Action 08/28/84

Small Entity: No

Completed Actions

Agency Contact: LT W.F. Roos, Department of Defense, Department of the Navy, JAG, 202 325-9860

RIN: 0703-AA08 [FR Doc. 85-6487 Filed 04-26-85; 8:45 am] BILLING CODE 3510-BW-T

DEPARTMENT OF DEFENSE (DOD) Department of the Air Force (AF)

AGENCY: Department of the Air Force.

ACTION: This agenda updates the report published in October 22, 1984 and includes regulations expected to be issued and under review over the next 12 months.

SUMMARY: The regulations listed on the agenda are existing or proposed regulations under internal review for

revision or development and only apply to those regulations affecting the public. The Department of the Air Force has no "major rules" under development or review as defined by Executive Order 12291. Also, it has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) do not apply to these rules and that these rules do not contain reporting or recordkeeping requirements under the criteria of the Paperwork Reduction Act

of 1980 (Pub. L. 96-511). These rules do not have an impact on international trade and therefore the provisions of the GATT Agreement do not apply.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, contact the specified individual. For general information, contact Ms. N. Carole Koritko, telephone (202) 697-1861 or write, Department of the Air Force, USAF/DASJR(S), Pentagon, Washington, D.C. 20330.

DEPARTMENT OF DEFENSE (DOD) Department of the Air Force (AF)

Current and Projected Rulemakings

SELECTING ARCHITECT-ENGINEER (A-E) FIRMS FOR PROFESSIONAL SERVICES BY NEGOTIATED CONTRACTS (AFR-88-31)

Legal Authority: PL 95-507; 15 USC 631; 15 USC 632; 15 USC 633; 15 USC 637; 15 USC 681; 15 USC 682; 15 USC 683; 15 USC 687; 15 USC 693; 15 USC 694; 25 USC 450

CFR Citation: 32 CFR 834

Abstract: USAF policies & procedures. Revision is in publication process within the Air Force.

Timetable:

Action Date FR Cite

Final Action 07/00/85

Small Entity: No

Agency Contact: Mr. Furlong, Department of Defense, Department of the Air Force, HQ USAF/LEEE, 202 767-4260

RIN: 0701-AA01

USE OF USAF INSTALLATIONS BY OTHER THAN U.S. DOD AIRCRAFT (AFR 55-20)

Legal Authority: Federal Aviation Act of 1958; PL 85-726; 49 USC 1507(a); 49 USC 1508

CFR Citation: 32 CFR 855

Abstract: Gives requirements, procedures, and responsibilities. Revision is in coordination process within the USAF.

Timetable:

Action Date FR Cite
Final Action 07/00/85

Small Entity: No

Agency Contact: Mrs. Young, Department of Defense, Department of the Air Force, HQ USAF/PRPJA, 202 697-1796

RIN: 0701-AA02

PERSONNEL REVIEW BOARDS-SUBPART A - AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS (AFR 31-3)

Legal Authority: 10 USC 1552 CFR Citation: 32 CFR 865

Abstract: Establishes procedures for the correction of military records. Publication in revision process within Department of the Air Force.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/04/84
 49 FR 13382

 NPRM Comment Period Begin
 04/04/84
 FR 13382

 NPRM Comment Period End
 05/04/84
 FR 13382

Small Entity: No

Agency Contact: Mr. D'Orazio, Department of Defense, Department of the Air Force, HQ SAF/MICB, 202 692-4731

RIN: 0701-AA09

OBTAINING MEDICAL, DENTAL, AND VETERINARY CARE FROM CIVILIAN SOURCES (AFR 168-10)

Legal Authority: 10 USC 1074(b); 10 USC 1076(b)

CFR Citation: 32 CFR 880

Abstract: Provides guidance on authorizing and providing

reimbursement at Air Force expense for essential medical and dental care from civilian sources.

Timetable:

Action Date FR Cite

Final Action 06/00/85

Small Entity: No

Agency Contact: MSgt. Fulton, Department of Defense, Department of the Air Force, HQ USAF/SGHC, 202 767-5082

RIN: 0701-AA10

AIR FORCE SUPPLEMENT TO THE FEDERAL ACQUISITION REGULATION (FAR)

Legal Authority: PL 93-400; PL 96-83 CFR Citation: 48 CFR (New)

Abstract: Air Force FAR Supplement establishes for the Air Force uniform policy and procedures implementing and supplementing the FAR, the DOD

FAR Supplement, and other DOD publications concerning contracting.

Timetable:

Action Date FR Cite
Final Action 10/00/85

Small Entity: No

Agency Contact: Col. Swisher, Special Assistant for FAR, Department of Defense, Department of the Air Force, HQ USAF/RDC-FAR, 202 697-9441

RIN: 0701-AA14

DEPARTMENT OF DEFENSE (DOD) Department of the Air Force (AF)

Existing Regulations Under Review

ACQUISITION OF INFORMATION CONCERNING PERSONS AND ORGANIZATIONS NOT AFFILIATED WITH THE DEPARTMENT OF DEFENSE (AFR 124-13)

Legal Authority: DODD 5200.27; 10 USC 8012

CFR Citation: 32 CFR 954

Abstract: Provides USAF policy, limitation & procedures. Awaiting determination and interpretation of policy issues by OSD. Timetable:

Action Date FR Cite

End Review 00/00/00

Small Entity: No

Additional Information: Awaiting rewrite of DODD.

Agency Contact: Mr. Kennedy, Department of Defense, Department of the Air Force, HQ AFOSI/XPP, 202 767-5830

RIN: 0701-AA04

FOREIGN TAX RELIEF PROGRAM (AFR 110-18)

Legal Authority: DODD 5100.64, dtd 12 Aug 70; 32 CFR 211

CFR Citation: 32 CFR 848

DOD-AF

Existing Regulations Under Review

Abstract: Implements DOD foreign taxation on DOD expenditures in foreign countries.

Timetable:		
Action	Date	FR Cite
End Review	00/00/00	
Small Entity:	No	

Agency Contact: Mr. Carroll, Department of Defense, Department of the Air Force, HQ USAF/JACI, 202 695-9631

RIN: 0701-AA12

DEPARTMENT OF DEFENSE (DOD) Department of the Air Force (AF)

Completed Actions

COMPLETED RULEMAKINGS MILITARY JUSTICE GUIDE (AFR 1111)

Legal Authority: 10 USC 836; 10 USC 869; 10 USC 940; 10 USC 8012; MCM, US, 1984

CFR Citation: 32 CFR 883

Abstract: Provides USAF procedures in implementing a portion of the Manual for Courts-Martial, United States, 1984.

Timetable:

Action	Date	FR Cite
Final Action	08/01/84	
Small Entity:	No	

Agency Contact: Col. Hemingway, Department of Defense, Department of the Air Force, HQ USAF/JAJM, 202 767-

RIN: 0701-AA05

LICENSING GOVERNMENT-OWNED INVENTIONS IN THE CUSTODY OF THE DEPARTMENT OF THE AIR FORCE (AFR 110-33)

Legal Authority: 41 CFR 101-4; PL 96-517

CFR Citation: 32 CFR 841

Abstract: Prescribes policies, procedures and conditions for licensing of rights in federally-owned patents/patent applications vested in the US in the custody of the Department of the Air Force.

Timetable:

Action	Date	FR Cite
NPRM	04/12/84	49 FR 14533
NPRM Comment Period Begin	04/12/84	49 FR 14533
NPRM Comment Period End	05/14/84	
Final Action	09/21/84	

Small Entity: No

Agency Contact: Mr. Garvert, Department of Defense, Department of the Air Force, HQ USAF/JACP, 202 475-1386

RIN: 0701-AA07 [FR Doc. 85-6365 Filed 04-26-85; 8:45 am] BILLING CODE 3810-01-T

Monday April 29, 1985

Part VI

Department of Education

Semiannual Regulatory Agenda



Office of the Secretary 34 CFR Subtitles A and B

Unified Agenda of Federal Regulations

AGENCY: Department of Education.

ACTION: Publication of the Unified Agenda of Federal Regulations.

SUMMARY: The Secretary of Education publishes a Unified Agenda of Federal Regulations as required by the Office of Management and Budget (OMB) Bulletin No. 85-6 issued under the authority of section 6(b) of the Executive Order 12291 (Federal Regulations). The purpose of the agenda is to encourage more effective public participation in the regulatory process by giving the public early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT:

Questions or comments related to specific regulations listed in this agenda should be directed to the contact person listed for that set of regulations.

Questions or comments on the overall agenda should be directed to A. Neal Shedd, Director, Division of Regulations Management, Office of the General Counsel, Department of Education, Room 2131, FOB-6, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Telephone: (202) 245-7091.

SUPPLEMENTARY INFORMATION:

Executive Order 12291, dated February

17, 1981, and the Regulatory Flexibility Act, Pub. L. 96-354, enacted September 19, 1980, require the Department of Education to publish, in October and April of each year, (1) an agenda of regulations that the Department expects to issue, and (2) currently effective regulations that are under review. The agenda includes both notices of proposed rulemaking (NPRMs) currently being drafted and pending final regulations.

Under the authority of Executive Order 12291, the Director of OMB has issued OMB Bulletin No. 85-6, dated December 13, 1984, prescribing the content and structure of the Unified Agenda of Federal Regulations. The unified agenda will be issued semiannually and will cover the succeeding 12 months from the date of publication.

For each set of regulations listed, the agenda provides the title of the document, the type of document, a citation of any rulemaking or other action taken since publication of the most recent agenda, and planned dates of future rulemaking. In addition, the agenda provides the following information:

- An abstract, which includes a description of the problem to be addressed, any principal alternatives being considered, and potential costs and benefits of the action.
- An indication of whether the planned action is likely to have a significant economic impact on a substantial number of small entities as defined by

- the Regulatory Flexibility Act (5 USC 601(b)).
- A reference to where a reader can find the current regulations in the Code of Federal Regulations.
- · A citation of legal authority.
- The name, address, and telephone number of the contact person at the Department from whom a reader can obtain additional information regarding the planned action.
- An indication if the action is priority and the criteria used in determining the priority status.

If the "Abstract" section of an entry refers readers to the preamble, it means that amendments to those particular regulations would be designed (1) to effect regulatory relief, including reducing paperwork and compliance burdens, improving cost effectiveness and, to the extent possible, vesting greater discretion in State and local agencies, and (2) if necessary, to clarify and simplify requirements governing that program.

This publication in the Federal Register does not impose any binding obligation on the Department with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded. Dates of future regulatory action are subject to revision in subsequent agendas.

DATED: March 12, 1985. William J. Bennett, Secretary of Education.

Departmental Management—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1 2 3 4 5	Claims Collection	1880-AA09 1880-AA03 1880-AA15 1880-AA16

Departmental Management—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
6 7	Committee Management Regulations	1880-AA18 1880-AA08

	Departmental Management—Existing Regulations Under Review—Continued	
Se- quence Number	Title	Regulation Identifier Number
8	Government in the Sunshine Act Regulations	1880-AA11
Land Street	Office of Bilingual Education and Minority Languages Affairs—Current and Projected Rulemaking	S
Se- quence Number	Title	Regulation Identifier Number
9 10 11	Bilingual Education Act Programs Bilingual Education Evaluation Emergency Immigrant Education Program	1885-AA08 1885-AA09 1885-AA07
	Office for Civil Rights—Current and Projected Rulemakings	
Se- quence Number	Title	Regulation Identifier Number
12	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance.	1870-AA06
13	Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance	1870-AA05
	Office of Educational Research and Improvement—Current and Projected Rulemakings	
Se- quence Number	Title	Regulation Identifier Number
14 15 16 17 18	Educational Research Program (NIE) Excellence in Education Programs Secretary's Discretionary Program for Mathematics, Science, Computer Learning, and Critical Foreign Languages Library Services and Construction Act: Library Services Program Strengthening Research Library Resources Program	1850-AA01 1850-AA06 1850-AA05 1850-AA08 1850-AA09
	Office of Educational Research and Improvement—Existing Regulations Under Review	
Se- quence Number	Title	Regulation Identifier Number
19	Territorial Teacher Training Assistance	1850-AA10
	Office of Elementary and Secondary Education—Current and Projected Rulemakings	
Se- quence Number	Title	Regulation Identifier Number
20 21 22 23	Amendments to Chapter 1 of the Education Consolidation and Improvement Act of 1981 to Implement Pub. L. 98-211 Financial Assistance for Migratory Children and Neglected or Delinquent Children in Institutions, and General Requirements under Chapter 1, ECIA. Financial Assistance to State Agencies to Meet Special Educational Needs of Handicapped Children. State Grants for Strengthening the Skills of Teachers and Instruction in Mathematics, Science, Foreign Languages,	1810-AA11 1810-AA00 1810-AA19
23	State Grants for Strengthening the Skills of Teachers and Instruction in Mathematics, Science, Foreign Languages, and Computer Learning	1810-AA12

Office of Elementary and Secondary Education—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
24	Assistance for School Construction in Areas Affected by Federal Activities (SAFA)	1810-AA05
25	School Assistance For Local Educational Agencies (LEAs) in Areas Affected by Federal Activities and Arrangements for Children Where LEAs Cannot Provide Suitable Free Education	1810-AA18
26	Indian Education Program - Formula Grants to Local Educational Agencies and Tribal Schools	1810-AA14
27	Magnet Schools Assistance Program	1810-AA13
28	Amendments to Chapter 2 of the Education Consolidation and Improvement Act of 1981 to Implement Pub. L. 98-	1810-AA10
29	Women's Educational Equity Act Program - Tier II Projects	1810-AA15

Office of Elementary and Secondary Education—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
30	Women's Educational Equity Program	1810-AA16

Office of Planning and Budget and Evaluation—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
31	Equal Access of Students to Limited Open Forums of Public Secondary Schools	1875-AA01

Office of Postsecondary Education—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
32	Carl D. Parkins Scholarshin Program	1840-AA35
33	Carl D. Perkins Scholarship Program	1840-AA36
34	Procedures for Determining the Eligibility of Institutions and Schools of Postsecondary Education Under the Higher	
34	Education Act of 1965 as amended	1840-AA32
35	Education Act of 1965, as amended	1840-AA30
36	Financial Assistance for Construction, Reconstruction, and Renovation of Academic Facilities	1840-AA27
37	National Graduate Fellows Program	1840-AA34
38	Student Assistance General Provisions	1840-AA11
39	National Graduate Fellows Program	1840-AA26
40	Student Assistance General Provisions - Subpart E	1840-AA31
41	National Direct Student Loan Program (Subpart C - Due Diligence)	1840-AA02
42	National Direct Student Loan, College Work-Study, and Supplemental Educational Opportunity Grant Programs (Campus-based programs)	1840-AA03
43	Guaranteed Student Loan and Plus Programs	1840-AA04
44	Guaranteed Student Loan - 1985-86 Family Contribution Schedule	1840-AA28
45	Guaranteed Student Loan/PLUS Programs (Tax-Exempt)	1840-AA37
46	Guaranteed Student Loan/PLUS Programs (Tax-Exempt) Guaranteed Student Loan – 1986-87 Family Contribution Schedule Pell Grant Program Pell Grant Program - Cost of Attendance 1985-86 - 1986-87	1840-AA38
47	Pell Grant Program	1840-AA06
48	Pell Grant Program - Cost of Attendance 1985-86 - 1986-87	1840-AA29
49	Pell Grant Program - Family Contribution Schedule - Family Size Offsets	1840-AA33

Office of Postsecondary Education-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
50	Guaranteed Student Loan Program	1840-AA23

Office of Special Education and Rehabilitative Services—Current and Projected Rulemakings

Se- quence Number	Title Title	Regulation Identifier Number
51 52 53	Assistance to States for Education of Handicapped Children *Removal of Architectural Barriers to the Handicapped	1820-AA36 1820-AA16 1820-AA30
54 55	Handicapped Special Studies - Evaluation	1820-AA34 1820-AA29
56 57 58	Rehabilitation Administration Services-Technical Amendments	1820-AA31 1820-AA32
59	Training of Interpreters for Deaf Individuals.	1820-AA33

^{*}Indicates priority regulation.

Office of Special Education and Rehabilitative Services-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
60 61	Assistance to States for Education of Handicapped ChildrenChildcount/Bypass	1820-AA17 1820-AA23

Office of Vocational and Adult Education—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
62 63	State Vocational Education Program and Secretary's Discretionary Programs of Vocational Education Adult Education State-Administered Program and National Adult Education Discretionary Program.	1830-AA02 1830-AA04

DEPARTMENT OF EDUCATION (ED) Departmental Management (EDMAN)

Current and Projected Rulemakings

1. O CLAIMS COLLECTION

Legal Authority: 31 USC 3711 to 3719

CFR Citation: 34 CFR 30

Abstract: These proposed regulations would implement requirements of the Debt Collection Act of 1982, the Federal Claims Collection Standards, and OMB Circular A-50 regarding establishment of a debt collection program.

The proposed regulations would improve management and accountability of Federal funds. They are designed to establish an efficient, equitable, and effective program for the collection of debts owed to the Department of Education.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	THE PARTY OF
Final Action	12/00/85	
Small Entity:	No	

Agency Contact: David T. Dexter. Management Analyst, Department of Education, Departmental Management, 400 Maryland Ave, SW, Rm 3034, FOB-6, Washington, DC 20202, 202 472-6032

RIN: 1880-AA09

2. @ INTEREST ON OUTSTANDING

Legal Authority: 31 USC 3711 to 3719

ED-EDMAN

Current and Projected Rulemakings

CFR Citation: 34 CFR 75; 34 CFR 76; 34 CFR 200; 34 CFR 298; 34 CFR 668; 41 CFR 34-30

Abstract: These regulations would implement requirements of the Debt Collection Act of 1982, the Federal Claims Collection Standards, and OMB Circular A-50 regarding interest assessment by the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	07/11/84	49 FR 28264
NPRM Comment Period Begin	07/11/84	
NPRM Comment Period End	08/27/84	
Final Action	05/00/85	

Small Entity: No

Agency Contact: Frank Stidman, Director, Financial Assistance, Department of Education, Departmental Management, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-2964

RIN: 1880-AA03

3. WUNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS TO STATE AND LOCAL GOVERNMENTS

Legal Authority: OMB Circular A102

CFR Citation: 34 CFR 80

Abstract: These proposed regulations will establish the Department's administrative requirements for grants to State and local governments.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	1000
Final Action	00/00/00	

Agency Contact: Monika Edwards Harrison, Special Advisor, to the DUS for Management, Department of Education, Departmental Management, 400 Maryland Ave, SW, Rm 3021, FOB-6, Washington, DC 20202, 202 472-5123

RIN: 1880-AA15

4. PROCUREMENT REGULATIONS -SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS

Legal Authority: 20 USC 3401 et seq.; 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR 34

Abstract: These regulations apply to the Department's policy and management of a procurement program for small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	00/00/00	
Small Entity:	Undetermined	

Agency Contact: Ben Miller, Small Business Specialist, Department of Education, Departmental Management, 400 Maryland Ave, SW, Rm 2141 FOB-6, Washington, DC 20202, 202 245-9582

RIN: 1880-AA12

5. • EDUCATION DEPARTMENT ACQUISITION REGULATIONS (EDAR)

Legal Authority: 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR 34

Abstract: These regulations would implement the Federal Acquisition Regulations within the Department of Education, and include additional policies, procedures, solicitation provisions, and contract clauses.

Timetable:

Timetable.		
Action	Date	FR Cite
Final Action	05/00/85	

Small Entity: Undetermined

Agency Contact: Richard C. Loeb, Procurement Policy Advisor, Department of Education, Departmental Management, 400 Maryland Ave, SW, Rm 5082, ROB-3, Washington, DC 20202, 202 245-7810

RIN: 1880-AA16

DEPARTMENT OF EDUCATION (ED) Departmental Management (EDMAN)

Existing Regulations Under Review

6. COMMITTEE MANAGEMENT REGULATIONS

Legal Authority: 20 USC 1233 et seq; 5 USC Appendix 2

CFR Citation: 34 CFR 11 Abstract: See Preamble.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	The said
Final Action	00/00/00	
Small Entity:	Undetermined	

Agency Contact: Ann Bailey, Committee Management Officer, Department of Education, Office of Intergovernmental and Interagency Affairs, 400 Maryland Ave, SW, Rm 2135, FOB-6, Washington, DC 20202, 202 245-6081

RIN: 1880-AA18

7. PAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Legal Authority: 20 USC 1232g CFR Citation: 34 CFR 99

Abstract: See Preamble.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Patricia Ballinger, Director, FERPA, Department of Education, Departmental Management, 400 Maryland Ave, SW, Room 3034, Washington, DC 20202, 202 472-6032

RIN: 1880-AA08

8. • GOVERNMENT IN THE SUNSHINE ACT REGULATIONS

Legal Authority: 5 USC 552b; 20 USC

CFR Citation: 34 CFR 705

ED-EDMAN

Existing Regulations Under Review

Abstract: See Preamble.

Timetable:

Date FR Cite Action 00/00/00 NPRM Final Action 00/00/00

Small Entity: Undetermined

Agency Contact: Paul Cawein, Education Research Specialist, Department of Education, Departmental Management, 400 Maryland Ave, SW, Rm 722, Brown Bldg., Washington, DC 20202, 202 254-8247

RIN: 1880-AA11

[FR Doc. 85-6510 Filed 04-28-85; 8:45 am]

BILLING CODE 4000-01-T

DEPARTMENT OF EDUCATION (ED)

Current and Projected Rulemakings

Office of Bilingual Education and Minority Languages Affairs (BEMLA)

9. O BILINGUAL EDUCATION ACT PROGRAMS

Legal Authority: 20 USC 3221 to 3262

CFR Citation: 34 CFR 500; 34 CFR 501; 34 CFR 512; 34 CFR 513; 34 CFR 524; 34 CFR 525; 34 CFR 536; 34 CFR 537; 34 CFR 548; 34 CFR 549; 34 CFR 561; 34 CFR 562; 34 CFR 573; 34 CFR 574

Abstract: These proposed regulations would implement provisions of the Education Amendments of 1984, PL 98-511.

Timetable:

FR Cite Action Date NPRM 03/00/85 Final Action 06/00/85

Small Entity: Undetermined

Agency Contact: Vidal A. Rivera, Director, Management, Planning and Policy Staff, Department of Education, Office of Bilingual Education and Minority Languages Affairs, 400 Maryland Ave, SW, Rm. 421, Rep. Bldg., Washington, DC 20202, 202 245-2609

RIN: 1885-AA08

10. BILINGUAL EDUCATION **EVALUATION**

Legal Authority: 20 USC 3243

CFR Citation: 34 CFR 500

Abstract: These proposed regulations would implement the Education Amendments of 1984, PL 98-511.

Timetable:

Action Date FR Cite NPRM 03/00/85 06/00/85 Final Action

Small Entity: Undetermined

Agency Contact: Vidal A. Rivera, Jr., Director, Management, Planning and Policy Staff, Department of Education, Office of Bilingual Education and Minority Languages Affairs, 400 Maryland Ave, SW, Rm. 421, Rep. Bldg., Washington, DC 20202, 202 245-2609

RIN: 1885-AA09

11. © EMERGENCY IMMIGRANT **EDUCATION PROGRAM**

Legal Authority: 20 USC 4101 to 4108

CFR Citation: 34 CFR 581

Abstract: These proposed regulations would implement the Education Amendments of 1984, PL 98-511.

Timetable:

Action Date FR Cite NPRM 04/00/85 06/00/85 Final Action

Small Entity: Undetermined

Agency Contact: Jonathan Chang, Program Education Specialist, Department of Education, Office of Bilingual Education and Minority Languages Affairs, 400 Maryland Ave. SW, Room 421 Rep Bldg, Washington, DC 20202, 202 732-1842

RIN: 1885-AA07 [FR Doc. 85-6510 Filed 04-26-85: 8:45 am]

BILLING CODE 4000-01-T

DEPARTMENT OF EDUCATION (ED) Office for Civil Rights (OCR)

Current and Projected Rulemakings

12. MONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 20 USC 1681; 20 USC

CFR Citation: 34 CFR 106

Abstract: These proposed regulations would amend the fringe benefits provision of the regulations implementing Title IX of the Education Amendments of 1972. The regulations

would require employers offering employees a fringe benefit plan to have both equal pay-in and equal pay-out of benefits, regardless of the sex of the employee.

Timetable:

Action Date FR Cite NPRM 00/00/00 Final Action 00/00/00

Small Entity: Undetermined

Agency Contact: Frederick T. Cioffi, Acting Director, Policy and Enforcement Services, Department of Education, Office for Civil Rights, 400 Maryland Ave. SW, Rm 5050, Switzer Bldg., Washington, DC 20202, 202 732-1635

RIN: 1870-AA06

13. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR **ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

Legal Authority: 42 USC 6101 et seq

ED-OCR

Current and Projected Rulemakings

CFR Citation: 34 CFR 110

Abstract: These agency-specific final regulations would provide appropriate investigative, conciliation, and enforcement procedures consistent with the general Age Discrimination Act regulations issued by DHEW, now the

Department of Health and Human Services.

Timetable:

Date FR Cite Action Final Action 00/00/00

Small Entity: Undetermined

Agency Contact: Frederick T. Cioffi. Acting, Director, Policy and Enforcement Services, Department of Education, Office for Civil Rights, 400 Maryland Ave, SW, Rm 5050, Switzer, Washington, DC 20202, 202 732-1635

RIN: 1870-AA05

[FR Doc. 85-6510 Filed 04-26-85; 8:45 am]

BILLING CODE 4000-01-T

Office of Educational Research and Improvement (OERI)

Current and Projected Rulemakings DEPARTMENT OF EDUCATION (ED)

14. EDUCATIONAL RESEARCH PROGRAM (NIE)

Legal Authority: 20 USC 1221e

CFR Citation: 34 CFR 700; 34 CFR 701; 34 CFR 702; 34 CFR 709; 34 CFR 710; 34 CFR 716; 34 CFR 718; 34 CFR 720; 34 CFR

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	03/12/85	50 FR 9970
NPRM Comment Period Begin	03/12/85	
NPRM Comment Period End	04/11/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Frank Sobol, Senior Research Associate, Department of Education, Office of Educational Research and Improvement, National Institute of Education, 400 Maryland Ave. SW, Washington, DC 20202, 202 254-5510

RIN: 1850-AA01

15. EXCELLENCE IN EDUCATION **PROGRAMS**

Legal Authority: 20 USC 4031 CFR Citation: 34 CFR 750

Abstract: These regulations would implement provisions of the Education for Economic Security Act [Pub. L. 98-377) enacted on August 11, 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/28/84	49 FR 46755
NPRM Comment Period Begin	11/28/84	
NPRM Comment Period End	01/14/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Patricia Alexander, Program Coordinator, Department of Education, Office of Educational Research and Improvement, Office of the Secretary, 400 Maryland Ave, SW, Rm. 4010, Washington, DC 20202, 202 472-1762

RIN: 1850-AA06

16. SECRETARY'S DISCRETIONARY PROGRAM FOR MATHEMATICS, SCIENCE, COMPUTER LEARNING, AND CRITICAL FOREIGN LANGUAGES

Legal Authority: 20 USC 3972 CFR Citation: 34 CFR 755

Abstract: These regulations would implement provisions of the Education for Economic Security Act (Pub. L. 98-377) enacted on August 11, 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/28/84	49 FR 46761
NPRM Comment Period Begin	11/28/84	
NPRM Comment Period End	01/14/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Patricia Alexander, Program Coordinator, Department of Education, Office of Educational Research and Improvement, Office of the Secretary, 400 Maryland Ave, SW, Rm. 4010, Washington, DC 20202, 202 472-1762

RIN: 1850-AA05

17. S LIBRARY SERVICES AND CONSTRUCTION ACT: LIBRARY SERVICES PROGRAM

Legal Authority: 20 USC 351 et seq CFR Citation: 34 CFR 768 to 772

Abstract: These proposed regulations would implement provisions of the Library Services and Construction Act Amendments of 1984.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Robert Klassen, Chief, State and Public Library Services Branch, Department of Education, Office of Educational Research and Improvement, 400 Maryland Ave, SW, Rm. 613 Brown Building, Washington, DC 20202, 202 254-9664

RIN: 1850-AA08

18. • STRENGTHENING RESEARCH LIBRARY RESOURCES PROGRAM

Legal Authority: 20 USC 1021 et seq; 20 USC 1041 et seq

CFR Citation: 34 CFR 778

Abstract: This proposed amendment would extend the certification of major research libraries from one year to four years.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Frank Stevens, Chief, Library Education, Research and Resource Branch, Department of Education, Office of Educational Research and Improvement, 400 Maryland Ave, SW, Rm 725, Brown Bldg., Washington, DC 20202, 202 254-

RIN: 1850-AA09

DEPARTMENT OF EDUCATION (ED)

Office of Educational Research and Improvement (OERI)

Existing Regulations Under Review

19. TERRITORIAL TEACHER TRAINING ASSISTANCE

Legal Authority: PL 95-561 CFR Citation: 34 CFR 790 Abstract: See Preamble.

Action	Date	FR Cite
NPRM	08/00/85	
Final Action	00/00/00	

Agency Contact: Haroldie Spriggs, Program Specialist, Department of Education, Office of Educational Research and Improvement, 400 Maryland Ave, SW, Rm 613, Brown Bldg., Washington, DC 20202, 202 254-

RIN: 1850-AA10

[FR Doc. 85-6510 Filed 04-26-85; 8:45 am]

BILLING CODE 4000-01-T

DEPARTMENT OF EDUCATION (ED)

Office of Elementary and Secondary Education (OESE)

Current and Projected Rulemakings

20. AMENDMENTS TO CHAPTER 1 OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981 TO IMPLEMENT PUB. L. 98-211

Legal Authority: 20 USC 3801 to 3807; 20 USC 3871 to 3876; PL 98-211

CFR Citation: 34 CFR 200; 34 CFR 204

Abstract: These amendments would implement provisions of the Education Consolidation and Improvement Act of 1981 Technical Amendments, PL 98-211.

Timetable:

Action	Date		FR	Cite
NPRM	08/09/84	49	FR	31914
NPRM Comment Period Begin	08/09/84			
NPRM Comment Period End	11/08/84			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Bruce Gaarder,
Director, Division of Program Support,
Department of Education, Office of
Elementary and Secondary Education,
Compensatory Education Programs, 400
Maryland Ave, SW, Washington, DC
20202, 202 245-9846

RIN: 1810-AA11

21, FINANCIAL ASSISTANCE FOR MIGRATORY CHILDREN AND NEGLECTED OR DELINQUENT CHILDREN IN INSTITUTIONS, AND GENERAL REQUIREMENTS UNDER CHAPTER 1, ECIA

Legal Authority: 20 USC 3801 to 3807; 20 USC 3871 to 3876

CFR Citation: 34 CFR 201; 34 CFR 203; 34 CFR 204

Abstract: The amended regulations would implement statutory requirements and provide other necessary information to applicants.

Timetable:

Action	Date	FR Cite
NPRM	12/03/82	47 FR 54718
NPRM Comment Period Begin	12/04/82	
NPRM Comment Period End	03/18/83	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Bruce Gaarder, Director, Division of Program Support, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-9846

RIN: 1810-AA00

22. FINANCIAL ASSISTANCE TO STATE AGENCIES TO MEET SPECIAL EDUCATIONAL NEEDS OF HANDICAPPED CHILDREN

Legal Authority: 20 USC 2771 to 2772; 20 USC 3801 to 3805; 20 USC 3807; 20 USC 3871 to 3876

CFR Citation: 34 CFR 202

Abstract: These regulations would implement provisions of the Education Consolidation and Improvement Act of 1981, as amended. These regulations were originally a part of RIN 1810-AA00.

Timetable:

Action	Date	FR Cite
NPRM	12/03/82	47 FR 54718
NPRM Comment Period Begin	12/04/82	
NPRM Comment Period End	03/18/83	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Shirley A. Jones, Policy, Analysis and Planning, Department of Education, Office of Elementary and Secondary Education, Office of Special Ed. and Rehab. Services, 400 Maryland Ave, SW, (Rm 3526 - Switzer), Washington, DC 20202, 202 732-1128

RIN: 1810-AA19

23. STATE GRANTS FOR STRENGTHENING THE SKILLS OF TEACHERS AND INSTRUCTION IN MATHEMATICS, SCIENCE, FOREIGN LANGUAGES, AND COMPUTER LEARNING

Legal Authority: 20 USC 3961 to 3971; 20 USC 3973

CFR Citation: 34 CFR 208, (New)

Abstract: These regulations would implement provisions of Title II of the Education for Economic Security Act (Pub. L. 98-377) enacted on August 11, 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/20/84	49 FR 45834
NPRM Comment Period Begin	11/20/84	
NPRM Comment Period End	01/04/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Walter Steidle, Chairman, Math, and Science Teacher Education Improvement, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-7965

RIN: 1810-AA12

24. ASSISTANCE FOR SCHOOL CONSTRUCTION IN AREAS AFFECTED BY FEDERAL ACTIVITIES (SAFA)

Legal Authority: 20 USC 631 to 645; 20 USC 647

CFR Citation: 34 CFR 221

Abstract: These regulations would (1) implement amendments to the law, (2) clarify existing requirements, and (3) where practicable, effect regulatory relief, including reduction of paperwork and compliance burdens and improvement of cost effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	49 FR 40362
NPRM Comment Period Begin	10/15/84	
NPRM Comment Period End	12/14/84	
Final Action	05/00/85	

Small Entity: No

Agency Contact: David Phillips, Deputy Director, Impact Aid, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-1975

RIN: 1810-AA05

25. SCHOOL ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES (LEAS) IN AREAS AFFECTED BY FEDERAL ACTIVITIES AND ARRANGEMENTS FOR CHILDREN WHERE LEAS CANNOT PROVIDE SUITABLE FREE EDUCATION

Legal Authority: 20 USC 236 to 244

CFR Citation: 34 CFR 222

Abstract: These proposed regulations would affect the manner in which local contribution rates are set for LEAs, the way the funds are distributed to LEAs, and the method of reporting to the Secretary data or local contribution rates.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	06/00/85	
Small Entity:	Undetermined	

Agency Contact: David G. Phillips, Deputy Director, Impact Aid, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW, Rm 2109, Washington, DC 20202, 202 245-1975

RIN: 1810-AA18

26. ● INDIAN EDUCATION PROGRAM
- FORMULA GRANTS TO LOCAL
EDUCATIONAL AGENCIES AND
TRIBAL SCHOOLS

Legal Authority: 20 USC 241ee(b)(2)

CFR Citation: 34 CFR 251

Abstract: These proposed amendments would implement provisions of the Second Supplemental Appropriations Act of 1984 (Pub. L. 98-396).

Timetable:

Action	Date	FR Cite
NPRM	03/22/85	50 FR 11513
NPRM Comment Period Begin	03/22/85	
NPRM Comment Period End	05/06/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Adrion Baird, Chief, Support Services Branch, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW, Room 2177, Washington, DC 20202, 202 732-1890

RIN: 1810-AA14

27. MAGNET SCHOOLS ASSISTANCE PROGRAM

Legal Authority: 20 USC 4051 to 4062

CFR Citation: 34 CFR 280, (New)

Abstract: These regulations would implement provisions of the Education for Economic Security Act of 1984 (Pub. L. 98-377) enacted on August 11, 1984.

Timetable:

Small Entity: No

Action	Date	FR Cite
NPRM	11/23/84	49 FR 46169
NPRM Comment Period Begin	11/23/84	
NPRM Comment Period End	01/07/85	
Final Action	04/00/85	

Agency Contact: M. Patricia Goines, Chief, Services Section, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW. Rm. 2011, Washington, DC 20202, 202 245-7965

RIN: 1810-AA13

28. AMENDMENTS TO CHAPTER 2 OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981 TO IMPLEMENT PUB. L. 98-211

Legal Authority: 20 USC 3811 to 3876 as amended by Pub. L. 98-211

CFR Citation: 34 CFR 298

Abstract: These amendments would implement provisions of the Education Consolidation and Improvement Act of 1981 Technical Amendments.

Timetable:

Action	Date	FR	Cite
NPRM	07/10/84	49 FR	28212
NPRM Comment Period Begin	07/10/84	NAME OF TAXABLE PARTY.	
NPRM Comment Period End	10/08/84		
Final Action	06/00/85		

Small Entity: No

Agency Contact: Allen King, Deputy Director, Department of Education, Office of Elementary and Secondary Education, Div. of Educational Support, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-7965

RIN: 1810-AA10

29. WOMEN'S EDUCATIONAL EQUITY ACT PROGRAM - TIER II PROJECTS

Legal Authority: 20 USC 3341 to 3348

CFR Citation: 34 CFR 745

Abstract: These proposed regulations would implement the provisions of the Education Amendments of 1984 (Pub. L. 98-511). There are no funds appropriated for Tier II Projects for fiscal year 1985.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	VO DERLOS
Final Action	06/00/85	
Small Entity	Undetermined	

ED-OESE

Current and Projected Rulemakings

Agency Contact: Mrs. Rosemary Clifford-Wilson, Chief, Women's Educational Equity Act Program, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW, Room 2017, Washington, DC 20202, 202 245-2465

RIN: 1810-AA15

DEPARTMENT OF EDUCATION (ED)

Office of Elementary and Secondary Education (OESE)

Existing Regulations Under Review

30. WOMEN'S EDUCATIONAL EQUITY PROGRAM

Legal Authority: 20 USC 3341 to 3348

CFR Citation: 34 CFR 745 Abstract: See Preamble.

Action	Date	FR Cite
NPRM	00/00/00	LIBER CO.
Final Action	00/00/00	
Small Entity:	Undetermined	

Agency Contact: Mrs. Rosemary Clifford-Wilson, Chief, Women's Educational Equity Act Program, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave, SW, Room 2017, Washington, DC 20202, 202 245-2465

RIN: 1810-AA16 [FR Doc. 85-6510 Filed 04-26-85; 8:45 am] BILLING CODE 4000-01-T

DEPARTMENT OF EDUCATION (ED)

Office of Planning and Budget and Evaluation (OPBE)

Current and Projected Rulemakings

31. © EQUAL ACCESS OF STUDENTS TO LIMITED OPEN FORUMS OF PUBLIC SECONDARY SCHOOLS

Legal Authority: 20 USC 4071 to 4074

CFR Citation: 34 CFR 97

Abstract: These proposed regulations would implement the requirements of the Equal Access Act. These regulations would (1) provide guidance to public secondary schools that receive Federal financial assistance from the

Department and that have limited open forums, and (2) assist schools and students in understanding their rights and responsibilities under the Act.

Timetable:

Date	FR Cite
04/00/85	
08/00/85	
	04/00/85

Agency Contact: Gary L. Bauer, Deputy Under Secretary, Department of Education, Office of Planning and Budget and Evaluation, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-7909

RIN: 1875-AA01

[FR Doc. 85-6510 Filed 04-26-85; 8:45 am] BILLING CODE 4000-01-T

Small Entity: No

DEPARTMENT OF EDUCATION (ED) Office of Postsecondary Education (OPE)

Current and Projected Rulemakings

32. © CARL D. PERKINS SCHOLARSHIP PROGRAM

Legal Authority: PL 98-558

CFR Citation: Not yet determined

Abstract: These regulations would implement the provisions of the Human Services Reauthorization Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	
Small Entity:	Undetermined	

Agency Contact: Leo Paszkiewicz, Regulations Officer, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Rm 4060, ROB-3, Washington, DC 20202, 202 245-2787

RIN: 1840-AA35

33. NATIONAL TALENTED TEACHER FELLOWSHIP PROGRAM

Legal Authority: PL 98-558
CFR Citation: Not yet determined

Abstract: These regulations would implement the provisions of the Human Services Reauthorization Act of 1985.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Tamali.
Final Action	00/00/00	

Small Entity: Undetermined

Current and Projected Rulemakings

Agency Contact: Leo Paszkiewicz, Regulations Officer, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Rm 4060, ROB-3, Washington, DC 20202, 202 245-2787

RIN: 1840-AA36

34. PROCEDURES FOR
DETERMINING THE ELIGIBILITY OF
INSTITUTIONS AND SCHOOLS OF
POSTSECONDARY EDUCATION
UNDER THE HIGHER EDUCATION
ACT OF 1965, AS AMENDED

Legal Authority: 20 USC 1088; 20 USC 1094; 20 USC 1141

CFR Citation: 34 CFR 600

Abstract: These regulations would establish procedures the Secretary would use to determine the eligibility of institutions and schools of postsecondary education that apply for Federal financial assistance under any of the programs authorized by the Higher Education Act of 1965, as amended.

Timetable:

Children of the Control of the Contr		
Action	Date	FR Cite
NPRM	06/00/85	
Final Action	11/00/85	

Small Entity: Undetermined

Agency Contact: Morris L. Brown, Director, Division of, Eligibility and Agency Evaluation, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Rm 3030, ROB-3, Washington, DC 20202, 202 245-9703

RIN: 1840-AA32

35. COLLEGE HOUSING PROGRAM (LOAN MANAGEMENT)

Legal Authority: 20 USC 1749a(c)

CFR Citation: 34 CFR 614; 34 CFR 615; 34 CFR 617

Abstract: These regulations would establish Debt Collection procedures for outstanding College Housing loans. The regulations would also make technical amendments to Part 614 - College Housing Program and Part 617-Financial Assistance for Construction, Reconstruction, and Renovation of Academic Facilities program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Final Action	09/00/85	

Small Entity: Undetermined

Agency Contact: Sam Weaver, Chief, Institutional, Receivable Branch, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 755-1843

RIN: 1840-AA30

36. FINANCIAL ASSISTANCE FOR CONSTRUCTION, RECONSTRUCTION, AND RENOVATION OF ACADEMIC FACILITIES

Legal Authority: 20 USC 1132A to 1132E-

CFR Citation: 34 CFR 617 to 621

Abstract: These regulations would establish funding procedures and criteria for applications under Title VII of the Higher Education Act, as amended.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Charles Griffith, Director, Higher Education Incentive Programs, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-3253

RIN: 1840-AA27

37. ● NATIONAL GRADUATE FELLOWS PROGRAM

Legal Authority: 20 USC 1134h to 1134k

CFR Citation: 34 CFR 650

Abstract: These regulations would establish rules and procedures for granting awards under the National Graduate Fellows Program.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	IN THE REAL PROPERTY.
Small Entity:	Undetermined	

Agency Contact: Joel D. West, Chairman, National Graduate, Fellows Program Task Force, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-9758

RIN: 1840-AA34

38. STUDENT ASSISTANCE GENERAL PROVISIONS

Legal Authority: 20 USC 1085; 20 USC 1088; 20 USC 1092; 20 USC 1094; 20 USC 1097; 20 USC 1141(a)

CFR Citation: 34 CFR 668 Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	12/12/84	49 FR 48494
NPRM Comment Period Begin	12/12/84	
NPRM Comment Period End	02/11/85	
Final Action	09/00/85	

Small Entity: Undetermined

Agency Contact: Gail Cornish, Program Specialist, Department of Education, Office of Postsecondary Education, Policy Section, Basic Grant Branch, 400 Maryland Ave, SW, Washington, DC 20202, 202 472-4300

RIN: 1840-AA11

39. PELL GRANT PROGRAM - FAMILY CONTRIBUTION SCHEDULE 1986-87

Legal Authority: 20 USC 1070A; 20 USC 1089

CFR Citation: 34 CFR 690

Abstract: These regulations establish the expected family contributions to be used in determining the financial need of students applying for assistance under the Pell Grant Program for academic year 1986-87.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	STORY OF THE

Small Entity: No

Agency Contact: Debby Cohen, Program Specialist, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Rm. 4318, Washington, DC 20202, 202 472-

RIN: 1840-AA26

40. © STUDENT ASSISTANCE GENERAL PROVISIONS - SUBPART E

Legal Authority: 20 USC 1094 CFR Citation: 34 CFR 668

Abstract: These proposed regulations would establish an integrated system for verification of student and application information under the Campus-based (National Direct Student Loan, College Work-Study, and Supplemental Educational Opportunity Grant), Pell Grant, and Guaranteed Student Loan Programs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	AND THE PERSON NAMED IN
Final Action	09/00/85	

Small Entity: Undetermined

Agency Contact: Fred Sellers, Program Specialist, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Rm. 4018, ROB-3, Washington, DC 20202, 202 245-9720

RIN: 1840-AA31

41. NATIONAL DIRECT STUDENT LOAN PROGRAM (SUBPART C -- DUE DILIGENCE)

Legal Authority: 20 USC 1087aa to 1087ii

CFR Citation: 34 CFR 674

Abstract: Amendments to Subpart C of the regulations would permit strict standards in procedures for the collection of student loans. This would aid in reducing the number of defaulted loans.

Timetable:

Action	Date	FR Cite
NPRM	02/26/85	50 FR 7872
NPRM Comment Period Begin	02/26/85	
NPRM Comment Period End	04/12/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Margaret Henry, Chief, Policy Section, Campus-Based Branch, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, (ROB-3, Rm 4010), Washington, DC 20202, 202 245-9720

RIN: 1840-AA02

42. NATIONAL DIRECT STUDENT LOAN, COLLEGE WORK-STUDY, AND SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAMS (CAMPUS-BASED PROGRAMS)

Legal Authority: 20 USC 1087aa to 1087ii; 42 USC 2751 to 2756b; 20 USC 1070b to 1070b-3

CFR Citation: 34 CFR 674; 34 CFR 675; 34 CFR 676

Abstract: See Preamble

Timetable:

Action	Date	FR Cite	
NPRM	02/27/85	50 FR 8050	
NPRM Comment Period Begin	02/27/85		
NPRM Comment Period End	04/29/85		
Final Action	10/00/85		

Small Entity: Undetermined

Agency Contact: Margaret Henry, Chief, Department of Education, Office of Postsecondary Education, Policy Section, Campus-based Branch, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-9720

RIN: 1840-AA03

43. GUARANTEED STUDENT LOAN AND PLUS PROGRAMS

Legal Authority: 20 USC 1071 to 1087-2 CFR Citation: 34 CFR 682; 34 CFR 683

Abstract: See Preamble. This action now includes previous RIN 1840-AA05.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	12/00/85	
Small Entity:	Undetermined	

Agency Contact: Larry Oxendine, Chief, Policy Section, Department of Education, Office of Postsecondary Education, Guaranteed Student Loan Branch, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-2475

RIN: 1840-AA04

44. ● GUARANTEED STUDENT LOAN -- 1985-86 FAMILY CONTRIBUTION SCHEDULE

Legal Authority: 20 USC 1078; 20 USC 1082

CFR Citation: 34 CFR 682

Abstract: These regulations establish 1985-86 academic levels of expected family contributions that the Secretary of Education will use to determine student eligibility for interest subsidies under the Guaranteed Student Loan Program.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	and the same

Small Entity: No

Agency Contact: Larry Oxendine, Chief, Policy Section, Department of Education, Office of Postsecondary Education, Guaranteed Student Loan Branch, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-2475

FIN: 1840-AA28

45. ● GUARANTEED STUDENT LOAN/PLUS PROGRAMS (TAX-EXEMPT)

Legal Authority: 20 USC 1082; 20 USC 1089-1

CFR Citation: 34 CFR 682

Abstract: These regulations would govern the approval of the Plan for Doing Business submitted to the Department of Education by authorities which issue tax-exempt obligations in order to secure funds to make purchases, or provide financing for loans under the Guaranteed Student Loan Program.

Timetable:

Action	Date	FR Cite
NPRM	02/08/85	50 FR 5539
NPRM Comment Period Begin	02/08/85	
NPRM Comment Period End	03/11/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: David C. Bayer, Chief, Guaranteed Student Loan Branch, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Rm 4310, ROB-3, Washington, DC 20202, 202 245-2475

RIN: 1840-AA37

46. ● GUARANTEED STUDENT LOAN -- 1986-87 FAMILY CONTRIBUTION SCHEDULE

Legal Authority: 20 USC 1078; 20 USC

1082

CFR Citation: 34 CFR 682

ED-OPE

Current and Projected Rulemakings

Abstract: These regulations establish 1986-87 academic levels of expected family contributions that the Secretary of Education will use to determine student eligibility for interest subsidies under the Guaranteed Student Loan Program.

T	-	-	5 m. 1	

Action Date FR Cite

Final Action 03/00/86

Small Entity: No

Agency Contact: Larry Oxendine, Chief, Policy Section, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 245-2475

RIN: 1840-AA38

47. PELL GRANT PROGRAM

Legal Authority: 20 USC 1070a CFR Citation: 34 CFR 690

Abstract: See Preamble

Timetable:

Action Date FR Cite

NPRM 05/09/84 49 FR 19780

NPRM Comment 05/09/84 Period Begin

NPRM Comment 06/24/84

Period End

PROGRAM

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: Undetermined

Agency Contact: Brian Kerrigan, Chief, Pell Grant Policy Section, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Washington, DC 20202, 202 472-4300

RIN: 1840-AA06

48. PELL GRANT PROGRAM - COST OF ATTENDANCE 1985-86 - 1986-87

Legal Authority: 20 USC 1070a CFR Citation: 34 CFR 690

Abstract: The regulations change the statutory citation at the end of each section.

Timetable:

Action	Date	FR	Cite
Final Action	04/00/85		XIII CO
O	THE RESERVE OF THE PARTY OF THE		

Small Entity: No

Agency Contact: Brian Kerrigan, Chief, Pell Grant Policy Section, Department of Education, Office of Postsecondary Education, 4OO Maryland Ave, SW, Rm. 4318, Washington, DC 20202, 202 472-4300

RIN: 1840-AA29

49. PELL GRANT PROGRAM -FAMILY CONTRIBUTION SCHEDULE -FAMILY SIZE OFFSETS

Legal Authority: 20 USC 1070; 20 USC

CFR Citation: 34 CFR 690

Abstract: These regulations would amend the Pell Grant Expected Family Contribution Schedule for the 1986-87 award year. The family size offset tables are part of the formulas used in determining student eligibility for Pell Grants on the basis of financial need.

Timetable:

Action	Date	FR Cite
Final Action	11/00/85	NO TOUR

Small Entity: No

Agency Contact: Debby Cohen, Program Specialist, Department of Education, Office of Postsecondary Education, 400 Maryland Ave, SW, Rm 4318, Washington, DC 20202, 202 472-4300

RIN: 1840-AA33

DEPARTMENT OF EDUCATION (ED) Office of Postsecondary Education (OPE)

COMPLETED RULEMAKINGS 50. GUARANTEED STUDENT LOAN

CFR Citation: 34 CFR 682

Completed:				
Date	FR	Cite		
02/08/85 03/25/85	50 FR	5506		
	02/08/85	02/08/85 50 FR		

Completed Actions

Small Entity: No

Agency Contact: David Bayer 202 245-2475

Current and Projected Rulemakings

THE STATE OF THE

RIN: 1840-AA23

[FR Doc. 85-6510 Filed 04-28-85; 8:45 am]

BILLING CODE 4000-01-T

DEPARTMENT OF EDUCATION (ED)

Office of Special Education and Rehabilitative Services (OSERS)

51. SASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

Legal Authority: 20 USC 1413; 20 USC

CFR Citation: 34 CFR 300

Abstract: These regulations would establish procedures for the disapproval of a State plan, clarify the rights of parties, and the duties of the hearing official or panel.

Timetable:

Action	Date	FR Cite
NPRM	11/23/84	49 FR 46252
NPRM Comment Period Begin	11/23/84	
NPRM Comment Period End	02/21/85	
Final Action	05/00/85	

Small Entity: No

Agency Contact: Joseph Clair, Education Program Specialist, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Rm 3527 Switzer Bldg., Washington, DC 20202, 202 732-1101

RIN: 1820-AA36

52. REMOVAL OF ARCHITECTURAL BARRIERS TO THE HANDICAPPED

Priority: Agency Determination

Legal Authority: 20 USC 1406; PL 98-8, Sec 101(c), 101(f)

CFR Citation: 34 CFR 304

Abstract: Regulations are needed to administer funds appropriated under the Emergency Jobs Bill for implementing section 607 of the Education of the Handicapped Act.

Timetable:

Action	Date	FR Cite
NPRM	09/19/84	49 FR 36808
NPRM Comment Period Begin	09/19/84	
NPRM Comment Period End	11/19/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: William Tyrrell, Acting Director, Div of Assistance to States, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Washington, DC 20202, 202 732-1025

RIN: 1820-AA16

53. RESEARCH IN THE EDUCATION OF THE HANDICAPPED

Legal Authority: 20 USC 1441 to 1442 CFR Citation: 34 CFR 324

Abstract: These proposed amendments would provide criteria to assist applicants in proposing appropriate projects and reviewers of applications in selecting those most responsive to the program purposes.

Timetable:

Action	Date	FR	Cite
NPRM	03/20/85	50 FR	11356
NPRM Comment Period Begin	03/20/85		
NPRM Comment Period End	05/20/85		
Final Action	08/00/85		
Small Endless at			

Small Entity: No

Agency Contact: Marty Kaufman,
Director Division of Educational
Services, Department of Education,
Office of Special Education and
Rehabilitative Services, 400 Maryland
Ave, SW, Rm 3078 Switzer Bldg.,
Washington, DC 20202, 202 732-1106

RIN: 1820-AA30

54. HANDICAPPED SPECIAL STUDIES - EVALUATION

Legal Authority: 20 USC 1418 CFR Citation: 34 CFR 327

Abstract: These proposed regulations would provide support for data collection activities and studies, investigations, and evaluations to assess the impact and effectiveness of programs assisted under the Education of the Handicapped Act, and for the Development, publication and Dissemination of the annual report to the Congress, required under section 618 of the act.

Timetable:

Action	Date	FR Cite
NPRM	02/06/85	50 FR 5080
NPRM Comment Period Begin	02/06/85	
NPRM Comment Period End	05/07/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Wendy M. Cullar, Director, Special Education Program, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Rm 3086 Switzer Bldg., Washington, DC 20202, 202 732-1117

RIN: 1820-AA34

55. NATIONAL INSTITUTE OF HANDICAPPED RESEARCH-TECHNICAL AMENDMENTS

Legal Authority: 29 USC 762; 29 USC 762b(1); 29 USC 762(b)(13); 29 USC 777a(a)

CFR Citation: 34 CFR 350; 34 CFR 352; 34 CFR 358; 34 CFR 359

Abstract: These amendments implement provisions of the Rehabilitation Amendments of 1984.

Timetable:

Action	Date	FR	Cite
NPRM	11/23/84	49 FR	46244
NPRM Comment Period Begin	11/23/84		
NPRM Comment Period End	01/07/85		
Final Action	04/00/85		

Small Entity: No

Agency Contact: Betty Jo Berland, Planning and Evaluation Officer, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Rm. 3070, Washington, DC 20202, 202 732-1139

RIN: 1820-AA29

56. REHABILITATION ADMINISTRATION SERVICES-TECHNICAL AMENDMENTS

Legal Authority: 29 USC 741(a); 29 USC 796e(c); 29 USC 777a(a); 29 USC 795g(a); 29 USC 795g; 29 USC 774(a), (b)

CFR Citation: 34 CFR 361; 34 CFR 362; 34 CFR 366; 34 CFR 369; 34 CFR 373; 34 CFR 379; 34 CFR 385; 34 CFR 386; 34 CFR 389

Abstract: These amendments implement provisions of the Rehabilitation Amendments of 1984.

Timetable:

Action	Date	4.0-	FR	Cite
NPRM	10/01/84	49	FR	38656
NPRM Comment Period Begin	10/01/84			
NPRM Comment Period End	11/15/84			
Final Action	04/00/85			

Small Entity: No

Agency Contact: Charles Smolkin, Chief, Vending Facilities Branch, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Rm 3418 Switzer Bldg., Washington, DC 20202, 202 732-1322

RIN: 1820-AA28

57. SPECIAL PROJECTS AND DEMONSTRATION - SUPPORTED EMPLOYMENT FOR HANDICAPPED INDIVIDUALS

Legal Authority: 29 USC 777a (a)(1)

CFR Citation: 34 CFR 373

Abstract: These proposed regulations would implement a departmental initiative to support research evaluation, and demonstration projects that stimulate the development of wage-generating employment for handicapped individuals.

ED-OSERS

Current and Projected Rulemakings

Timetable:			
Action	Date	FR Cite	
NPRM	02/28/85	50 FR 8300	
NPRM Comment Period Begin	02/28/85		
NPRM Comment Period End	04/01/85		
Final Action	06/00/85		

Small Entity: No

Agency Contact: Albert Rotundo, Director, Planning, Policy, and Evaluation, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Rm 3038 Switzer Bldg., Washington, DC 20202, 202 732-1289

RIN: 1820-AA31

58. SPECIAL PROJECTS AND **DEMONSTRATIONS - TRANSITIONAL** REHABILITATION SERVICES FOR HANDICAPPED YOUTH

Legal Authority: 29 USC 777a(c) CFR Citation: 34 CFR 376

Abstract: These proposed regulations would implement a new statutory authority for discretionary grants for special projects and demonstrations to provide job training to handicapped youth and prepare them for entry into the labor force.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	THE REAL PROPERTY.
Final Action	07/00/85	

Small Entity: No

Agency Contact: Harold F. Shay, Director, Division of Special Projects, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Rm 3329 Switzer Bldg., Washington, DC 20202, 202 732-1325

RIN: 1820-AA32

59. • TRAINING OF INTERPRETERS FOR DEAF INDIVIDUALS

Legal Authority: 29 USC 774(d)

CFR Citation: 34 CFR 396

Abstract: These proposed regulations would provide support for training programs to increase the supply of skilled manual and oral interpreters and would ensure the maintenance of interpreters' skills of personnel currently serving as interpreters for deaf individuals.

Timetable:

Action	Date	FR Cite
NPRM-	03/00/85	Car Sain
Final Action	06/00/85	
Effective		

Small Entity: No

Agency Contact: Joseph Abrams, Program Specialist, Vocational Rehabilitation Program, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave, SW, Rm 3316 Switzer Bldg., Washington, DC 20202, 202 732-1357

RIN: 1820-AA33

DEPARTMENT OF EDUCATION (ED)

Office of Special Education and Rehabilitative Services (OSERS)

Completed Actions

COMPLETED RULEMAKINGS **60. ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED** CHILDREN-CHILDCOUNT/BYPASS

CFR Citation: 34 CFR 300

Completed:

Reason	Date		FR	Cite
Final Action Final Action Effective	12/12/84 01/30/85	49	FR	48520

Small Entity: No

Agency Contact: William Tyrrell 202 732-1025

RIN: 1820-AA17

61. CLIENT ASSISTANCE PROJECTS (REHABILITATION ACT)

CFR Citation: 34 CFR 370

Completed:

Reason	Date	FR Cite
Final Action Final Action Effective	03/12/85 04/26/85	50 FR 9960

Small Entity: No.

Agency Contact: Charles Smolkin, Chief 202 732-1322

RIN: 1820-AA23

[FR Doc. 85-8510 Filed 04-28-85; 8:45 am]

BILLING CODE 4000-01-T

DEPARTMENT OF EDUCATION (ED)

Office of Vocational and Adult Education (OVAE)

62. O STATE VOCATIONAL **EDUCATION PROGRAM AND** SECRETARY'S DISCRETIONARY PROGRAMS OF VOCATIONAL **EDUCATION**

Legal Authority: 20 USC 2301 et seq

CFR Citation: 34 CFR 400; 34 CFR 401; 34 CFR 407; 34 CFR 408; 34 CFR 409; 34 CFR 410; 34 CFR 411; 34 CFR 412; 34 CFR 414; 34 CFR 415; 34 CFR 416; 34 CFR 417

Abstract: These proposed regulations would provide information on the states' participation in the program, the types of activities the Secretary will assist, and the selection criteria for evaluating applications under the National Discretionary Programs. These regulations would implement the Carl D. Perkins Vocational Education Act.

Current and Projected Rulemakings

Timetable:			
	Action	Date	FR Cite
	NPRM	01/25/85	50 FR 3626
	NPRM Comment Period Begin	01/25/85	
	NPRM Comment Period End	03/26/85	
	Final Action	06/00/85	
	Small Entity: No	,	

ED-OVAE

Current and Projected Rulemakings

Agency Contact: Charles H. Buzzell, Director, Policy Analysis Staff, Department of Education, Office of Vocational and Adult Education, 400 Maryland Ave, SW, Rm. 5600, ROB-3, Washington, DC 20202, 202 245-8190

RIN: 1830-AA02

63. ADULT EDUCATION -- STATE-ADMINISTERED PROGRAM AND NATIONAL ADULT EDUCATION DISCRETIONARY PROGRAM

Legal Authority: 20 USC 1201 et seq CFR Citation: 34 CFR 425; 34 CFR 426; 34 CFR 431 Abstract: These proposed regulations would govern the state-administered program of adult basic and adult secondary education and the national adult education discretionary program for research, development, demonstration, dissemination, and evaluation. These regulations would implement Title I of the Education Amendments of 1984.

Timetable:

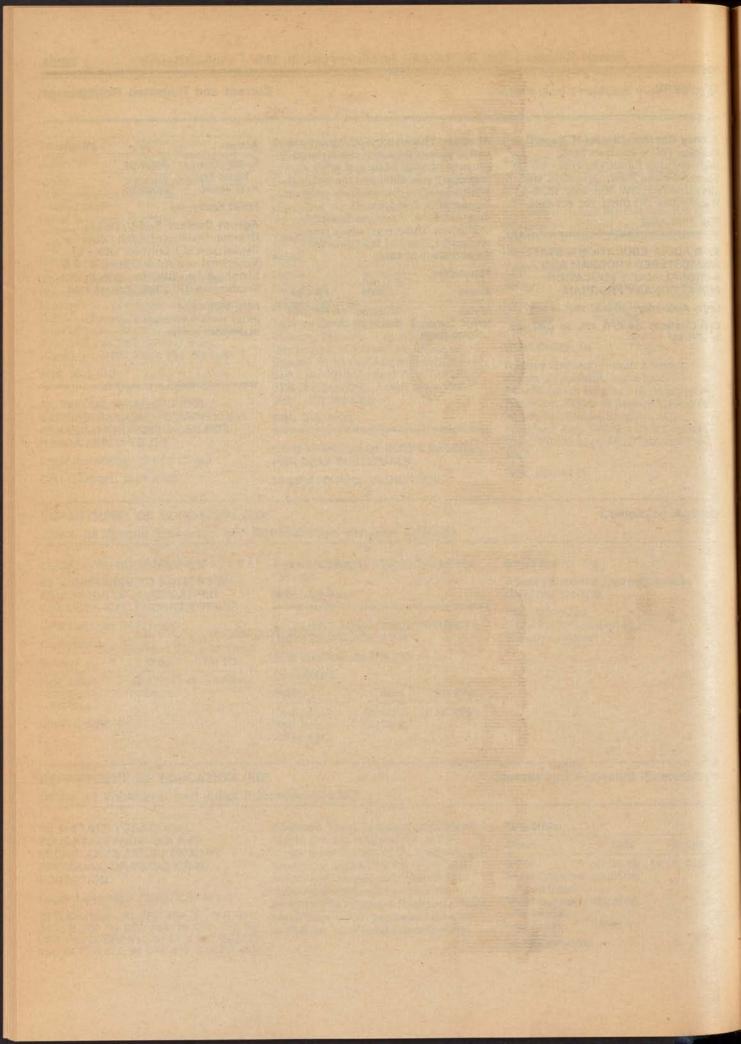
Action	Date	FR Cite
NPRM	02/28/85	50 FR 8304
NPRM Comment Period Begin	02/28/85	

Action	Date	FR Cite
NPRM Comment Period End	04/29/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Paul V. Delker. Director, Division of Adult Education, Department of Education, Office of Vocational and Adult Education, 400 Maryland Ave, SW, Rm. 5610, ROB-3, Washington, DC 20202, 202 245-9793

RIN: 1830-AA04 [FR Doc. 85-6510 Filed 04-26-85; 8:45 am] BILLING CODE 4000-01-T





Monday April 29, 1985

Part VII

Department of Energy

Semiannual Regulatory Agenda



DEPARTMENT OF ENERGY

10 CFR Chs. II, III, and X

41 CFR Chs. 9 and 109

48 CFR Ch. 9

Regulatory Agenda

AGENCY: Department of Energy.

ACTION: April 1985 regulatory agenda.

SUMMARY: In furtherance of this Administration's commitment to make government more responsive to the citizens of the United States and to assist in fulfilling the President's mandate to lessen regulatory burdens, the Department of Energy (DOE) is publishing an agenda of regulatory activities that DOE expects to take in the next year or has completed since October 1984. This Agenda provides the Administration with an effective tool for monitoring and controlling the promulgation of regulations. It includes (1) all rules expected to be issued as proposed or final rules before April 1986. (2) all rules being reviewed within the Department to determine whether to propose modifications through rulemaking, and (3) all rules for which regulatory action has been completed since the October 1984 Regulatory Agenda. In addition, the Agenda identifies each rule that DOE expects to propose or promulgate which is "likely to have a significant economic impact on a substantial number of small entities," and thus also serves as the Department's regulatory flexibility agenda. The Agenda does not include routine regulations and those that relate to internal agency management.

FOR FURTHER INFORMATION CONTACT:

General: For further information on the Agenda in general, contact: Ted Wilson, Department of Energy, Room 6B-144, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252-9507.

Specific: For further information about any particular item on the Agenda, contact the individual listed under that item.

SUPPLEMENTARY INFORMATION:

Executive Order 12291 (46 FR 13193, February 19, 1981) requires each Federal agency to publish, in April and October of each year, an agenda of proposed regulations that the agency has issued or expects to issue, and currently effective rules that are under agency review.

Under the Executive Order, the Office of Management and Budget (OMB) sets forth standards and procedures for the preparation of these agendas.

There are important reasons for preparing this Agenda. It is vital in this Administration's efforts to reduce the burdens of existing and future regulations, to increase agency accountability for regulatory actions, to provide for Presidential oversight of the regulatory process, to minimize duplication and conflict of regulations, and to insure well-reasoned regulations. This Administration has made considerable progress in these efforts. The Department of Energy continues to work vigorously to achieve even greater success in the future. A recent example is DOE's achievement of a reduction in the paperwork burden imposed by the DOE Acquisition Regulations (48 CFR Ch. 9) and other procurement regulations by 10% in fiscal year 1984. In addition, the Energy Information Administration, for fiscal year 1984, reduced the burden of its collections on the public by over 44,000 hours, or more than 3% in addition to permanent savings achieved in prior years.

Prospectively, DOE has agreed to reduce the overall paperwork burden it imposes by not less than a further 5% in fiscal year 1985. DOE also has undertaken a number of initiatives for reducing its management and procurement information collections.

Executive Order 12291 also provides that the regulatory agenda may be incorporated with the "regulatory flexibility agenda" required under the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 602). The regulatory flexibility agenda must contain: (1) A brief description of the subject area and a summary of the nature of any rule which the agency expects to propose or promulgate which is "likely to have a significant economic impact on a substantial number of small entities"; (2) the objectives and legal basis for the issuance of the rule and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and (3) the name and telephone number of an agency official knowledgeable about each rule.

Appended to this notice is DOE's April 1985 Regulatory Agenda, reflecting the status of rules listed as of February 15, 1985. Incorporated in this Agenda is the regulatory flexibility agenda required under 5 U.S.C. 602.

The April 1985 Regulatory Agenda has been prepared in accordance with OMB Bulletin 85-6. Within each major DOE organizational unit, regulatory activities have been divided among the following three categories: (1) Current and projected rulemakings (that is, rulemakings for which a Federal Register notice already has been issued or is expected to be issued prior to April 1986); (2) reviews of existing regulations (that is, pending reviews within the agency to determine whether to modify an existing regulation through a rulemaking); and (3) completed actions (that is, regulatory activities for which the agency has completed its action prior to the publication of the current Agenda). Within the past four years DOE has completed two comprehensive reviews of its regulations (46 FR 20506, April 3, 1981, and 46 FR 18574, April 30, 1982). Accordingly, DOE is not conducting many reviews of existing regulations at this time.

Priority regulations include all regulations designated for priority development or review by an agency head, all regulations that are "major rules" under section 2(b) of Executive Order 12291, and all regulations designated for review by the former Presidential Task Force on Regulatory Relief. Priority regulations are identified and the reason they are deemed to be priority regulations is stated.

Each item will contain the following information: (1) DOE office or administration (that is, the DOE organizational unit responsible for the regulation); (2) RIN number (that is, the Regulation Identifier Number assigned by OMB/OIRA); (3) title; (4) priority status (that is, if the regulation is a priority regulation); (5) agency contact (that is, the name, title, address and telephone number of a person who is knowledgeable about the regulation); (6) existing regulation (that is, if the regulation under review is an existing regulation); (7) effects on small businesses and other entities (that is, whether the action is likely to have a significant economic impact on a substantial number of "small entities" as defined by the Regulatory Flexibility Act); (8) CFR citation (that is, the section of the Code of Federal Regulations that

will be affected); (9) legal authority (that is, a citation to the section of the United States Code (U.S.C.), Public Law (P.L.) or the Executive Order (E.O.) that authorizes the regulatory action); (10) abstract (that is, a description of the problem the regulation will address, the alternatives being considered for addressing the problem, and the potential costs and benefits of the action); and (11) timetable (that is, the dates and citations, if applicable, for all

past stages of the rulemaking that are not final and the next stage of the rulemaking). In addition, each item regarding completed actions (that is, regulations completed or withdrawn and reviews completed since the preceding Agenda) states why the regulation is no longer under development and the date and citation, if appropriate.

On February 22, 1985, a draft of this Agenda was transmitted to the Chief Counsel for Advocacy of the Small Business Administration for comment, if any, to fulfill the requirement of 5 U.S.C. 602(b).

DOE's next Agenda will be published in October 1985.

Issued in Washington, D.C. on February 25, 1985. Theodore J. Garrish, General Counsel.

Conservation and Renewable Energy-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Energy Efficiency Standards for Four Types of Consumer Products	1904-AA04
2	Energy Efficiency Standards for Three Types of Consumer Products	1904-AA05
3	Federal Energy Management & Planning Programs Methodology & Procedures for Life Cycle Costing Analyses	1904-AA06
4	Energy Performance Standards for New Buildings	1904-AA08
5	Energy Efficiency Test Procedures for Water Heaters	1904-AA12
6	*Commercial and Apartment Conservation Service (CACS) Standby Program Regulations	1904-AA16
7	Institutional Conservation Programs - Amendments	1904-AA17
8	Twenty-six State Petitions Regarding Federal Preemption of State Energy Efficiency Standards for Appliances	1904-AA19
9	Weatherization Assistance for Low-Income Persons Arnendments	1904-AA20
10	Energy Efficiency Test Procedures - Waiver	1904-AA22
11	Energy Efficiency Test Procedures - Waiver	1904-AA23
12	State Petition Regarding Federal Preemption of State Energy Efficiency Standards for Appliances	1904-AA24

^{*}Indicates priority regulation.

Conservation and Renewable Energy—Existing Regulations Under Review

Se- quence Number	Title .	Regulation Identifier Number
13 14	Procedures for Preliminary Energy Audits and Guidelines for Buildings Plans	1904-AA09 1904-AA10

Conservation and Renewable Energy-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
15 16	Energy Efficiency Test Procedures for Dishwashers Amendment	1904-AA18 1904-AA21

Defense Programs—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
17 18	10 CFR Part 1017 - Identification and Protection of Unclassified Controlled Nuclear Information. Limited Arrest Authority and Use of Force by Protective Force Officers	1992-AA04 1992-AA10

Defense F	Programs—	Completed	Actions
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Se- quence Number	Title	Regulation Identifier Number
19 20 21	National Security Information	1992-AA02 1992-AA03 1992-AA09

Departmental and Others—Current and Projected Rulemakings

Se- quence Number	Title College	Regulation Identifier Number
22 23 24	Loan Guarantee for Development of Underground Coal Mines and Construction of Coal Preparation Plants Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste – Amendment Special Research Grants Program	1901-AA02 1901-AA03 1901-AA04

Departmental and Others-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
25	General Guidelines for Recommendation of Sites for Nuclear Waste Repositories	1901-AA01

Economic Regulatory Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
26 27	*Review and Establishment of Natural Gas Curtailment Priorities for Interstate Pipelines	1903-AA00 1903-AA04

^{*}Indicates priority regulation.

Economic Regulatory Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
28 29	Administrative Procedures with Respect to the Import and Export of Natural Gas	1903-AA01 1903-AA06

Management and Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
30 31 32 33 34	Financial Assistance Regulations; Cooperative Agreements Department of Energy Financial Assistance Rules Nondiscrimination on the Basis of Age Department of Energy Acquisition Regulation Revisions Department of Energy Acquisition Regulation	1991-AA22

Management and Administration—Existing Regulations Under Review

Se- quence Number	Title Title	Regulation Identifier Number
35	Security Policies and Practices Relating to Labor-Management Relations	1991-AA04

Management and Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
36	Department of Energy Financial Assistance Rules	1991-AA21

Office of General Counsel—Current and Projected Rulemakings

Se- quence Number	Title control to the second title of the second to the sec	Regulation Identifier Number
37 38 39 40 41	Amendments to Department of Energy Conduct of Employees	1990-AA00 1990-AA01 1990-AA02 1990-AA03 1990-AA04

DEPARTMENT OF ENERGY (DOE)

Conservation and Renewable Energy (CE)

1. ENERGY EFFICIENCY STANDARDS FOR FOUR TYPES OF CONSUMER PRODUCTS

Legal Authority: 42 USC 6295 CFR Citation: 10 CFR 430.32

Abstract: Congress directed DOE to prescribe energy efficiency standards for certain specific consumer products unless DOE determines, by rule, that the establishment of such standard will not result in significant conservation of energy or is not technologically feasible or economically justified. This rule deals with four of these products: dishwashers, clothes washers, television sets, and humidifiers and dehumidifiers. The analysis will include all allowable alternatives including various efficiency levels for these consumer products as well as the alternative of no efficiency standard for these consumer products.

Timetable:

Action	Date	FR	Cite
ANPRM	12/13/79	44 FR	72276
NPRM	02/00/85		

Action	Date	FR Cite
NPRM Comment Period Begin	04/00/85	CATEGOR IN
Final Action	08/00/85	
Final Action Effective	09/00/85	

Small Entity: Undetermined

Agency Contact: Michael J. McCabe, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA04

2. ENERGY EFFICIENCY STANDARDS FOR THREE TYPES OF CONSUMER PRODUCTS

Legal Authority: 42 USC 6295 CFR Citation: 10 CFR 430.32

Abstract: Congress directed DOE to prescribe energy efficiency standards for certain specific consumer products unless DOE determines, by rule, that the establishment of such standard will not result in significant conservation of

Current and Projected Rulemakings

energy or is not technologically feasible or economically justified. This rule deals with heat pumps, heat pump water heaters and home heating equipment (not including furnaces). The analysis will include all allowable alternatives including various efficiency levels as well as the alternative of no efficiency standard.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/80	45 FR 5602

Next Action Undetermined

Small Entity: Undetermined

Additional Information: For two of the three types of consumer products, there has been an ANPRM issued. However, for one type of consumer product, neat pump water heaters, there is yet to be an ANPRM. This ANPRM for this single product is planned to be published 3/15/85.

Current and Projected Rulemakings

Agency Contact: Michael J. McCabe, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA05

3. FEDERAL ENERGY MANAGEMENT & PLANNING PROGRAMS METHODOLOGY & PROCEDURES FOR LIFE CYCLE COSTING ANALYSES

Legal Authority: PL 95-619, Sec 545; PL 96-294, Sec 405; 42 USC 8255; EO 11912; EO 12003; PL 95-619, Sec 547

CFR Citation: 10 CFR 436

Abstract: The National Energy
Conservation Policy Act requires DOE
to promulgate regulations that establish
a methodology for estimating and
comparing the life cycle costs of
Federal buildings and for determining
life cycle cost effectiveness. The Energy
Security Act requires that the
regulations provide for the use of
marginal costs in the life cycle cost
analysis. DOE is preparing a NPRM to
comply with this requirement.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: No

Agency Contact: J. William Bethea, Director, Federal Energy Management Program, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9430

RIN: 1904-AA06

4. ENERGY PERFORMANCE STANDARDS FOR NEW BUILDINGS

Legal Authority: PL 94-385; PL 96-399; PL 95-91; PL 97-35

CFR Citation: 10 CFR 435

Abstract: Title III of the Energy
Conservation and Production Act, as
amended, requires the development and
promulgation of energy performance
standards for new buildings. In order to
comply with this requirement, DOE
currently is developing voluntary
guidelines for the private sector and
mandatory standards for the federal
government.

Timetable:

Action	Date	FR Cite
NPRM	07/17/85	A PART OF THE
NPRM Comment Period Begin	07/17/85	
NPRM Comment Period End	09/27/85	

Small Entity: Undetermined

Agency Contact: James A. Smith, Director, Buildings Systems Division, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9835

RIN: 1904-AA08

5. ENERGY EFFICIENCY TEST PROCEDURES FOR WATER HEATERS

Legal Authority: 42 USC 6293 CFR Citation: 10 CFR 430.22

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's EnergyGuide label. The purpose of the rulemaking is to establish test procedures for heat pump water heaters and to eliminate the need for the test procedure waiver granted to A. O. Smith for its water heater with a thermal compensatory dip tube.

Timetable:

Action	Date	FR Cite
NPRM	02/08/84	49 FR 4870
NPRM Comment Period Begin	02/08/84	49 FR 4870
NPRM Comment Period End	05/21/84	
Final Action	02/15/85	
Final Action Effective	03/15/85	

Small Entity: No

Agency Contact: Michael J. McCabe, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA12

6. COMMERCIAL AND APARTMENT CONSERVATION SERVICE (CACS) STANDBY PROGRAM REGULATIONS

Priority: Major

Legal Authority: 42 USC 8284

CFR Citation: 10 CFR 458.701 to 458.715

Abstract: On October 26, 1983, DOE issued a final rule in compliance with Title VII of the National Energy Conservation Policy Act, as amended, establishing the Commercial and **Apartment Conservation Service** (CACS) Program. The CACS Program is an energy audit program for commercial and apartment buildings to be carried out by public utilities in accordance with Plans developed by States. NECPA requires DOE to administer the Program in States that choose not to submit Plans. DOE will administer the program in the manner set forth in the CACS Standby Program Regulations. Insufficient data exists to reliably estimate potential program costs and benefits.

Timetable:

Action	Date		FR	Cite
NPRM	12/31/84	49	FR	50970
NPRM Comment Period Begin	12/31/84	49	FR	50970
NPRM Comment Period End	03/01/85			
Final Action	08/00/85			
Final Action Effective	09/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACTS: Shelley Launey or Meg O'Hare (202) 252-1650.

Agency Contact: Andre Van Rest, Chief, Technical Services & Programs Branch, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-1650

RIN: 1904-AA16

7. INSTITUTIONAL CONSERVATION PROGRAMS - AMENDMENTS

Legal Authority: 42 USC 6371 to 6372i Title III of the EPCA, as amended; 42 USC 7101 to 7352 Department of Energy Organization Act

CFR Citation: 10 CFR 455.1 to 455.102

Abstract: The Department makes grants to schools, hospitals, and local government and public care institutions for conducting detailed energy audits and to schools and hospitals for installing energy conservation materials and equipment. The amendments would take advantage of experience obtained in administering the program by making adjustment to such matters as the length of the payback for eligible materials and equipment and the

contents of energy audits. The amendments would improve the efficiency of the program.

Timetable:

Action	Date	FR Cite
Notice of Inquiry sought public comments whether to amend program regulation	01/23/84	49 FR 02846
NPRM	08/28/84	49 FR 34163
NPRM Comment Period Begin	08/28/84	49 FR 34163
NPRM Comment Period End	10/12/84	
Final Action	02/00/85	
Final Action Effective	10/01/85	

Small Entity: No

Agency Contact: Tom Stapp, Analyst, Department of Energy, Conservation and Renewable Energy, Institutional Conservation Programs Div., 1000 Independence Ave., SW, Washington, DC 20585, 202 252-2198

RIN: 1904-AA17

8. TWENTY-SIX STATE PETITIONS REGARDING FEDERAL PREEMPTION OF STATE ENERGY EFFICIENCY STANDARDS FOR APPLIANCES

Legal Authority: 42 USC 6297 (b)(3)

CFR Citation: 10 CFR 430.33

Abstract: This is a rulemaking responding to 26 State petitions that the Department promulgate rules exempting various of the States' appliance energy efficiency standards from federal preemption, regarding seven types of major household appliances. The appliances are: refrigerators and refrigerator-freezers, freezers, water heaters, room air conditioners, central air conditioners, furnaces, and kitchen ranges and ovens. The only alternatives open to the Department are to deny or to grant part or all of the State petitions.

Timetable:

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Action	Date		FR	Cite
NPRM Comment Period Begin	08/15/84			aller in
NPRM	08/17/84	49	FR	32944
NPRM Comment Period End	11/15/84			
Final Action	05/13/85			
Final Action Effective	05/13/85			

Small Entity: No

Additional Information: In a related matter, DOE published notice that it would take final action on the 26 State petitions by May 13, 1985. 49 FR 32444, August 14, 1984.

Agency Contact: Michael J. McCabe, Acting Branch Chief, TEB, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA19

9. • WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS --AMENDMENTS

Legal Authority: 42 USC 6861 CFR Citation: 10 CFR 440

Abstract: This rulemaking will implement the change to the program regulations required by the Human Services Reauthorization Act of 1984. The amendment requires DOE to establish a performance fund of not less than 5 percent and not more than 15 percent of the annual program appropriation, beginning in fiscal year 1986.

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	
NPRM Comment Period Begin	04/01/85	
NPRM Comment Period End	05/01/85	
Final Action	10/01/85	
Final Action Effective	11/01/85	

Small Entity: No

Agency Contact: Greg Reamy, Energy Conservation Program Specialist, Department of Energy, Conservation and Renewable Energy, 1000 Independence Ave., SW, Washington, DC 20585, 202 252-2204

RIN: 1904-AA20

10. SENERGY EFFICIENCY TEST PROCEDURES - WAIVER

Legal Authority: 42 USC 6293 CFR Citation: 10 CFR 430.27

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade

Commission's EnergyGuide label. The Department can temporarily waive test procedure requirements for a particular covered product when characteristics of that product prevent use of the prescribed test procedures or lead to results of the test procedures that provide materially inaccurate comparative data. The purpose of this rulemaking is to streamline the waiver process.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	SHOW IN
NPRM Comment Period Begin	00/00/00	
NPRM Comment Period End	00/00/00	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: No

Agency Contact: Michael J. McCabe, Chief, Test and Evaluation Branch, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA22

11. © ENERGY EFFICIENCY TEST PROCEDURES FOR CENTRAL AIR CONDITIONERS

Legal Authority: 42 USC 6293 CFR Citation: 10 CFR 430.22

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's EnergyGuide label. The purpose of the rulemaking is to establish test procedures for watersource heat pumps and multievaporator heat pumps; to eliminate the test procedure waiver granted to Borg-Warner Central Environmental Systems for its variable speed heat pump; and to incorporate, by reference, the American Society of Heating, Refrigerating, and Air-conditioning Engineers Standard 116-83 and the Air-conditioning and Refrigeration Institute Standard 210/240-84 into the test procedures.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		
NPRM Comment Period Begin	06/00/85		

Current and Projected Rulemakings

Action	Date	FR Cite
NPRM Comment Period End	09/00/85	
Final Action	03/00/86	
Final Action Effective	04/00/86	

Small Entity: No

Agency Contact: Michael J. McCabe, Chief, Test and Evaluation Branch, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA23

12. © STATE PETITION REGARDING FEDERAL PREEMPTION OF STATE ENERGY EFFICIENCY STANDARDS FOR APPLIANCES

Legal Authority: 42 USC 6297(b)(3)

CFR Citation: 10 CFR 430.33

Abstract: This is a rulemaking responding to one State (Michigan) Petition that the Department promulgate a rule exempting Michigan's appliance energy efficiency standards from Federal preemption regarding three types of major household appliances. The appliances are: gas furnaces, gas clothes dryers and gas kitchen ranges and ovens. The only alternatives open to the Department are to deny or to grant the petition.

Timetable:

Action Date FR Cite

NPRM 04/00/85

NPRM Comment 04/00/85

Period Begin

NPRM Comment 07/00/85

Period End

Final Action 00/00/00

00/00/00

Small Entity: No

Final Action

Effective

Agency Contact: Michael J. McCabe, Chief, Test and Evaluation Branch, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW. Washington, DC 20585, 202 252-9127

RIN: 1904-AA24

DEPARTMENT OF ENERGY (DOE) Conservation and Renewable Energy (CE)

13. PROCEDURES FOR PRELIMINARY ENERGY AUDITS AND GUIDELINES FOR BUILDINGS PLANS

Legal Authority: PL 94-163; PL 95-619; EO 11912; EO 12003

CFR Citation: 10 CFR 435

Abstract: The regulations in Subpart B are needed to provide the procedures for conducting and reporting on preliminary energy audits of Federal buildings, as required by Title V, Part 3, of the National Energy Conservation Policy Act (NECPA) and section 10 of EO 11912, as amended. The regulations in Subpart C are needed to provide guidelines for the formulation and updating of Buildings Plans by Federal agencies to achieve goals for reduction of Federal building energy use, pursuant to section 10 of EO 11912, as amended, section 381 of the Energy Policy and Conservation Act, as amended, and NECPA. DOE is reviewing these

procedures and guidelines in order to determine how to make them less prescriptive.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: J. William Bethea, Director, Federal Energy Management Program, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9430

RIN: 1904-AA09

14. FEDERAL ENERGY MANAGEMENT PROGRAM (FEMP) GUIDELINES FOR GENERAL OPERATIONS PLANS

Legal Authority: PL 94-163, Sec 201; PL 96-102, Sec 211; EO 11912; EO 12003

CFR Citation: 10 CFR 436

Existing Regulations Under Review

Abstract: This rule is needed to provide guidelines for use by Federal agencies in their development of overall 10-year energy management plans to conserve energy in the general operations of the agencies, and to provide for agency responses to energy emergencies per authorities cited section 9. DOE is reviewing these guidelines in order to determine how to make them less prescriptive.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: J. William Bethea, Director, Federal Energy Management Program, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9430

RIN: 1904-AA10

DEPARTMENT OF ENERGY (DOE)

Conservation and Renewable Energy (CE)

Completed Actions

COMPLETED RULEMAKINGS

15. ENERGY EFFICIENCY TEST PROCEDURES FOR DISHWASHERS --AMENDMENT

Legal Authority: 42 USC 6293 CFR Citation: 10 CFR 430.22 Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's EnergyGuide label. The purpose of this rulemaking is to amend the test procedures for dishwashers by

revising the definition of water heating dishwashers.

Timetable:

Action	Date	FR	Cite
NPRM	05/24/84	49 FR	23142
NPRM Comment	06/04/84	49 FR	23142

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Completed Actions

Action	Date	FR Cite
NPRM Comment Period End	07/05/84	
Final Action	11/27/84	49 FR 46533
Correction Notice	12/05/84	49 FR 47479
Final Action Effective	12/27/84	49 FR 46533

Small Entity: No

Agency Contact: Michael J. McCabe, Acting Branch Chief, TEB, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA18

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

16. • WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS --**AMENDMENTS**

Legal Authority: 42 USC 6861

CFR Citation: 10 CFR 440

Abstract: The principal amendments to the program: allow States the option of using the eligibility requirements of the Department of Health and Human Services' Low-Income Home Energy Assistance Program (LIHEAP); and replacement furnaces and boilers to the weatherization materials list; allow the Secretary of Energy to add weatherization materials to the program without rulemaking procedures; require States to spend an average of at least 40 percent of their program costs (materials, program support and labor) for weatherization materials; allow States to average their weatherization expenditures, not to exceed \$1,600 per dwelling unit in the State, for materials, labor and program support; remove the \$150 limit on the cost of making incidental repairs; and allow reweatherization of dwelling units partially weatherized during the period

September 30, 1975, through September 30, 1979.

Timetable:

Action	Date		FR	Cite
Final Action	01/04/85	50	FR	708
Final Action Effective	02/04/85	50	FR	708

Small Entity: No

Agency Contact: Greg Reamy, Energy Conservation Program Specialist, Department of Energy, Conservation and Renewable Energy, 1000 Independence Ave., SW, Washington, DC 20585, 202 252-2204

RIN: 1904-AA21

[FR Doc. 85-6511 Filed 04-26-85; 8:45 am] BILLING CODE 6450-01-T

DEPARTMENT OF ENERGY (DOE)

Defense Programs (DP)

Current and Projected Rulemakings

17. 10 CFR PART 1017 -IDENTIFICATION AND PROTECTION OF UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION

Legal Authority: 42 USC 2168 CFR Citation: 10 CFR 1017

Abstract: Section 148 of the Atomic Energy Act of 1954, as amended (42 USC 2168) requires the Secretary to withhold certain unclassified information pertaining to the design of production facilities and utilization facilities; security measures relating to the protection of production or utilization facilities, nuclear materials contained in such facilities, and nuclear materials in transit, and the design, manufacture, or utilization of atomic weapons or components thereof, if such information was declassified or removed from the Restricted Data category.

Timetable:

Action	Date	1	FR	Cite
NPRM	04/01/83	48	FR	13988
NPRM Comment Period Begin	04/01/83	48	FR	20091
NPRM Comment Period End	06/04/83			

Action	Date	-	FR	Cite
ANPRM	03/01/84	1991		THE REAL PROPERTY.
NPRM	08/03/84	49	FR	31236
Public Hearing	09/13/84	49	FR	31236
Final Action	03/01/85			
Final Action Effective	04/01/85			

Small Entity: No

Additional Information: This regulation was reproposed due to the numerous public comments on the initial proposal, and in order to clarify the intended scope of the regulation.

Agency Contact: Paul R. Laplante, Program Analyst, Department of Energy, Defense Programs, Division of Policy and Planning, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-1870

RIN: 1992-AA04

18. LIMITED ARREST AUTHORITY AND USE OF FORCE BY PROTECTIVE **FORCE OFFICERS**

Legal Authority: 42 USC 2011 et seq CFR Citation: 10 CFR 1047

Abstract: The regulations in this part establish the limits and conditions on the arrest authority provided to DOE and DOE contractor protective force officers under Section 161.k of the Atomic Energy Act of 1954, as amended. The regulations also describe the circumstances under which physical force, including deadly force as necessary, may be used to effect arrests under the Act.

Timetable:

Action	Date		FR	Cite
NPRM	07/31/84	49	FR	30638
NPRM Comment Period Begin	07/31/84	49	FR	30638
NPRM Comment Period End	09/07/84			
Final Action	04/00/85			
Final Action Effective	05/00/85			

Small Entity: No

Agency Contact: Barry L. Rich, Chief, Physical Protection, Department of Energy, Defense Programs, Office of Safeguards and Security, DP-343 MS D-315, Washington, DC 20545, 301 353-4243

RIN: 1992-AA10

DEPARTMENT OF ENERGY (DOE) Defense Programs (DP)

Completed Actions

COMPLETED RULEMAKINGS 19. NATIONAL SECURITY INFORMATION

Legal Authority: EO 12356 CFR Citation: 10 CFR 1045

Abstract: Executive Order 12356 and Information Security Oversight Office Directive No. 1 require that those portions of related agency implementing regulations that affect members of the public be published in the Federal Register. Specifically, points of contact for (1) suggestions or complaints concerning the Department of Energy classification and security program, and (2) for submission of requests under the Mandatory Review provisions of the Executive Order are required to be published.

Timetable:

Action	Date		FR	Cite
Final Action	07/06/84	-0.00		27737
Final Action	07/06/84	49	FH	27737

Small Entity: No

Agency Contact: Jill Ellman Lytle, Director, Office of Classification, Department of Energy, Defense Programs, 1000 Independence Avenue, SW, Washington, DC 20585, 301 353-3521

RIN: 1992-AA02

20. SAFEGUARDING OF RESTRICTED DATA

Legal Authority: 42 USC 2011 et seq CFR Citation: 10 CFR 795, (Old); 10 CFR 1016, (New)

Abstract: The regulations in this part establish requirements for the safeguarding of secret and confidential Restricted Data received or developed under an access permit. This part does not apply to Top Secret Restricted

Timetable:

Action	Date	FR Cite
Withdrawn No action contemplated	02/27/85	

Small Entity: No

Agency Contact: Barry L. Rich, Chief, Physical Protection, Department of Energy, Defense Programs, Office of Safeguards and Security, Security DP-343.3, MS D-315, Washington, DC 20545, 301 353-4243

RIN: 1992-AA03

21. MEDICAL AND PHYSICAL FITNESS STANDARDS FOR DOE PROTECTIVE FORCE PERSONNEL

Legal Authority: 42 USC 2011 et seq

CFR Citation: 10 CFR 1046

Abstract: The regulations in this part establish requirements for the medical

and physical fitness qualification standards for DOE and DOE contractor protective force personnel. These requirements are essential to ensure that persons responsible for the protection of DOE facilities, nuclear weapons, special nuclear material, and classified matter and related activities are medically and physically able to perform their routine and emergency duties.

Timetable:

Action	Date	FR Cite
NPRM	05/14/84	49 FR 20436
NPRM Comment Period Begin	05/14/84	49 FR 20436
NPRM Commen Period End	06/13/84	
Final Action	11/23/84	49 FR 46097
Final Action Effective	12/24/84	49 FR 46097

Small Entity: No

Agency Contact: Barry L. Rich, Chief, Physical Protection, Department of Energy, Defense Programs, Office of Safeguards and Security, DP-343 MS D-315, Washington, DC 20545, 301 353-4243

RIN: 1992-AA09 [FR Doc. 85-6511 Filed 04-26-85; 8:45 am] BILLING CODE 6450-01-T

DEPARTMENT OF ENERGY (DOE) Departmental and Others (ENDEP)

Current and Projected Rulemakings

22. LOAN GUARANTEE FOR DEVELOPMENT OF UNDERGROUND COAL MINES AND CONSTRUCTION OF COAL PREPARATION PLANTS

Legal Authority: 42 USC 6211
CFR Citation: 10 CFR 300, (Revision)

Abstract: The Coal Loan Guarantee Program is designed to encourage and assist relatively small coal producers to increase the nation's coal production from low-sulfur underground coal mines; to enhance competition within the coal industry; to encourage new market entry by small coal producers who, historically, have been unable to obtain adequate long-term financing; and to encourage the construction of coal preparation plants designed to reduce the sulfur content of coal.

Potential costs of the program are a default reserve fund of \$2.5 million. Potential benefits include the construction of several coal preparation plants.

Timetable:

Action	Date	FR	Cite	
NPRM	00/00/00			

Small Entity: No

Additional Information: Revised regulations are on hold until such time as the Congress acts on DOE's requested redirection of the default reserve fund.

Agency Contact: Peter Muchunas. Program Manager, Department of Energy, Departmental and Others, FE-23, Germantown, MD, 301 353-2603

RIN: 1901-AA02

23. STANDARD CONTRACT FOR DISPOSAL OF SPENT NUCLEAR FUEL AND/OR HIGH-LEVEL RADIOACTIVE WASTE -- AMENDMENT

Legal Authority: 42 USC 10222 Sec 302 of the Nuclear Waste Policy Act of 1982

CFR Citation: 10 CFR 961.11

Abstract: A standard contract has been established at 10 CFR Part 961, to be used by DOE in furnishing disposal services to the owners and generators of spent nuclear fuel and/or high-level

DOE-ENDEP

Current and Projected Rulemakings

radioactive waste. This regulation would amend Article VIII of the contract. The alternatives being considered relate to such matters as the fees charged for reinserted fuel, fuel size, and the contract amendment ratification process. The DOE is determining the specifics of potential costs and benefits to the government and users of disposal services.

Timetable:

Action	Date	1211	FR	Cite	
NPRM	02/22/84	49	FR	6500	
NPRM Comment Period Begin	02/22/84	49	FR	6500	
NPRM Comment Period End	03/23/84				
Final Action	00/00/00				

Small Entity: No

Additional Information: A related data collection form was published for comment on July 20, 1984 (49 FR 29442).

Agency Contact: Ben C. Rusche, Director, Department of Energy, Departmental and Others, OCRWM RW-1, Room 5A-085, 1000 Independence Ave., SW, Washington, DC 20585, 202 252-6850

RIN: 1901-AA03

24. SPECIAL RESEARCH GRANTS PROGRAM

Legal Authority: 42 USC 2051; 42 USC 5817; 42 USC 5901; 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 605

Abstract: The regulation would implement a program of special research grants to facilitate the use of grants by the DOE Office of Energy Research in support of basic and applied research and related activities. It would supplement DOE's Financial Assistance Rules by providing specific procedures for the program. The

regulation will not impose additional burdens, but will provide a comprehensive procedural mechanism for funding research through grants.

Timetable:

Action	Date	FR Cite
NPRM	11/07/84	49 FR 44590
NPRM Comment Period Begin	11/07/84	49 FR 44590
NPRM Comment Period End	12/24/84	
Final Action	02/00/85	
Final Action Effective	03/00/85	

Small Entity: No

Agency Contact: Robert A. Zich,
Director, Acquisition Management
Division, Department of Energy,
Departmental and Others, Office of
Energy Research (ER-64), Washington,
DC 20545, 301 353-5544

RIN: 1901-AA04

DEPARTMENT OF ENERGY (DOE) Departmental and Others (ENDEP)

Completed Actions

COMPLETED RULEMAKINGS 25. GENERAL GUIDELINES FOR RECOMMENDATION OF SITES FOR NUCLEAR WASTE REPOSITORIES

Priority: Undetermined

Legal Authority: 42 USC 10101 CFR Citation: 10 CFR 960

Abstract: In accordance with the requirements of the Nuclear Waste Policy Act of 1982 (Pub. L. 97-425), the Department of Energy is proposing general guidelines for the recommendation of sites for repositories for disposal of high-level

radioactive waste and spent nuclear fuel in geologic formations. These guidelines established the performance requirements for a geologic repository system, specify how the Department will implement its site-selection program, and define the technical qualifications that candidate sites must meet in the various steps of the site selection process mandated by the Act.

Timetable:

Action	Date		FR	Cite
Final Action	12/06/84	49	FR	47714
Final Action Effective	01/07/85	49	FR	47714

Small Entity: No

Agency Contact: Ben C. Rusche, Director, Department of Energy, Departmental and Others, Office of Civilian Radioactive Waste, Management, Washington, DC 20585, 202 252-6842

RIN: 1901-AA01 [FR Doc. 85-8511 Filed 04-26-85; 8:45 am] BILLING CODE 6450-01-T

DEPARTMENT OF ENERGY (DOE) Economic Regulatory Administration (ERA)

Current and Projected Rulemakings

26. REVIEW AND ESTABLISHMENT OF NATURAL GAS CURTAILMENT PRIORITIES FOR INTERSTATE PIPELINES

Priority: Major

Legal Authority: 42 USC 7151; 42 USC 7172; 15 USC 3391 to 3393

CFR Citation: 10 CFR 598

Abstract: The proposed rule establishes natural gas curtailment priorities

applicable to deliveries by interstate pipelines during periods when not enough gas is available to supply all customers. The proposed rule implements the rulemaking requirements of Title IV of the Natural Gas Policy Act of 1978 by establishing curtailment priorities for high priority uses and for essential agricultural and essential industrial feedstock and process uses.

Action Date FR Cite NPRM 07/02/80 45 FR 45098

Next Action Undetermined Small Entity: Not Applicable

Additional Information: FERC currently is reviewing the proposed rule pursuant to section 404 of the DOE Act. FR will be issued approximately six weeks after FERC concurrence is received. A

DOE-ERA

Current and Projected Rulemakings

regulatory flexibility analysis is not required in regard to this rule since the notice of proposed rulemaking was issued prior to January 1, 1981.

Agency Contact: Paula Daigneault, Department of Energy, Economic Regulatory Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 292 252-9482

RIN: 1903-AA00

27. ADMINISTRATIVE PROCEDURES FOR ADJUSTMENTS OF NATURAL GAS CURTAILMENT PRIORITY REGULATIONS

Legal Authority: 15 USC 3412; 42 USC 7101; 5 USC 553

CFR Citation: 10 CFR 580; 10 CFR 585

Abstract: This rule proposes procedures for seeking interpretations,

modifications, or rescissions of natural gas curtailment priority regulations for essential agricultural uses. The Federal Energy Regulatory Commission (FERC) took jurisdiction over the proposed rule on June 15, 1979, under Section 404 of the DOE Organization Act, and the matter is currently at FERC.

Timetable:

Action	Date	FR Cite
NPRM	05/07/79	44 FR 27676
NPRM Comment Period Begin	05/11/79	44 FR 27676
NPRM Comment Period End	06/08/79	

Next Action Undetermined

Small Entity: No

Agency Contact: Paula Daigneault, Department of Energy, Economic Regulatory Administration, 1000 Independence Avenue, S.W., Washington, DC 20585, 202 252-9482

RIN: 1903-AA04

DEPARTMENT OF ENERGY (DOE)

Economic Regulatory Administration (ERA)

Completed Actions

COMPLETED RULEMAKINGS

28. ADMINISTRATIVE PROCEDURES WITH RESPECT TO THE IMPORT AND EXPORT OF NATURAL GAS

Legal Authority: 15 USC 717 et seq; 42 USC 7151; 42 USC 7172

CFR Citation: 10 CFR 205; 10 CFR 590

Abstract: ERA is currently following the FERC procedural rules on an interim basis in natural gas import and export proceedings. The proposal would establish administrative procedures that generally would be informal, would provide more flexibility for tailoring the procedures to the needs of a particular case, and would reflect ERA's organization structure and legislative mandate. Evidentiary hearings would be reserved for situations where necessary to resolve disputes of material issues of fact. The proposal would also eliminate the FERC requirement that the ultimate decisionmaker or an Administrative Law Judge presides at hearings. The proposed rule would ease the regulatory burden on applicants and interested parties by simplifying the

procedures and reducing the amount of information and number of documents required for an import or export application.

Timetable:

Action	Date	FR Cite
NPRM	08/26/81	46 FR 44696
Final Action	09/06/84	49 FR 35302
Final Action Effective	09/06/84	

Small Entity: Undetermined

Agency Contact: Stanley C. Vass, Department of Energy, Economic Regulatory Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9482

RIN: 1903-AA01

29. REDUCTION OF RECORDKEEPING REQUIREMENTS

Legal Authority: 42 USC 7151

CFR Citation: 10 CFR 210.1

Abstract: The existing regulation requires firms to maintain the records which were collected under the recordkeeping requirements that were in effect on January 27, 1981, in 10 CFR Parts 210, 211, and 212. DOE is considering the possibility of exempting from this regulation those firms whose records are no longer needed by DOE in the enforcement process.

Timetable:

Action	Date	FR Cite
Begin Review	08/01/84	ALCOHOLD
NPRM	11/16/84	49 FR 45445
NPRM Comment Period Begin	11/16/84	
NPRM Comment Period End	12/17/84	
End Review	01/31/85	
Final Action	02/05/85	50 FR 4957

Small Entity: Undetermined

Agency Contact: William H. Mellor III, Dep Gen Counsel, Legislation & Regulations, Department of Energy, Office of General Counsel, Room 6A-141, 1000 Independence Ave., SW. Washington, DC 20585, 202 252-6732

RIN: 1903-AA06 [FR Doc. 85-6511 Filed 04-26-85; 8:45 am] BILLING CODE 6450-01-T

DEPARTMENT OF ENERGY (DOE) Management and Administration (MA)

Current and Projected Rulemakings

30. FINANCIAL ASSISTANCE REGULATIONS; COOPERATIVE AGREEMENTS

Legal Authority: 42 USC 7254; 42 USC 7256; 41 USC 501 Fed Grant & Coop Agreement Act of 1977, as amended

CFR Citation: 10 CFR 600C

Abstract: This proposed rule will revise the existing Subpart C. The purpose of the revision is to conform DOE policy on cooperative agreement award and administration with government-wide policy.

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	FTE
Final Action	06/30/85	

Small Entity: No

Agency Contact: Cherlyn Seckinger, Procurement Analyst, Department of Energy, Management and Administration, MA-421.2, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-8190

RIN: 1991-AA03

31. ● DEPARTMENT OF ENERGY FINANCIAL ASSISTANCE RULES

Legal Authority: 42 USC 7254; 42 USC 7256; 41 USC 501 Fed Grant & Coop Agreement Act of 1977, as amended

CFR Citation: 10 CFR 600.7(b); 10 CFR 600.114; 10 CFR 600.117; 10 CFR 600.119

Abstract: The revised regulation will propose modified and simplified policies with respect to research administration, clarified policies with respect to property management, and expanded coverage of restricted eligibility determinations. Other technical amendments will be made as necessary.

Timetable:

Action	Date	FR Cite	
NPRM	05/01/85		
NPRM Comment Period Begin	05/01/85		
NPRM Comment Period End	06/15/85		
Small Entity: No			

Agency Contact: Ellen Feinsilber, Chief, Business and Financial Policy Branch, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-8173

RIN: 1991-AA21

32. NONDISCRIMINATION ON THE BASIS OF AGE

Legal Authority: 42 USC 6101 et seq Age Discrimination Act of 1975

CFR Citation: 10 CFR 1040.81 to 1040.89-13

Abstract: Prohibits discrimination on basis of age in programs or activities receiving Federal financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	09/25/81	46 FR 49456
Final Action	02/00/85	
Final Action Effective	03/00/85	

Small Entity: No

Additional Information: These regulations were not approved by HHS until July 13, 1984, therefore, they have not previously been reported on the agenda.

Public Compliance Cost: Initial Cost: \$40,000; Yearly Recurring Cost: \$11,000; Base Year for Dollar Estimates: 1985

Government Levels Affected: Local, State

Agency Contact: Charles A. Agnew Jr., Special Assistant for Civil Rights, Department of Energy, Management and Administration, Office of Equal Opportunity, 1000 Independence Avenue, SW (4b-112), Washington, DC 20585, 202 252-2230

RIN: 1991-AA22

33. DEPARTMENT OF ENERGY ACQUISITION REGULATION REVISIONS

Legal Authority: 41 USC 401 et seq The Office of Federal Procurement Policy Act; 42 USC 7101 et seq The Department of Energy Organization Act; EO 12352 Procurement Reforms

CFR Citation: 48 CFR 927; 48 CFR 950

Abstract: The Department of Energy Acquisition Regulation, promulgated March 29, 1984, at 49 FR 11922, supplements and implements the Federal Acquisition Regulation. A more recent Federal Acquisition Circular has been issued to establish a FAR Part 27 concerning Patents. It will be necessary to revise Part 927 of the DEAR to supplement and implement the FAR and to explain how DOE patent policy will differ due to our statutory requirements. The Department also plans to revise Part 950 of the DEAR regarding extraordinary contract actions to describe how such requests will be handled. Neither of the actions is anticipated to have any cost impact.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	Marine Transport
NPRM Comment Period Begin	03/01/85	
NPRM Comment Period End	04/01/85	

Small Entity: No

Agency Contact: Richard B. Langston, Procurement Analyst, Department of Energy, Management and Administration, MA-421.1, Washington, DC 20585, 202 252-8250

RIN: 1991-AA23

34. © DEPARTMENT OF ENERGY ACQUISITION REGULATION

Legal Authority: PL 98-369 Competition in Contracting Act of 1984; 42 USC 7101 Department of Energy Organization Act

CFR Citation: 48 CFR 901; 48 CFR 902; 48 CFR 903; 48 CFR 904; 48 CFR 905; 48 CFR 906; 48 CFR 914; 48 CFR 915; 48 CFR 919; 48 CFR 924; 48 CFR 928; 48 CFR 943; 48 CFR 950; 48 CFR 952; 48 CFR 970

Abstract: Public Law 98-369 provides for increased competition in Federal contracting. The Federal Acquisition Regulation has been amended by an interim rule, 50 FR 1726, to implement the new statute. This proposed rule reflects the Department's implementation of the Federal Acquisition Regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/29/85	50 FR 3935
NPRM Comment Period Begin	01/29/85	50 FR 3935
NPRM Comment Period End	02/28/85	
Final Action	04/01/85	
Final Action Effective	05/01/85	

Small Entity: No

DOE-MA

Current and Projected Rulemakings

Agency Contact: Richard B. Langston, Procurement Analyst, Department of Energy, Management and Administration, 1000 Independence Ave, NW, Washington, DC 20585, 202 252-8250

RIN: 1991-AA24

DEPARTMENT OF ENERGY (DOE) Management and Administration (MA)

Existing Regulations Under Review

35. SECURITY POLICIES AND PRACTICES RELATING TO LABOR-MANAGEMENT RELATIONS

Legal Authority: PL 95-91 CFR Citation: 10 CFR 706

Abstract: DOE proposes to amend 10 CFR Part 706. This part previously was published as an Energy Research and Development Administration (ERDA) regulation and was revised to reflect its status as a DOE regulation. Section 301 of the Department of Energy Organization Act transferred to and vested in the Secretary of Energy all the functions previously vested in ERDA. To reflect better its present character as a DOE regulation, DOE is proposing to amend Part 706 in several sections to reflect current application of Part 706. For example, a definition of installation will be included in order to specify which DOE contractors are covered by Part 706. In addition, other changes are being made in the interest of brevity, consistency and clarity.

Timetable:

 Action
 Date
 FR Cite

 Begin Review
 04/00/83

 End Review
 06/00/85

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Juanita E. Smith, Department of Energy, Management and Administration, MA-26A, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9023

RIN: 1991-AA04

DEPARTMENT OF ENERGY (DOE) Management and Administration (MA)

Completed Actions

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

36. DEPARTMENT OF ENERGY FINANCIAL ASSISTANCE RULES

Legal Authority: 42 USC 7254; 42 USC 7256; 41 USC 501 Fed Grant & Coop Agreement Act of 1977, as amended

CFR Citation: 10 CFR 600, (Revision)

Abstract: The Department of Energy Financial Assistance Rules will be reviewed for opportunities to update, clarify, simplify, and reduce existing requirements.

Timetable:

Action	Date	FR Cite
Begin Review	08/00/84	
End Review	11/30/84	

Small Entity: No

Agency Contact: Ellen Feinsilber, Chief, Business and Financial Policy Branch, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-8173

RIN: 1991-AA21 [FR Doc. 85-6511 Filed 04-26-85; 8:45 am] BILLING CODE 6450-01-T

DEPARTMENT OF ENERGY (DOE) Office of General Counsel (OGC)

37. AMENDMENTS TO DEPARTMENT OF ENERGY CONDUCT OF EMPLOYEES

Legal Authority: 18 USC 201 to 209; 42 USC 7211 to 7218; EO 11222

CFR Citation: 10 CFR 1010

Abstract: The regulations need to be revised to reflect the provisions and requirements of the Ethics in Government Act. In addition, it is anticipated that certain sections of the regulations will be clarified and/or revised to reflect current Office of

General Counsel policy and interpretations.

Timetable:

Action Date FR Cite

NPRM 09/00/85

NPRM Comment 11/00/85

Period Begin

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Katherine B. Soffer, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-1522

RIN: 1990-AA00

38. PATENT LICENSING REGULATIONS

Legal Authority: 35 USC 208

CFR Citation: 10 CFR 781

Abstract: The regulation prescribes procedures, standards, terms, and

DOE-OGC

Current and Projected Rulemakings

conditions for obtaining a license to practice a DOE-owned invention, either exclusively or non-exclusively. Current government-wide regulations exist (41 CFR 101-4). The proposed revision would bring DOE patent licensing regulations into harmony with revised statutory authority and the government-wide regulations.

Timetable:

Action	Date	FR
Begin Review	04/01/83	
End Review	12/01/84	
Next Action Ur	ndetermined	

Small Entity: Undetermined

Agency Contact: Robert J. Marchick, Assistant for Licensing, Department of Energy, Office of General Counsel, 1000 Independence Ave, SW, Washington, DC 20585, 202 252-2806

RIN: 1990-AA01

39. PATENT WAIVER REGULATION

Legal Authority: 42 USC 2182; 42 USC 5908

CFR Citation: 10 CFR 784; 41 CFR 9-9.109-6

Abstract: The regulation provides procedures and standards for obtaining a waiver of the Government's rights in inventions made under DOE research and development contracts with entities that are not small businesses or nonprofit institutions, and terms and conditions of such waivers. Currently, DOE waiver policy is provided in DOE Procurement Regulations (41 CFR 9-9.109-6). The proposed regulation places DOE patent waiver policy in a separate regulation, and also provides updates,

revisions and clarifications to waiver policy as contained in 41 CFR 9-9.109-6.

Timetable:

Cite

Action	Date	FR Cite
NPRM	05/00/85	
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	

Small Entity: Undetermined

Agency Contact: Richard E. Constant, Assistant General Counsel for Patents, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-2806

RIN: 1990-AA02

40. • RULES FOR FACT-FINDING CONFERENCES IN DEBARMENT AND SUSPENSION CASES

Legal Authority: 10 CFR 1035.8(d)(4)

CFR Citation: 10 CFR 1035, Appendix A

Abstract: An amendment will be issued to conform the Rules for Fact-Finding Conferences to one of the planned amendments to the DOE Debarment and Suspension Rules, 10 CFR Part 1035.

Timetable:

Action	Date	FR C	Cite
Final Action	09/30/85	Top State	
Final Action	09/30/85		
Effective			

Small Entity: No

Additional Information: The Secretary is responsible for issuing and maintaining (amending) the DOE Debarment and Suspension Rules, 10 CFR Part 1035. The General Counsel is responsible for Appendix A of 10 CFR Part 1035.

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Agency Contact: Carol Cowgill, Attorney Adviser, Department of Energy, Office of General Counsel, 1000 Independence Ave., SW, Washington, DC 20585, 202 252-6902

RIN: 1990-AA03

41. FOREIGN GIFTS AND DECORATIONS

Legal Authority: 5 USC 7342 41 CFR 101-49.001-5

CFR Citation: 10 CFR 1050

Abstract: The regulations need to be amended to reflect the increase in the dollar amount of "minimal value." (Whether a gift is of minimal value is a factor as to whether the regulations apply.) The dollar amount of minimal value is determined by the General Services Administration, by GSA regulation. Accordingly, the DOE regulations will reference the GSA regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

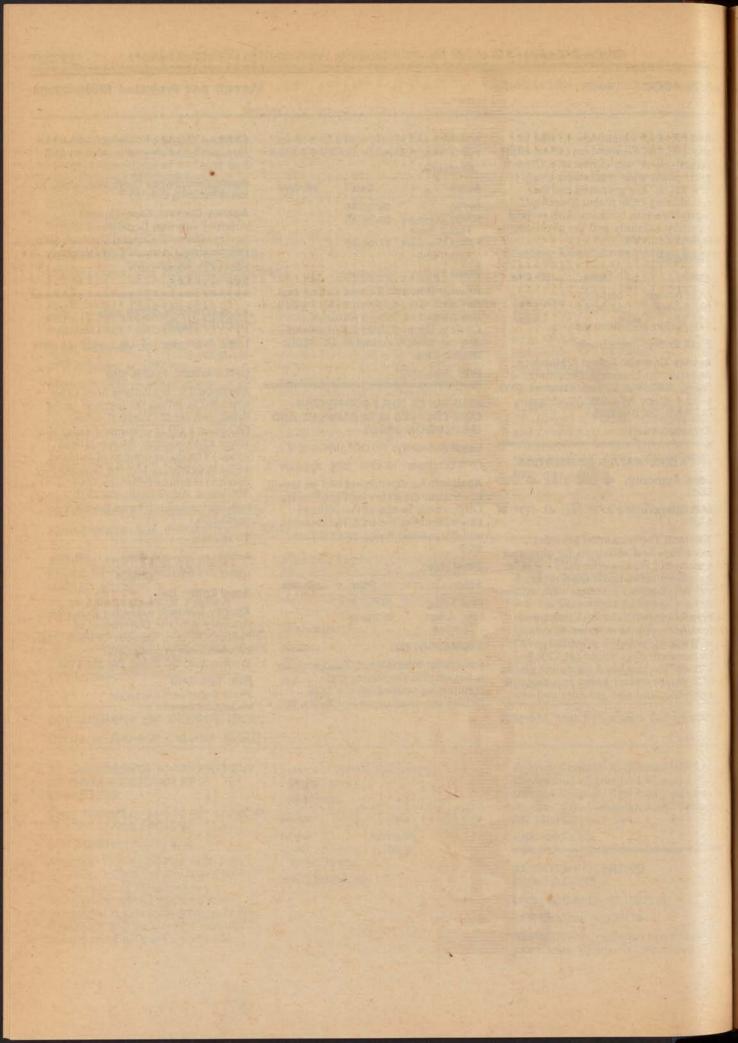
Small Entity: No

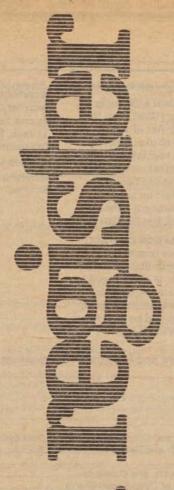
Agency Contact: Katherine B. Soffer, Attorney-Advisor, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-1522

RIN: 1990-AA04

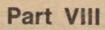
[FR Doc. 85-6511 Filed 04-26-85; 8:45 am]

BILLING CODE 6450-01-T





Monday April 29, 1985



Department of Health and Human Services

Semiannual Regulatory Agenda



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

20 CFR Ch. III

21 CFR Ch. I

42 CFR Ch. I-IV

45 CFR Subtitle A, Chs. II, III, and XIII

Unified Agenda of Regulations

AGENCY: Department of Health and Human Services.

ACTION: Publication of unified agenda of regulations.

SUMMARY: The President's February 17, 1981, Executive Order (12291) and the Regulatory Flexibility Act of 1980 require the Department to publish an agenda of significant regulations being developed and an indication of those regulatory actions that are being analyzed for their effect on small businesses. The Department published its last agenda on October 22, 1984.

FOR FURTHER INFORMATION CONTACT:

For further inquiries or comments related to specific regulations listed in the agenda, the public is encouraged to contact the appropriate responsible individual. Questions or comments on the overall agenda should be sent to: John J. Phelan, Associate Executive

Secretary/Regulations, Office of the Secretary, Department of Health and Human Services, 200 Independence Avenue, S.W., Washington, D.C. 20201, Telephone: (202) 245-3475.

Margaret M. Heckler,

Secretary, Department of Health and Human Services.

Office of the Secretary-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Nondiscrimination Requirement Applicable to Block Grants and Community Economic Development and Head Start Programs - Including Nondiscrimination on the Bases of Sex and Religion	0991-AA0
2	Public Information Regulation	0991-AA0
3	Rulemaking Relating to Public Property, Loans, Grants, Benefits, and Contracts	0991-AA0
4	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0991-AA1
5	Privaciples for Determining Costs and Cost Allocation Procedures Applicable to Grants Contracts, and Other	0991-AA1
6	Agreements for Work Performed by Hospitals	0991-AA1
7	Automatic Data Processing Equipment and Services Conditions for Federal Financial Participation	0991-AA1
8	Determination of Adequacy of Contractors' Accounting and Billing Systems and Preparation of Invoices	0991-AA1
9	Enforcement of Nondiscrimination on the Basis of Handicap in the Department of Health and Human Services	0991-AA1
10	Sanctions for Medicare and Medicaid Fraud and Abuse	0991-AA2
11	Program Integrity	0991-AA2

^{*}Indicates priority regulation.

Office of the Secretary-Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
- 12	*Equal Opportunity in Employment: Public Broadcasting, Public Radio and Public Telecommunications Entities Receiving Federal Funds from the Corporation for Public Broadcasting	0991-AA22

^{*}Indicates priority regulation.

Office of the Secretary-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
13	Letter of Credit Sanctions	0991-AA03

Departmental Management—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
14 15	*Claims Collection	0990-AA00 0990-AA01

^{*}Indicates priority regulation.

Office of Human Development Services—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
16	Grants for State and Community Programs on Aging; Grants to Indian Tribes for Supportive & Nutrition Services-	0980-AA02
17	Foster Care Maintenance Payments, Adoption Assistance, and Child Welfare Services - Notice of Proposed Rulemaking	0000 4400
18	Work Incentive Program for AFDC Recipients under Title IV of the Social Security Act. Head Start Program	0980-AA08
19	Head Start Program	0980-AA10
20	Runaway and Homeless Youth Program.	0980-AA11
21	Developmental Disabilities Program	0980-AA12
22	Child Abuse and Neglect Prevention and Treatment Program	0980-AA13
23	Child Abuse and Neglect Prevention and Treatment Program	0980-AA14

Social Security Administration—Current and Projected Rulemakings

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24 25	*Supplemental Security Income Program; Effective Date of Application and Proration of Initial SSI Benefit Payment	0960-AA03
26	*Supplemental Security Income Programs; Mandatory Pass Through Under State Supplementation Provisions. *Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Revised Rules for Certain Medical Cessation Cases.	0960-AA05
27	Uld-Age, Survivors, and Disability Insurance Program: Coverage of Employees of State and Local Coverages	0960-AA10
28	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Fee Schedule for Information	0960-AA15
29	Mechanized Claims Processing System	0960-AA16
30	Supplemental Security Income Program; Heductions, Suspensions and Terminations	0960-AA16
31	Supplemental Security Income Program; Age 18 and Alien Deeming	0960-AA26
32	Provisions, Agreements, Payments	0960-AA27
33	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Future Effect of Applications and Related Changes in Appeals Council Procedures.	0960-AA28
34	Aid to Families with Dependent Children Program: Adjustment of Federal Share for Uncashed Cancelled Charles	0960-AA29
35	Aid to Families With Dependent Children Program; Computing a Supplemental Payment in States Required to Do So by Section 402(a)(28) of the Social Security Act.	0960-AA33
36	for Determination of Disability Insurance and Supplemental Security Income Programs; Revised Medical Criteria	0960-AA41
37	Aid to Families with Dependent Unitdren Program; Least Costly Approach	0960-AA41
38	Issuing Hearing Decisions and for Appeals Council Actions	0960-AA44
39	Hearings at the Reconsideration Level Disability Insurance Program and Supplemental Security Income Program; Disability	0960-AA49
40	Old-Age, Survivors, and Disability Insurance Program: Provision for Inferring a Person Is Dead	0960-AA49
41	Uld-Age, Survivors, and Disability Insurance Program: Wage Coverage Under Social Security	0960-AA54
42	Decisions Within Four Years of the Notice of the Initial Determination	0960-AA59
43	Worker	Convert of the Carte
44	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Payment of Certain Travel Expenses	0960-AA61

Social Security Administration—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
45	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; New Benefit Computa-	
46	tions for Cost-of- Living Adjustment, for Delayed Retirement Credit, and for ETC. Old-Age, Survivors, and Disability Insurance Programs; Coverage of Employees of U.S. Non-Profit Organizations and	0960-AA62
47	Foreign Affiliates of American Employers; Coverage Under ETC	0960-AA64
48	for Representatives of Claimants	0960-AA65
49	*Supplemental Security Income Program; Temporary Residents of Emergency Shelters for the Homeless	0960-AA70
50	*Aid to Families With Dependent Children and Supplemental Security Income Programs; Disregarding of Support and Maintenance Assistance Based on Need	0960-AA71
51	Supplemental Security Income Program; Resource Limits for Conditional SSI Payments	0960-AA75
52	Old-Age, Survivors, and Disability Insurance Program; Residency Requirement for Paying Benefits to Non-Resident Aliens	0960-AA76
53	Old-Age, Survivors, and Disability Insurance Program; Indexing for Widow(er)'s Benefits; Effect of Remarriage on Widow(er)'s Entitlement: Reduction of Disabled Widow(er)'s Benefits; ETC	0960-AA77
54	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income; Changes of Time or Place of Hearings Before Administrative Law Judges, Notice of Hearings, and Dismissal ETC	0960-AA78
55	Supplemental Security Income Program; Presumptive Disability and Presumptive Blindness; Categories of Impairments; Chronic Renal Disease	0960-AA79
56	Aid to Families With Dependent Children; Reduction of Federal Funds for Unreported Child Support Collections	0960-AA83 0960-AA85
57 58	Aid to Families With Dependent Children; Definition of Permissible State Practice-Quality Control Aid to Families With Dependent Children; Consideration of Utility Payments Made By Tenants in Housing and Urban Development Assisted Housing	0960-AA87
59	Old-Age, Survivors, and Disability Insurance Program; Coverage of Certain Federal Employees; Coverage of Earnings of Federal Judges	0960-AA89
60	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs Treatment of OASDI and SSI Lump Sum Payments in the Aid to Families with Dependent Children Program	0960-AA90
61	*Supplemental Security Income Program; Presumptive Disability and Presumptive Blindness; Categories of Impairments-AIDS	0960-AA91
62	*Supplemental Security Income Program; The Automobile, Property Essential to Self-Support, the Home	0960-AA92
63	*Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Program; Revised Medical Criteria for Determination of Disability; Mental Disorders-Appendix 1 - Part A	0960-AA93
64	Public Assistance Programs, Duplicate Assistance Payments	0960-AA96
65	Old Age, Survivors, and Disability Insurance Program; Black Lung Program; and Supplemental Security Income Program; Office of Management & Budget Control Numbers for Approved Information ETC	0960-AA97
66	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Determinations of Disability-Performance Standard Revisions and Other Changes Involving ETC.	0960-AA98
67	*Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Cardiovascular System	0960-AA99
68	*Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Respiratory System	0960-AB00
69	*Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Musculoskeletal System	0960-AB01
70	Aid to Families With Dependent Children Program, Treatment of Assigned Support Payments Received Directly and Retained by AFDC Applicants or Recipients Aid to Families With Dependent Children Program; Office of Management and Budget Control Numbers for	0960-AB02
71	Aid to Families With Dependent Children Program: Office of Management and Budget Control Numbers for Information Collection Requirements Contained in AFDC Regulations. Black Lung Program; Establishing Dependency of Surviving Divorced Wife and Computation of Basic Rate	0960-AB04 0960-AB05
72	Aid to Families With Dependent Children; Application of Federal Financial Participation of Recovered Incorrect	0000 AD00
73	Payments to Quality Control Disallowances. *Aid to Families With Dependent Children Program; Income and Eligibility Verification Systems	0960-AB06 0960-AB07
74 75	*Aid to Families With Dependent Children Program; Implementation of the Deficit Reduction Act of 1984	
76	Supplemental Security Income Program; Income; Bills Paid for You	0960-AB09
77	Supplemental Security Income Program; Resources; Exclusion of Underpayments	0960-AB11
78	Old-Age, Survivors, and Disability Insurance Program; Qualifications of Medical Professionals Evaluating Mental	0960-AB15
79	Old-Age, Survivors, and Disability Insurance Program; Black Lung Program; Opportunity for Oral Hearing Before	0960-AB17
80	*Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Personal Appearance	0960-AB20
81	*Old Age Survivors Disability Insurance and Supplemental Security Income Program; Frequency of Periodic Reviews	0960-AB21
82	*Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Standards for Consultative Examinations; Medical Evidence	0960-AB22

Social Security Administration—Current and Projected Rulemakings—Continued

Se- uence umber	Title	Regulation Identifier Number
83	Supplemental Security Income Program; Increase in Dollar Limitation Under Assets Test	0960-AB23
84	Supplemental Security Income Program; Permanent Residence Under Color-of-Law	0960-AB2
85	*Old Age Survivors Disability Insurance and Supplemental Security Income Programs, Standard of Review for Termination of Disability Benefits and Periods of Disability	0960-AB2
86	Prohibition of Federal Funding of Costs of Incarceration and Counsel for Indigent Absent Parents	0960-AB2
87	Disregard of Child Support Payments; AFDC Regulations Implementing the Deficit Reduction Act of 1984	0960-AB2
88	Supplemental Security Income Programs; Assignment of Rights to Third-Party Medical Payments to State	0960-AB2
89	Supplemental Security Income Program; How We Count Unearned Income	0960-AB2
90	*Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Continuation of Benefits During Appeal	0960-AB3
91	Supplemental Security Income Program; Treatment of Overpayments When Recipient's Countable Assets Exceed Limits in Certain Cases	0960-AB3
92	Aid to Families With Dependent Children Program; Extension of Medicaid Eligibility When Support Collections Result in Termination of AFDC Eligibility	0960-AB3
93	Old-Age, Survivors, and Disability Insurance Program Reopening and Revising Determinations and Decisions Where There is Clear Error or New and Material Evidence - Finality of ETC	0960-AB3
94	*Supplemental Security Income Programs; Eligibility; Continuation of Benefits and Eligibility for Certain Severely Impaired Recipients Who Work	0960-AB3
95	*Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Compliance With Federal Law	0960-AB3
96	*Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Payment of Costs of Rehabilitation Services	0960-AB3
97	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Adjustments in SSI Benefits on Account of Retroactive Benefits Under Title II	
98	Supplemental Security Income Program; Limitation on Recoupment Rate in Case of Overpayment	0960-AB3
99	*Determining Disability Blindness; Evaluation of Pain	0960-AB4

^{*}Indicates priority regulation.

Social Security Administration—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
100	*Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Qualifications of Medical Professionals Evaluating Mental Impairments	0960-AB31

^{*}Indicates priority regulation.

Social Security Administration—Completed Actions

Se- quence lumber	Title Title	Regulation Identifier Number
101	*Old-Age, Survivors, and Disability Insurance, Black Lung, and Supplemental Security Income Programs; Waiver of	2000 1400
102	Adjustment or Recovery of Overpayments *Supplemental Security Income Program; Eligibility, Mandatory Application for Earned Income Tax Credits	0960-AA01
103	Supplemental Security Income Program; Resources	0960-AA3
104	Federal Old-Age, Survivors, and Disability Insurance Program; Additional Exception to Reduction of Benefits of Spouse Receiving Government Pension.	0960-AA4
105	Aid to Families with Dependent Children Program; Quality Control Requirements (TEFRA)	0960-AA5
106	OASDI, Black Lung, and SSI Programs; Reopening and Revising Determinations and DecisionsExpedited Appeals Process	0960-AA5
107	Old-Age, Survivors, and Disability Insurance Program; Employment, Wages, Self-Employed and Self-Employment Income; Sick Pay	0960-AA5
108	*Aid to Families With Dependent Children Program; Disregard of Income of Dependent Children Derived From Participation in Programs Carried Out Under the Job Training Partnership Act.	
109	Old-Age, Survivors, and Disability Insurance Program; Deductions; Reductions; and Nonpayment of Benefits-	0960-AA72
110	Nonpayment of Benefits to Prisoners	0960-AA73
111	Supplemental Security Income Program; What Is Not Income	0960-AA74
	Medical Criteria for Evaluation of Children	0960-AA80

Social Security Administration—Completed Actions—Continued

Se- quence Number	Title	Regulation Identifier Number
112	Public Assistance Programs; Exclusion of Certain Funds Distributed to Members of Indian Tribes as Income and Resources	0960-AA95 0960-AB10
113 114	Supplemental Security Income Program; Resources General, Trusts	0960-AB12 0960-AB13
115 116	Old-Age Survivors, and Disability Insurance Program; Probative Value of Evidence	0960-AB14
117	*Old-Age, Survivors, Disability Insurance and Supplemental Security Income Programs; Social Security Disability Benefits	0960-AB18
118	Supplemental Security Income Program; Certain Provisions of P.L. 98-369 (the Deficit Reduction Act of 1984) *Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Determining Disability and Blindness; Multiple Impairments	0960-AB19 0960-AB39

^{*}Indicates priority regulation.

Office of Child Support Enforcement—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
120 121 122 123 124	Treatment of Assigned Support Payments Received Directly and Retained by AFDC Recipients. Medical Support Enforcement *Revision of IV-D Program Audit Regulations. OMB Control Numbers for Information Collection Requirements Contained in OCSE Regulations. *Implementation of Child Support Enforcement Amendments of 1984	0992-AA12 0992-AA13

^{*}Indicates priority regulation.

Office of Child Support Enforcement—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
125 126 127	*Costs of Services for Non-AFDC Families; Reduction of Program Expenditures by Fees and Other Income	0992-AA02 0992-AA06 0992-AA09

^{*}Indicates priority regulation.

Public Health Service—Office of Assistant Secretary for Health (OASH)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
128	Grants for Adolescent Pregnancy and Family Life Projects	0905-AA24

Public Health Service—Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
129 130	Confidentiality of Alcohol and Drug Abuse Patient Records	0905-AA26 0905-AB48

Public Health Service—Centers for Disease Control (CDC)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
131 132 133	Project Grants for Health Programs for Refugees *Distribution of Reference Biological Standards and Biological Preparations Specifications for Medical Examinations of Underground Coal Miners	0005-AR40

^{*}Indicates priority regulation.

Public Health Service—Centers for Disease Control (CDC)—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
134	Foreign Quarantine.	0905-AA31

Public Health Service—Food and Drug Administration (FDA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
135	*Obligations of Sponsors of Clinical Investigations	0905-AA03
136	Over-the-Counter (OTC) Drug Review	DOOF AADE
137	Sucrose and Corn Sugar, Corn Syrup, and Invert Sugar.	0905-AA09
138	*Caffeine	0905-AA10
139	Policy for Regulating Carcinogenic Chemicals in Food and Color Additives	0905-AA12
140	New Animal Drugs for Use in Animal Feeds; Definition and General Considerations; Revised Procedures Regarding Medicated Feed Applications	0905-AA15
141	National Environmental Policy Act; Policy and Procedures	0905-AA16
142	Premarket Approval; Procedures for Medical Devices	0905-AA19
143	Dental Devices; Classification	0905-AA20
144	Detached Cigarette Filters as Medical Devices: Classification	0905-AA21
145	Protection of Human Subjects; Prisoners Used as Research Subjects	0905-AA22
146	Current Good Manufacturing Practice for Human Food	0905-AA72
147	Additional Standards for Diagnostic Substances for Laboratory Tests: Blood Grouping Serum	0905-AA75
148	Panel on Heview of Bacterial Toxoids and Bacterial Vaccines with U.S. Standards of Potency	0905-AA80
149	*Panel on Review of Blood and Blood Products	0905-AA82
150	*Panel on Review of Allergenic Extracts	0905-AA83
151	*Good Laboratory Practice for Nonclinical Laboratory Studies	0905-AA84
152 153	*Exempt Infant Formula	0905-AA85
154	*Prior Sanction for Lead in Tin Cans	0905-AA86
155	*Irradiation in the Production, Processings, and Handling of Food	0905-AA88
	*Common or Usual Names for Vegetable Protein Prod. and Substitutes for Meats, Seafood, Poultry, Eggs or Cheeses Which Contain Veg. Protein Prod. as Sources of Protein	0905-AA90
156	Abbreviated New Animal Drug Applications for Post-1962 Animal Drugs	0905-AA91
157	Investigational New Animal Drugs for Export	0905-AA93
158	Availability of Bulk New Animal Drug Substances to Veterinarians	0905-AB01
159	*Ubligations of Clinical Investigators	0905-AB02
160	ic Residues	0905-AB04
161	Solid Content Weight or Drained Weight for Canned Fruits and Vegetables	0905-AB05
162	Reporting Requirements for Marketed Animal Drugs	0905-AB06
163	New Drug Approval Process; Revision of IND Rules	0905-AB09
164	Food Ingredient Labeling: Emulsifiers and Stabilizers: Exemptions	0905-AB26
165	Current Good Manufacturing Practice for Blood and Blood Components: Uniform Blood Labeling	0905-AB30
166	New Animal Drug Requirements for Medicated Free-choice Feeds	0905-AB34
167	Standardized Foods; Proposal to Amend Standards of Identity	0905-AB35
168	Nutrient Requirements for Infant Formula	0905-AB37
169	Sufficing Agents; Labeling in Drugs for Human Use; Precautionary Statement	0905-AB38
170	Labeling of Drug Products for Over-the-Counter Human Use	0905-AB40
171	Food Labeling; Proposed Rule Concerning Sulfiting Agents	0905-AB52

Public Health Service—Food and Drug Administration (FDA)—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
172	*Adverse Drug Experience Reporting Requirements for Marketed Prescription Drugs Without Approved New Drug or Abbreviated New Drug Applications	0905-AB53

^{*}Indicates priority regulation.

Public Health Service—Food and Drug Administration (FDA)—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
173 174 175 176 177 178 179 180 181 182	*Current Good Manufacturing Practice for Finished Pharmaceuticals *Antibiotic Drugs. *Bubble Bath Products. *Records and Reports; Electronic Products. *Performance Standards for Ionizing Radiation Emitting Products. *New Animal Drug Approval Process; Review of NADA Rules. Drugs Composed Wholly or Partly of Insulin. Drugs Used For Treatment of Narcotic Addicts. Bioavailability and Bioequivalence Requirements. Radioactive Drugs for Certain Research Uses.	0905-AA96

^{*}Indicates priority regulation.

Public Health Service—Food and Drug Administration (FDA)—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
183 184 185 186 187 188	*Abbreviated New Drug Applications for Post-1962 Drugs *Reye Syndrome - Labeling for Salicylate-Containing Drug Products *Infant Formula; Labeling Requirements *New Drug Approval Process; Revision of NDA Rules Changes in Proper Names of Certain Biological Products Guideline for Veterinary Prescriptions and Other Orders	0905-AA01 0905-AA07 0905-AA13 0905-AB08 0905-AB29 0905-AB47

^{*}Indicates priority regulation.

Public Health Service—Health Resources and Services Administration (HRSA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
		0905-AA35
189	*Reasonable Volume of Uncompensated Services to Persons Unable to Pay (Hill-Burton)	
190	*Limitation on Federal Participation for Capital Expenditures	0905-AA35
191	*Limitation on Federal Participation for Capital Expenditures Grants for Nurse Practitioner Traineeship Programs	0905-AA47
192	Standards for the Accreditation of Educational Programs for and the Gredentialing of Hadiologic Personnel	DADD-WW42
193	Training Grants for Preventive Medicine Residency Program	0905-AA50
194	Training Grants for Preventive Medicine Residency Program	0905-AA57
195	*Nursing Student Loan Program (NSL); Debt Management; Delinquency Rates Grants for Maternal and Child Health Services Federal Set-Aside Program	0905-AA58
196	Grants for Maternal and Child Health Services Federal Set-Aside Program	0905-AA61
197	Program Grants for Migrant Health Services	0905-AA02
198	Program Grants for Black Lung Clinics	0905-AA64
199	Project Grants and Loans For Home Health Services and Training	0905-AB11
200	Program Grants for Migrant Health Services Federal Set-Aside Program Program Grants for Migrant Health Services Program Grants for Black Lung Clinics Project Grants and Loans For Home Health Services and Training Primary Care Block Grant Program.	0905-AB12
201	*Health Professions Student Loan (HPSL) Program; Due Diligence *Health Professions Student Loan Program: Performance Standard	0905-AB14
202	*Health Professions Student Loan Program; Performance Standard	0905-AB24
203	Indian Health Service, 42 CFR Part 36 Subpart I, Contracts Under the Indian Self-Determination Act: Amendments	0905-AB31
204	Grants for Nurse Anesthetists Traineeships	0905-AB33
205	*Revisions to Hill-Burton Grant Recovery Regulations	0905-AB45

Public Health Service—Health Resources and Services Administration (HRSA)—Current and Projected Rulemakings— Continued

Se- quence Number	Title	Regulation Identifier Number
206 207	*Revised HEAL Program Regulations	0905-AB46 0905-AB50

^{*}Indicates priority regulation.

Public Health Service—Health Resources and Services Administration (HRSA)—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
208	*Health Systems Agency and State Health Planning and Development Agency Reviews; Certificate of Need *Health Maintenance Organizations	0905-AA38 0905-AA65
210	*Nursing Student Loan (NSL) Program; Due Diligence	0905-AB15
211	Technical Amendments to Indian Health Service Grant Regulation Revising 42 CFR Part 36, Subparts H and J, to Conform with 45 CFR 74	0905-AB23

^{*}Indicates priority-regulation.

Public Health Service—National Institutes of Health (NIH)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
212	National Library of Medicine Programs. Revision of General Rules for the National Library of Medicine and National Library of Medicine Grants	0905-AA66
213	National Institutes of Health Center Grants 42 CFR 52a	0905-AA68
214	Grants for Research Projects, Fellowships National Research Service Awards Health and Human Service Acquisition Regulation	0905-AB91

Health Care Financing Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
215	Managitian of Cost Charing Charges Hader Medicaid	0938-AA02
216	*Imposition of Cost Sharing Charges Under Medicaid *Medicaid Overpayment Reporting Requirements	0938-AA04
217	*MMIS: Conditions of Approval and Reapproval and Procedures for Reduction of Federal Financial Participation	
218	*Withholding the Federal Share of Payments to Recover Medicare or Medicaid Overpayments	0938-AA09
219	*Home Health Agencies: Aide Training and Financial Security Requirements	0938-AA13
220	*Home and Community Based Services	0938-AA19
221	*Conditions of Participation for Hospitals	0938-AA23
222	*Hospital Based SNF Cost Limits (effective 10/1/82)	0938-AA25
223	*Limitation on Payment for Services Furnished to Employed Aged, Their Spouses, and Spouses of Younger	0930-AA2
223	Employees	0938-AA31
224	*Amending Cost Reports and Reopening Intermediary Payment Determinations and Administrative Review Decisions	0938-AA33
225	*Recognition of State Reimbursement Control Systems	0938-AA34
226	*Recognition of State Reimbursement Control Systems *Survey and Certification Procedures	0938-AA38
227	Physician Certification and Plan of Treatment Requirements	0938-AA46
228	Medicaid Eligibility	0938-AA58
229	*Intermediate Sanction of Long-Term Care Facilities	0938-AA60
230	Third Party Liability (TPL), Premium FFP Rates, Mandatory Assignment of Rights to Payments; Sources of State	0938-AA65
231	Mental RetardationDefinition of "Persons with Related Conditions"	0938-AA78
232	Federal Financial Participation for Inmates in Public Institutions and Individuals in an Institution for Mental Disease or	0000-1111
-02	Tuberculosis	0938-AA93
233	Payments to Institutions	0938-AB00

Health Care Financing Administration—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
234	Benefit Period Determinations and Miscellaneous Provisions	0938-AB03
235	Claims Processing Assessment System.	0938-AB04
236	*Spenddown	0938-AB07
237	*Utilization and Quality Control Peer Review Organizations: Imposition of Sanctions on Health Care Practitioners and Providers of Health Care Services	0938-AB11
238	*Utilization and Quality Control Peer Review Organization (PRO): Assumption of Medicare Review Functions and Coordination with Medicaid	0938-AB12
200	*Acquisition Protection and Disclosure of Utilization and Quality Control Peer Review Organization Information	0938-AB13
239	Relations with Other Agencies - Buy-In, and Miscellaneous Medicaid Definitions	0938-AB21
241	PRO Reconsiderations and Appeals	0938-AB24
242	Medicare and Medicaid: Corrections and Conforming Changes	0938-AB25
243	Changes to the Lesser of Costs or Charges Provisions	0938-AB29
244	Procedures for Determining Whether Providers, Practitioners, or Other Suppliers of Services are Liable for Certain	0938-AB33
245	Forms Used for Claiming Payment	0938-AB34
246	Adjustment of Federal Share for Uncashed or for Cancelled Medicaid Checks	0938-AB35
247	Revisions to Medicaid Payment for Inpatient Hospital and Long-Term Care Facility Services	0938-AB40
248	FEP for LTC Facilities after Termination of Provider Agreement	0938-AB42
249	Office of Management and Budget Request for Review of Reporting and Recordkeeping Requirements	0938-AB46
250	Deficit Reduction Act of 1984; Information Notice on Medicare and Medicaid Amendments	0938-AB47
251	*Hospital Prospective Payment Rates for FY 1986	0938-AB48
252	*Payment for Clinical Diagnostic Laboratory Services	0938-AB50
253	Medical Review for Skilled Nursing and Intermediate Care Facilities and Independent Professional Review for Institutions for Mental Disease	
THE WAY	HMOs and CMPs; Deficit Reduction Act Provisions	0938-AB54
254	Recertification of Need for Inpatient Care	0938-AB55
255	Health Maintenance Organizations and Competitive Medical Plans; Enrollment Periods	0938-AB57
256	Hospice "Core" Services; Nursing	0938-AB58
257	Indirect Payment of Supplementary Medical Insurance	0938-AB59
258 259	Hospital Insurance Entitlement and Supplementary Medical Insurance Enrollment, Entitlement, and Premiums	0938-AB60
260	Payment for Services of Physicians in Teaching Settings	0938-AB61
261	Treatment of Social Security Cost of Living Increases for Individuals Who Lose SSI Eligibility	0938-AB62
262	Medicare/Medicaid Revaluation of Assets	0938-AB64
263	ESRD Network Organizational, Administrative, and Area Designation Procedures	0938-AB65
264	Information Collection Requirements for Subparts L. M. and Q.	0938-AB68
265	*MMIS: (1) Definition of "Improvement" and "Mechanized Claims Processing and Information Retrieval System" and	0938-AB69
266	*Changes to Return on Equity Capital, Exception from the Cost Limits for New HHAs, and HHA Health and Safety Requirements	0938-AB70
267	*Clarification of Policy on Adjusting the Hospital-Specific Portion of the Prospective Payment Rate	0938-AB71
268	*Payment Adjustments for Sole Community Hospitals	0938-AB72
269	*Income and Eligibility Verification	0938-AB/3
270	*HHA Cost Limits for Cost Reporting Periods Beginning on or After July 1, 1985	0938-AB74
271	*Skilled Nursing Facility Cost Limits (effective 7/1/84) for Hospital-Based SNFs	0938-AB75
272	*Standards for Intermediate Care Facilities for the Mentally Retarded.	0938-AB76
273	Redesignation of Prospective Payment Rules	0938-AB77
274	*Inpatient Hospital Deductible (1986)	0938-AB78
275	*Medicare Economic Index for Physicians' Services Beginning 10/01/85	0938-AB79
276	*Part B Premium for 12-Month Period Beginning 01/01/86.	0938-AB80
27.7	Part A Premium for 12-Month Period Beginning 01/01/86.	0938-AB81
278	Review of Information Collection Requirements, Subparts L, M, Q	0938-AB82
279	OMB Control Numbers for Collections of Information Contained in HCFA Regulations	0938-AB83
280	Assignment and Reassignment of Home Health Agencies to Designated Regional Intermediaries	0938-AB84
281	*Medicaid Fligibility-Quality Control	0938-AB85
282	*Freestanding SNF Cost Limits for Cost Reporting Periods Beginning on or After October 1, 1985	0938-AB86
283	*Home and Community-Based Services Waivers Expenditure Controls	0938-AB8/
284	*Medicaid: Identification of Third Party Resources	0938-AB88

^{*}Indicates priority regulation.

Health Care Financing Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
285	*Interest Assessment on Overpayments and Underpayments to Providers and Suppliers	0938-AA11
286	*Treatment of Cost of Uncompensated Services Furnished in Fulfillment of a Hill-Burton Free Care Obligation	0938-AA28
287		0938-AA4
1 1000	Payments to HMOs and CMPs	0938-AA4
288	Medical Measurement Information System Designments	0938-AA7
289	Meucau Managerieri Inormation Systems. System requirements	0938-AB0
290	Medicaid Management Information Systems: System Requirements Miscellaneous Conforming Amendments *Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program	0938-AB0
291	Performance Criteria and Statistical Standards for Evaluating Intermediary Performance During Fiscal Year 1984	0938-AB1
292	Performance Criteria and Statistical Stati	0938-AB1
293	Part A Premium for Orinsured Aged for 12-Month Period Degiriting 01/01/65	0938-AB2
294	Part A Premium for Uninsured Aged for 12-Month Period Beginning 01/01/85. Part B Premium for 12-Month Period Beginning 01/01/85. Inpatient Hospital Deductible (1985). Revised RCE Limits - CY1984.	0938-AB2
295	Inpatient Hospital Deductible (1985)	0938-AB3
296	Revised RCE Limits - CY1984	0938-AB3
297	Reissuance of the Wage Index in the 1981 Schedule of Limits on Hospital Per Diem Inpatient General Routine Operating Costs Medicare Recovery Against Third Parties	0938-AB3
298	Medicare Recovery Against Third Parties	0938-AB4
299	*Criteria and Standards for Intermediaries and Carriers Fiscal Year 1985	0938-AB5
300	Payment Adjustments for Hospital Wage Indexes Under the Prospective Payment System	0938-AB5
301	Hospitals Serving a Disproportionate Number of Low Income Patients or a Disproportionate Number of Part A	
302	Medicare Patients Payment to HHAs and Hospices Following Termination	0938-AB6

^{*}Indicates priority regulation.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Office of the Secretary (OS)

Current and Projected Rulemakings

1. NONDISCRIMINATION
REQUIREMENT APPLICABLE TO
BLOCK GRANTS AND COMMUNITY
ECONOMIC DEVELOPMENT AND
HEAD START PROGRAMS INCLUDING NONDISCRIMINATION ON
THE BASES OF SEX AND RELIGION

Legal Authority: 42 USC 9906; 42 USC 300w-7; 42 USC 300x-7; 42 USC 300y-9; 42 USC 728; 42 USC 8625; 42, USC 9821; 42 USC 9849

Abstract: To implement the nondiscrimination requirements applicable to block grants and the Community Economic Development and Head Start Programs authorized by the Omnibus Budget Reconciliation Act of 1981, P.L. 97-35.

Timetable:

Action	Date - FR Ci	te
NPRM	00/00/00	

Small Entity: No

Additional Information: New CFR Subpart to be assigned.

Agency Contact: Marcella Haynes, Chief, Special Projects Branch, Department of Health and Human Services, Office of the Secretary, Div of PSP, Off of Mgmt & Pol, CR, Rm 5412, HHS North Bldg, 330 Independence Ave, SW, Washington, DC 20201, 202 472-4256

RIN: 0991-AA02

2. PUBLIC INFORMATION REGULATION

Legal Authority: 5 USC 552 CFR Citation: 45 CFR 5

Abstract: This will be the first complete update since August 1974 of the Department's Public Information Regulation implementing the Freedom of Information Act. It will facilitate public access to information by making necessary revisions, clarifying, and promulgating at one time all the subparts of the regulation. It will also help Departmental personnel processing FOIA requests by providing them with an integrated regulation that is compatible with current procedures for processing FOIA requests and assessing search and copy fees that reflect the increased cost of such services. The

only alternative to this complete update is to continue to operate with a regulation that in the past has been revised on a piecemeal basis.

Timetable:

Action	Date	FR Cite
NDRM	04/00/85	

Small Entity: No

Agency Contact: Russell M. Roberts. Director, FOI/Priv Div, Department of Health and Human Services, Office of the Secretary, Off of Pub Affairs, Rm 118F, Humphrey Bldg, 200 Independence Ave, SW, Washington, DC 20201, 202 472-7453

RIN: 0991-AA07

3. RULEMAKING RELATING TO PUBLIC PROPERTY, LOANS, GRANTS, BENEFITS, AND CONTRACTS

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 2

Abstract: These regulations state the Department's policy on the use of notice and comment procedures where they are not required by statute. The regulations have no direct budgetary impact.

Current and Projected Rulemakings

Timetable:

Action Date FR Cite

NPRM 06/22/82 47 FR 26860

Next Action Undetermined

Small Entity: No

Agency Contact: John Daniel Kiser.
Assistant to the Deputy General
Counsel, Department of Health and
Human Services, Office of the
Secretary, Hubert Humphrey Building,
Room 707F, 200 Independence Avenue,
SW, Washington, DC 20201, 202 2456318

RIN: 0991-AA08

4. ADMINISTRATION OF GRANTS TO STATES OTHER THAN BLOCK GRANTS OR OPEN-ENDED GRANTS

Priority: Task Force

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 74; 45 CFR 98

Abstract: Will reduce and simplify grants administration requirements imposed on States. Except for grants to State universities and hospitals, will apply to almost all HHS close-end categorical grants to States, discretionary (project) grants as well as mandatory (formula) grants. Issues will probably be which of the proposed changes do not go far enough in relieving States of burdens and restrictions and which go too far. No significant impact expected on Federal budget but should reduce administrative costs of States (no estimate available or feasible). This is one of the regulatory relief efforts announced and directed by the Presidential Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	02/24/84	49 FR 6927
NPRM Comment Period Begin	02/24/84	
NPRM Comment Period End	06/24/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Joel Feinglass, Dir., Division of Assistance Policy, Department of Health and Human Services, Office of the Secretary, Rm 513D, HHH Bldg, 200 Independence Avenue, SW, Washington, DC 20201, 202 245-7565

RIN: 0991-AA10

5. PRIVACY ACT REGULATION

Legal Authority: 5 USC 552a

CFR Citation: 45 CFR 5b

Abstract: This will be the first complete update since 1975 of the Department's Privacy Act Regulation implementing the Privacy Act of 1974. It will facilitate individuals' access to information and records that the Department maintains about them in more than 400 designated Privacy Act Systems of Records, clarifying and promulgating at one time all the subparts of the regulation. It will also help Departmental personnel processing Privacy Act requests by providing them with an integrated regulation that is compatible with current procedures for processing such requests. The only alternative to this complete update is to continue to operate with a regulation that in the past has been revised on a piecemeal basis.

Timetable:

	The state of the s	
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Russell M. Roberts, Director, FOI/Priv Div, Department of Health and Human Services, Office of the Secretary, Off of Pub Affairs, Rm 118F, HHH Bldg, 200 Independence Avenue, SW, Washington, DC 20201, 202 472-7453

RIN: 0991-AA11

6. PRINCIPLES FOR DETERMINING COSTS AND COST ALLOCATION PROCEDURES APPLICABLE TO GRANTS, CONTRACTS, AND OTHER AGREEMENTS FOR WORK PERFORMED BY HOSPITALS

Legal Authority: 5 USC 501

CFR Citation: 45 CFR 74, Appendix E; 45 CFR 78

Abstract: This action will revise the Department's current cost principles for research and development activities under grants and contracts with hospitals to make them clearer, more specific, and compatible with cost principles issued by OMB for educational institutions and nonprofit organizations. The revision will also broaden the coverage of the principles to include all grants, contracts and other agreements with hospitals (except the Medicare & Medicaid programs).

Timetable:

Action	Date	01	FR Cite
NIDDM	04/00/95		

Small Entity: No

Agency Contact: Henry G.
Kirschenmann, Jr., Deputy Assistant
Secretary, Department of Health and
Human Services, Office of the
Secretary, Office of Procurement, Assist
& Logistics, Rm 513D, HIHH Bldg, 200
Independence Ave. SW, Washington,
DC 20201, 202 245-8870

RIN: 0991-AA12

7. AUTOMATIC DATA PROCESSING EQUIPMENT AND SERVICES --CONDITIONS FOR FEDERAL FINANCIAL PARTICIPATION

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 95.600; 45 CFR 95.601; 45 CFR 95.605; 45 CFR 95.611; 45 CFR 95.613; 45 CFR 95.615; 45 CFR 95.617; 45 CFR 95.621; 45 CFR 95.623; 45 CFR 95.625; 45 CFR 95.631; 45 CFR 95.633; 45 CFR 95.6341

Abstract: This regulation is issued to simplify and make these regulations consistent with those regulations that govern availability of FFP at the enhanced matching rate for computerized systems for programs under titles IV-A, IV-D and XIX of the Social Security Act, to allow States more flexibility in implementing small systems, and to reduce paperwork.

Timetable:

Action	Date	FR	Cite
NPRM	11/19/84	49 FR	45617
NPRM Comment Period Begin	11/19/84	49 FR	45617
NPRM Comment Period End	01/18/85		
Final Action	06/00/85		

Small Entity: No

Additional Information: The basic requirements of this proposed rule have been in effect for some time. This rulemaking is made to reduce regulatory requirements.

HHS-OS

Current and Projected Rulemakings

Agency Contact: Joseph F. Costa, Dir. Office of Public and State Data Systems, Department of Health and Human Services, Office of the Secretary, Room 542F HHH Bldg., 200 Independence Ave., SW, Washington, DC 20201, 202 245-7488

RIN: 0991-AA14

8. DETERMINATION OF ADEQUACY OF CONTRACTORS' ACCOUNTING AND BILLING SYSTEMS AND PREPARATION OF INVOICES

Legal Authority: 40 USC 486(c); 5 USC 301

CFR Citation: 48 CFR 3

Abstract: This regulation is issued to streamline the reporting of financial data, establish requirements to determine the adequacy of contractors' accounting and billing systems, and establish guidelines for the preparation of invoices related to cost-reimbursement contracts. Regulation presently being re-evaluated.

Timetable:

Action	Date	1	FR	Cite
NPRM	12/27/82	47	FR	57515
NPRM Comment Period Begin	12/27/82	47	FR	57515
NPRM Comment Period End	02/10/83			

Next Action Undetermined

Small Entity: No

Additional Information: The basic requirements of this proposed rule have been in effect for some time in the Federal Procurement Regulations and have been carried over to the Federal Acquisition Regulation.

Agency Contact: Terrence J. Tychan, Act Dir, Ofc of Procurement & Logistics Pol., Department of Health and Human Services, Office of the Secretary, Room 505D HHH Bldg., 200 Independence Ave., SW, Washington, DC 20201, 202 245-8771

RIN: 0991-AA15

9. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Legal Authority: 29 USC 794 CFR Citation: 45 CFR 85.1-62

Abstract: Implements the amendment made to Sec. 504 of the Rehabilitation Act of 1973 by Pub.L. 95-602 in 1978, which extended Sec. 504 to the Federal sector. The proposed Part 85 is modeled on Part 84 which implements Sec. 504 with respect to recipients of Federal financial assistance.

Timetable:

Action	Date	FR	Cite
NPRM	05/00/85	810	
Small Entity	r: Not Applicable		

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Federal

Agency Contact: Frank E.G. Weil, Acting Chief, Policy Branch, Department of Health and Human Services, Office of the Secretary, Office for Civil Rights, 330 Independence Avenue SW, Room 5416, Washington, DC 20201, 202 245-6671

RIN: 0991-AA17

10. SANCTIONS FOR MEDICARE AND MEDICAID FRAUD AND ABUSE

Legal Authority: PL 98-369 Sections 2306 and 2348 of the Deficit Reduction Act

CFR Citation: 42 CFR 420; 42 CFR 455; 45 CFR 101

Abstract: This regulation implements the Administrative Sanction Provisions relating to violations of the Physician Fee Freeze contained in Section 2306 of P.L. 98-369. This regulation also implements technical modifications contained in Section 2348 of P.L. 98-369 and reflects the transfer of fraud and abuse authorities from the Health Care Financing Administration to the DHHS Office of the Inspector General, incorporating certain technical revisions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	

Small Entity: No

Agency Contact: Barry Steeley, Senior Program Analyst, Department of Health and Human Services, Office of the Secretary, Office of Inspector Gen., 1849 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-5034

RIN: 0991-AA20

11. PROGRAM INTEGRITY

Legal Authority: PL 98-369, Sec 2333; 42 USC 1395yd; 42 USC 1320a7; 42 USC 1302; 42 USC 1395cc; 42 USC 1395hh; 42 USC 1396a; 42 USC 1396b

CFR Citation: 42 CFR 420

Abstract: This regulation will incorporate Section 2333 of P.L. 98-369 which provides authority to exclude entities that employees practitioners convicted of Medicare or Medicaid related offenses in key management positions or where an individual convicted of Medicare or Medicaid offenses has a five percent or more ownership interest. NPRM will also make substantive revision and clarify certain legal issues in the existing OIG sanction regulations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: William Libercci, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-5035

RIN: 0991-AA21

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Office of the Secretary (OS)

Existing Regulations Under Review

12. • EQUAL OPPORTUNITY IN EMPLOYMENT: PUBLIC BROADCASTING, PUBLIC RADIO AND PUBLIC TELECOMMUNICATIONS ENTITIES RECEIVING FEDERAL FUNDS FROM THE CORPORATION FOR PUBLIC BROADCASTING

Priority: Agency Determination Legal Authority: 47 USC 2405 CFR Citation: 45 CFR 87.1-40

Abstract: Implements the Equal Opportunity in Employment Provisions of the Public Telecommunications
Financing Act of 1978, PUB. L. 95-267,
47 U.S.C. 398(b)(1). This provision requires that equal opportunity in

employment be afforded to all persons and that no person shall be subjected to discrimination in employment on the grounds of race, color, religion, national origin, or sex by the Public Broadcasting Service, National Public Radio, and public telecommunications entitles receiving Federal funds from the Corporation for Public Broadcasting.

Timetable:

Action	Date	F	R	Cite
ANPRM	03/13/79			11/30
NPRM	12/21/79	44 F	R	75676
End Review	00/00/00			

Small Entity: No

Public Compliance Cost: Yearly Recurring Cost: \$6,000

Government Levels Affected: Local, State

Agency Contact: Frank E. G. Weil, Policy Branch, Department of Health and Human Services, Office of the Secretary, Office for Civil Rights, 330 Independence Avenue, SW, Room 5416, Washington, DC 20201, 202 245-6671

RIN: 0991-AA22

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Office of the Secretary (OS)

COMPLETED RULEMAKINGS

13. LETTER OF CREDIT SANCTIONS

CFR Citation: 45 CFR 76, (Proposed)

Completed:

 Reason
 Date
 FR Cite

 Final Action
 02/07/85
 50 FR 00776

Small Entity: No

Completed Actions

Agency Contact: David V. Dukes 202 245-7084

RIN: 0991-AA03 [FR Doc. 85-6368 Filed 04-26-85; 8:45 am] BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Departmental Management (HHSDM)

Current and Projected Rulemakings

14. CLAIMS COLLECTION

Priority: Agency Determination

Legal Authority: PL 97-365; 31 USC 3711; 31 USC 2716 to 3718; 5 USC 5514; 5 USC 552a

CFR Citation: 45 CFR 30, (Revision)

Abstract: The proposed rule amends the Department's regulation for collecting debts. Principally, the amendments implement the Debt Collection Act of 1982 (P.L. 97-365), which amended the Federal Claims Collection Act of 1966 (31 U.S.C. 3711, 3716-3718) to authorize, among other things, the charging of interest, penalties and administrative costs, and the use of administrative offset, private collection agencies and credit reporting agencies by the Government. The amendments also implement government-wide regulations issued by the Department of Justice and GAO (49 F.R. 8889) and OPM (49 F.R. 27470).

Timetable:

Action	- Date	FR Cite
NPRM	04/00/85	COURT OF THE PERSON NAMED IN

Small Entity: No

Agency Contact: Sarah Hertz, Chief. Litigation and Claims Branch, Department of Health and Human Services, Departmental Management, Room 5362 HHS North, 330 Independence Ave., SW, Washington, DC 20201, 202 475-0155

RIN: 0990-AA00

15. GRANTS TO STATES FOR PUBLIC ASSISTANCE PROGRAMS

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 201.66,(Revision)

Abstract: The proposed rule amends 45 GFR 201.66 by removing paragraph (b)(8). Section 201.66 governs States' repayment by installments of debts to the Department arising from audit disallowances under Titles I, IV-A, X, XIV, XVI (AABD) or XIX of the Social Security Act (42 U.S.C. 201 et seq).

Paragraph (b)(8) provides that States will not be charged interest on those repayments unless mandated by court order. Paragraph (b)(8) is being removed to conform to the Department's interest policy set forth in the proposed amendments to 45 CFR Part 30, the Claims Collection Regulation. The provision is inconsistent with the Department's policy of charging interest on outstanding debts.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	* ARE

Small Entity: No

Agency Contact: Sarah Hertz, Chief, Litigation and Claims Branch, Department of Health and Human Services, Departmental Management, Room 5362 HHS North, 330 Independence Ave., SW, Washington, DC 20201, 202 475-0155

RIN: 0990-AA01 [FR Doc. 85-6366 Filed 04-26-85; 8:45 am] BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Office of Human Development Services (HDSO)

Current and Projected Rulemakings

16. GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING; GRANTS TO INDIAN TRIBES FOR SUPPORTIVE & NUTRITION SERVICES--FINAL RULE

Legal Authority: 42 USC 3057 Older Americans Act

CFR Citation: 45 CFR 1321; 45 CFR 1328

Abstract: This final rule contains requirements that give States and Indian tribes greater flexibility in meeting the statutory requirements to provide supportive and nutrition services to older individuals.

Timetable:

Action	Date		FR	Cite
NPRM	03/02/83	48	FR	8964
NPRM Comment Period End	05/02/83	48	FR	8964
Final Action	04/00/85			

Small Entity: No

Agency Contact: Donald Smith or Frederik Luhmann, Department of Health and Human Services, Office of Human Development Services, Admin on Aging, Rm 4639 HHS North Bldg, 330 Independence Ave, SW, Washington, DC 20201, 202 472-3057

RIN: 0980-AA02

17. FOSTER CARE MAINTENANCE PAYMENTS, ADOPTION ASSISTANCE, AND CHILD WELFARE SERVICES --NOTICE OF PROPOSED RULEMAKING

Legal Authority: 42 USC 670 et seq Adoption Assist & Child Welfare Act of 1980; 42 USC 620 et seq; 42 USC 1302 Social Security Act

CFR Citation: 45 CFR 1356; 45 CFR 1357

Abstract: This NPRM will propose criteria the Department will use to verify that a State has met statutory requirements and is eligible to receive additional funds under Section 427 of the Social Security Act as amended by the Adoption Assistance and Child Welfare Act of 1980 (Pub. L. 96-272). The proposed rule will contain the specific criteria by which State performance in meeting the requirements of Section 427 is determined, the percentage levels and other standards for case record compliance, and procedures for conducting compliance reviews.

Timetable:		
Action	Date	FR Cite
NPRM	06/00/85	A 150

Small Entity: No

Agency Contact: Frank Ferro, Associate Chief, Children's Bureau, ACYF, Department of Health and Human Services, Office of Human Development Services, P.O. Box 1182, Washington, D.C. 20201, 202 755-7418

RIN: 0980-AA08

18. WORK INCENTIVE PROGRAM FOR AFDC RECIPIENTS UNDER TITLE IV OF THE SOCIAL SECURITY ACT

Legal Authority: 42 USC 602(a)(19) The Deficit Reduction Act of 1984; 42 USC 630 to 644 The Deficit Reduction Act of 1984; 42 USC 1302 The Deficit Reduction Act of 1984; PL 98-369, Sec 2631; PL 98-369, Sec 2634; PL 98-369, Sec 2638

CFR Citation: 29 CFR 56; 45 CFR 224

Abstract: These rules implement three provisions of the Deficit Reduction Act of 1984 (PL 98-369) regarding the WIN program. These changes: (1) add a new exemption for women from the WIN work requirements beginning with the sixth month of pregnancy; (2) permit, under the protective payment requirement, a sanctioned caretaker relative (one who refused to participate in WIN or accept employment without good cause) to receive the AFDC payment on behalf of the assistance unit if a suitable protective payee cannot be located; and (3) exempt AFDC recipients from the work program requirements if they are participating in a Work Supplementation Program operated by a State.

Timetable:

FR Cite	Date	Action
A PROPERTY AND ADDRESS OF THE PARTY AND ADDRES	03/00/85	Final Action
		TO THE OWNER OF THE OWNER OWNER OF THE OWNER

Small Entity: No

Agency Contact: William Kacvinsky, Executive Director, Department of Health and Human Services, Office of Human Development Services, Work Incentive Program, Rm 8422 Patrick Henry Bldg, 601 D St, NW, Washington, DC 20213, 202 376-6890

RIN: 0980-AA09

19. • HEAD START PROGRAM

Legal Authority: 42 USC 9831 et seq The Head Start Act, PL 97-35, as amended CFR Citation: 45 CFR 1301

Abstract: This rule would amend existing regulations governing the recruitment and selection of Head Start staff. The proposed rule would emphasize the importance of careful screening of employees in Head Start programs by requiring that Head Start programs have formal personnel policies and procedures in place that will provide safeguards against the possibility of abuse and neglect, including sexual abuse, occurring in the Head Start program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Ms. Terry A. Lewis, Department of Health and Human Services, Office of Human Development Services, Head Start Bureau, Administration for, Children, Youth and Families, HDS/HHS, PO Box 1182, Washington, DC 20013, 202 755-8208

RIN: 0980-AA10

20. RUNAWAY AND HOMELESS YOUTH PROGRAM

Legal Authority: 42 USC 5701 Note The Runaway and Homeless Youth Act. PL 98-473

CFR Citation: 45 CFR 1351

Abstract: These rules will make technical changes to modify 45 CFR 1351 to conform to changes in legislation that: (1) provide for making grants to any eligible entity and no longer restrict grants to nonprofit entities; and (2) refer to "family" or "families" in place of "parent," "parents," and/or "legal guardian(s)."

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	
Final Action	08/01/85	

Small Entity: No

Agency Contact: Dominic J.
Mastrapasqua, Acting Associate
Commissioner, Department of Health
and Human Services, Office of Human
Development Services, Family and
Youth Services Bureau, ACYF/HDS, PO
Box 1182, Washington, DC 20013, 202
755-7766

RIN: 0980-AA11

21. O DEVELOPMENTAL DISABILITIES PROGRAM

Legal Authority: 42 USC 6001 et seq The Developmental Disabilities Act of 1984; PL 98-527, Sec 108

CFR Citation: 45 CFR 1385; 45 CFR 1386; 45 CFR 1387; 45 CFR 1388

Abstract: The majority of the provisions planned for the proposed regulation will be technical updates which reflect the reorganization of the Act. Also, a number of unnecessary portions in the current regulations would be deleted as the language contained in PL 98-527 is very clear and specific and does not require the development of regulations.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00	2	
Final Action	00/00/00		

Small Entity: No

Agency Contact: Ms. Elsbeth Wyatt, Department of Health and Human Services, Office of Human Development Services, Administration on Developmental, Disabilities, OHDS/HHS, Rm 336-E HHH Bldg, 200 Independence Ave SW, Wash., DC 20201, 202 245-1961

RIN: 0980-AA12

22. CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAM

Legal Authority: 42 USC 5101 Child Abuse Prevention & Treatment Act, as amended

CFR Citation: 45 CFR 1340

Abstract: This final rule will contain basic State grant requirements to implement the Child Abuse Amendments of 1984 regarding protection of disabled infants (Baby Does).

Timetable:

Action	Date	TO A	FR	Cite
NPRM	12/10/84	49	FR	48160
NPRM Comment Period Begin	12/10/84	49	FR	48160
NPRM Comment Period End	02/08/85			
Final Action	04/09/85			

Small Entity: No

Agency Contact: Jay Olson, Department of Health and Human Services, Office of Human Development Services, National Center on Child Abuse and Neglect, HDS/HHS, PO Box 1182, Washington, DC 20013, 202 245-2859

RIN: 0980-AA13

23. CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAM

Legal Authority: 42 USC 5101 Child Abuse Prevention & Treatment Act, as amended

CFR Citation: 45 CFR 1340

Abstract: This NPRM and Final Rule will modify existing regulations to comport with the statutory changes made in the Child Abuse Amendments of 1984 and allow States to share confidential information in the State's child abuse central registry with three additional individuals and agencies.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	09/30/85	

Small Entity: No

Agency Contact: Jay Olson, Department of Health and Human Services, Office of Human Development Services, National Center on Child Abuse and Neglect, HDS/HHS, PO Box 1182, Washington, DC 20013, 202 245-2859

RIN: 0980-AA14 [FR Doc. 85-6366 Filed 04-26-85: 8:45 am] BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Social Security Administration (SSA)

24. SUPPLEMENTAL SECURITY
INCOME PROGRAM; EFFECTIVE DATE
OF APPLICATION AND PRORATION
OF INITIAL SSI BENEFIT PAYMENT

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1382; 42 USC 1382(c); 42 USC 1382f; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart B; 20 CFR 416, Subpart C; 20 CFR 416, Subpart M; 20 CFR 416, Subpart R

Abstract: These regulations will enable SSI benefits in the month of application to be prorated from the date of application or the date of eligibility, whichever is later. The regulations will also apply to months in which the individual reapplies after a period of ineligibility.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Fred Miranda, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7341

RIN: 0960-AA03

25. SUPPLEMENTAL SECURITY
INCOME PROGRAMS; MANDATORY
PASS THROUGH UNDER STATE
SUPPLEMENTATION PROVISIONS

Priority: Agency Determination

Current and Projected Rulemakings

Legal Authority: PL 97-248, Sec 186; 42 USC 1382g(c); PL 97-377, Sec 147; PL 98-21, Sec 402

CFR Citation: 20 CFR 416, Subpart T

Abstract: These rules reflect changes in the law which enable States effective for the 12-month period ending 6/82, to switch from the "maintaining of total expenditures" method of compliance with mandatory pass through provisions to the "maintaining of payment levels" method without first having to pass through to all current SSI recipients all the Federal cost-of-living benefit increases which have occurred since 12/76. States can meet the pass through requirements by maintaining the payment levels in effect in December of the latest preceding total expenditures period. The concept of "State

Current and Projected Rulemakings

Supplementary payment level" is changed to a concept of combined supplementary and SSI payment levels applicable to months after 3/83. Also, a State is permitted to reduce its 3/83 State Supplementary payment levels by an amount up to the difference between the amount of the 7/83 general increase in the Federal benefits in 7/83. Also reflected in the rules is a special method of compliance for States meeting the passalong requirements by the total annual expenditures test for the period 7/1/80 through 6/30/81. The total expenditures for that period need only equal or exceed the total (cont)

Timetable:

Action	Date		FR	Cite
NPRM	02/25/85	50	FR	07607
Final Action	00/00/00			

Small Entity: No

Additional Information: ABSTRACT CONT: expenditures for 7/1/76 through 6/30/77, rather than the total expenditures for the preceding 12-month period.

Agency Contact: Fred Miranda, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7341

RIN: 0960-AA05

26. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; REVISED RULES FOR CERTAIN MEDICAL CESSATION CASES

Priority: Agency Determination

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P; 20 CFR 416, Subpart I

Abstract: This proposed regulation describes revised procedures for processing certain cases where a person's benefits are being stopped because he or she has been found to be not now disabled or blind, as defined in the law. The proposed regulation amends the rules describing when a person's disability will be determined to have ended and, therefore, when cash disability benefits will be stopped [and, for a disabled worker, when a period of disability ends]. These

changes will result in a moderate increase in program costs.

Timetable:

Action	Date	FR	Cite	
NPRM	05/16/83	48 FR	21970	
NPRM Comment Period Begin	05/16/83			
NPRM Comment Period End	07/12/83			

Next Action Undetermined

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7337

RIN: 0960-AA10

27. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; COVERAGE OF EMPLOYEES OF STATE AND LOCAL GOVERNMENTS

Legal Authority: 42 USC 418; 42 USC 1302; PL 98-21, Sec 103; PL 98-21, Sec 342

CFR Citation: 20 CFR 404, Subpart M

Abstract: This proposed regulation reflects policies and procedures concerning agreements between States and the Secretary for Social Security coverage of State and local employees, payment of Social Security contributions, filing of wage reports by States, charging interest for late payments, etc. The current rules need to be organized into a logical sequence and to be updated to reflect many policies which SSA has followed for many years. In preparing this regulation, we reviewed all policies to assess their impact on the trust funds and to reduce recordkeeping burdens. We also added the provisions of sections 103 and 342 of Pub. L. 98-21. Sec. 103 prohibits termination of existing coverage under the States' agreements. Sec. 342 changes payment of Social Security contributions from once a month to twice a month. Other than these two statutory changes, which leave no room for administrative discretion, this proposed regulation primarily reflects current policies, so that any program and administrative costs or savings resulting from the regulation will be minimal.

m			

Action	Date	FR	Cite
Notice of Decision to Develop Regs	09/28/79	44 FR	55899
Notice of Available Working Draft	09/26/80	45 FR	63868

Next Action Undetermined

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7519

RIN: 0960-AA13

28. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; FEE SCHEDULE FOR INFORMATION

Legal Authority: PL 97-35, Sec 2207; 42 USC 405; 42 USC 1302; 42 USC 1306

CFR Citation: 20 CFR 401; 20 CFR 422, Subpart E

Abstract: The substantive changes in these rules conform current rules on who can deny or release a record to those published in final by HHS on May 12, 1982 at 47 FR 20309. They conform the SSA Freedom of Information Act (FOIA) fee schedule to that published by HHS in a final regulation on 9/22/82 at 47 FR 41751. They also announce a fee schedule under which we will charge the full cost of providing certain records as allowed by section 2207 of the Omnibus Budget Reconciliation Act of 1981. The HHS FOIA fee schedule and our proposed fee schedule to charge full cost of providing certain records will result in savings to the Social Security trust funds by permitting SSA to charge more than currently allowed for providing records and record related services.

Timetable:

Action	Date	FR Cite
NPRM	09/20/83	48 FR 42830
NPRM Comment Period Begin	09/20/83	
NPRM Comment Period End	11/21/83	
Final Action	04/00/85	

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7519

RIN: 0960-AA15

29. GENERAL ADMINISTRATION-PUBLIC ASSISTANCE PROGRAMS; AFDC; FEDERAL FINANCIAL PARTICIPATION IN THE COST OF A STATEWIDE MECHANIZED CLAIMS PROCESSING SYSTEM

Legal Authority: 42 USC 602(a); 42 USC 603(a)(3); 42 USC 613; PL 96-265, Sec 406

CFR Citation: 45 CFR 205.35; 45 CFR 205.36; 45 CFR 205.37; 45 CFR 205.38

Abstract: The regulation will make available, at State option, 90 percent matching funds for the planning, design, development, and installation of a statewide claims processing and information retrieval system for the AFDC program. The 90 percent matching includes the purchase or rental of computer equipment and software used for the operation of this system. The regulation will result in short-run administrative costs, but is expected to result in greater long-run program savings through increased accuracy of processing. The regulation also provides for the disallowance of incentive funds that exceed the normal administrative FFP rate (50 percent) back to the beginning date of development should SSA suspend approval of an approved APD or should a State voluntarily withdraw its approved APD.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	09/30/81	46	FR	47784
Final Action	04/00/85			

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AA16

30. SUPPLEMENTAL SECURITY INCOME PROGRAM; REDUCTIONS, SUSPENSIONS AND TERMINATIONS

Legal Authority: 42 USC 1302; 42 USC 1382; 42 USC 1382c; 42 USC 1382d; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart M

Abstract: This regulation reorganizes, revises, and clarifies the rules on withholding, reducing, suspending, and terminating an SSI beneficiary's benefits. These regulations include changes in the present rules that are required by recent statutory enactments and, additionally, make the rules easier to read and understand. This regulation will have no impact on SSA programs and administrative costs.

Timetable:

Action	Date		FR	Cite
Notice of Decision to	06/19/79	44	FR	35241
Develop Regs NPRM	04/00/85			

Small Entity: No

Agency Contact: Charles H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 597-3408

RIN: 0960-AA22

31. SUPPLEMENTAL SECURITY INCOME PROGRAM; AGE 18 AND ALIEN DEEMING

Legal Authority: 42 USC 1302; 42 USC 1382j; 42 USC 1383; 42 USC 1381; 42 USC 1381; 42 USC 1381; 42 USC 1382b; 42 USC 1382c(f); 42 USC 1383(d)

CFR Citation: 20 CFR 416, Subpart K

Abstract: This regulation provides that deeming of parental income and resources to an eligible child ends when a child reaches age 18 and that a sponsor's income and resources are deemed to an alien for a period of three years after admission for aliens who first apply for SSI benefits after September 30, 1980. The regulation eliminates different treatment of children aged 18 to 21 depending on status as students, and assumes that sponsors will support aliens and sets more rigid rules for the sponsor to alien deeming than apply to other deeming categories.

Timetable:

Action	Date		FR	Cite
Notice of Decision to Develop Regs	11/14/80	45	FR	75225
NPRM Final Action	12/10/81 06/00/85	46	FR	60470

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7463

RIN: 0960-AA26

32. SUPPLEMENTAL SECURITY INCOME PROGRAM; ELIGIBILITY, AMOUNT OF BENEFITS, INCOME, RESOURCES, STATE SUPPLEMENTARY PROVISIONS, AGREEMENTS, PAYMENTS

Legal Authority: 42 USC 1382; 42 USC 1382a

CFR Citation: 20 CFR 416, Subpart B; 20 CFR 416, Subpart D; 20 CFR 416, Subpart K; 20 CFR 416, Subpart L; 20 CFR 416, Subpart T

Abstract: This regulation will implement statutory provisions for retrospective monthly accounting and spell out how they affect various regulations that deal with eligibility for and the amount of SSI benefits. This regulation will implement a significant change from quarterly to monthly determinations of eligibility and benefit amount. Although in the first year (1982) of implementation of retrospective monthly accounting there will be an administrative cost, it will be followed by an administrative saving thereafter. Some significant program costs are projected in 1982 through 1984 and neither cost nor savings in 1985.

Timetable:

Action	Date		FR	Cite
NPRM	10/29/81	46	FR	53449
Final Action	04/00/85			

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7463

RIN: 0960-AA27

33. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; FUTURE EFFECT OF APPLICATIONS AND RELATED CHANGES IN APPEALS COUNCIL PROCEDURES

Legal Authority: 42 USC 402; 42 USC 416; 42 USC 423(b); 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart G; 20 CFR 404, Subpart J; 20 CFR 416, Subpart C; 20 CFR 416, Subpart N

Abstract: These rules should promote final resolution of cases at the hearing stage and help to reserve appeals council review for cases of a genuinely appellate nature. These rules specify that if a person files an application for benefits before the first month he or she meets all requirements for entitlement, we will allow the claim only if he or she meets all requirements before a hearing decision is issued (if a hearing is held) or if no hearing is held, before a final determination is made. These rules will generate program savings and administrative costs and savings.

Timetable:

Date	FR Cite
09/16/80	45 FR 61315
05/16/83	48 FR 21967
05/16/83	
07/15/83	
05/00/85	
	09/16/80 05/16/83 05/16/83 07/15/83

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7452

RIN: 0960-AA28

34. AID TO FAMILIES WITH
DEPENDENT CHILDREN PROGRAM;
ADJUSTMENT OF FEDERAL SHARE
FOR UNCASHED/CANCELLED
CHECKS

Legal Authority: 42 USC 303; 42 USC 603(a); 42 USC 1302

CFR Citation: 45 CFR 201.5; 45 CFR 201.67

Abstract: This regulation establishes a uniform policy for a State to return to the Federal government its share of uncashed or cancelled assistance checks. A GAO audit disclosed many instances where these uncashed or cancelled checks were not refunded to the Federal government. This regulation will effect program savings.

Timetable:

Action	Date	FR Cite
Notice of	11/14/80	45 FR 75244
Decision to		
Develop Regs		
NPRM	02/22/83	48 FR 07479
Final Action	04/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW, Washington, DC 20024, 202 245-2637

RIN: 0960-AA29

35. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; COMPUTING A SUPPLEMENTAL PAYMENT IN STATES REQUIRED TO DO SO BY SECTION 402(A)(28) OF THE SOCIAL SECURITY ACT

Legal Authority: 42 USC 602; 42 USC

CFR Citation: 45 CFR 232.21; 45 CFR 233.20; 45 CFR 302.32

Abstract: This regulation will require that eligibility be based on the current month's reported support payments, and each month's supplemental payment be based on the largest part of the amount collected in the current month that would not cause ineligibility. It will provide uniform and equitable redeterminations of eligibility and payment amounts. This regulation will result in minimal costs.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	05/18/79	44 FR 29122
NPRM	02/15/80	45 FR 8322
Final Action	05/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., SW, Washington, DC 20024, 202 245-2637

RIN: 0960-AA33

36. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P

Abstract: The regulation revises the medical evaluation criteria used in making Social Security and SSI disability determinations. The changes reflect advances in medical treatment of some conditions and in the methods of evaluating others. Since no significant change in disability allowance and denial rates is expected to result from these changes in the regulations, there will be little, if any, impact on costs (both program and administrative). Other proposed regulations are being processed regarding the evaluation criteria used in determining mental disorders.

Timetable:

Action	/ Date	FR	Cite
NPRM	05/06/82	47 FR	19619
Final Action	04/00/85		

Small Entity: No

Agency Contact: William J. Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7415

RIN: 0960-AA41

37. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; LEAST COSTLY APPROACH

Legal Authority: 42 USC 602; 42 USC 603; 42 USC 606; 42 USC 607; 42 USC 1302

CFR Citation: 45 CFR 201; 45 CFR 205; 45 CFR 206; 45 CFR 225; 45 CFR 232; 45 CFR 233; 45 CFR 234; 45 CFR 235; 45 CFR 237

Abstract: This regulation will affect a number of provisions of the AFDC program. It will result in savings to State and Federal governments and will ease the paperwork burden of the States. The changes may include provisions on restricted payments, hearings, redeterminations, issuances of replacement checks and others that will result in a "least costly" approach to the administration of AFDC. This regulation will result in dollar savings and the relief of administrative burdens that we expect to accrue.

Timetable:

Action	Date	FR Cite
NPRM	11/16/84	49 FR 45558
NPRM Comment Period Begin	11/16/84	
NPRM Comment Period End	01/15/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Barbara Levering. Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW, Washington, DC 20024, 202 245-2637

RIN: 0960-AA43

38. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; TIME LIMITATIONS FOR ISSUING HEARING DECISIONS AND FOR APPEALS COUNCIL ACTIONS

Legal Authority: 42 USC 405(a); 42 USC 1302; 42 USC 1320; 42 USC 1383; 42 USC 1395

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 416, Subpart N

Abstract: This regulation provides time limits for issuing hearing decisions and for certain actions by the Appeals Council as ordered by the U.S. District Court for the Western District of Kentucky in the Blankenship and Finch cases (except for SSI non-disability hearings, for which time limits already exist). Draft regulation may be affected by further court action.

Timetable:

Action Date		FR	Cite
NPRM	02/27/80 4	5 FR	12837

Next Action Undetermined

Small Entity: No

Agency Contact: Joy Loving, Director, Department of Health and Human Services, Social Security Administration, Div of Prog Dev, Off of Pol & Proc, H & A, 106 Webb Bldg, 4040 N. Fairfax Drive, Arlington, VA 22203, 703 235-8524

RIN: 0960-AA44

39. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM AND SUPPLEMENTAL SECURITY INCOME PROGRAM; DISABILITY HEARINGS AT THE RECONSIDERATION LEVEL

Priority: Agency Determination

Legal Authority: 42 USC 405; 42 USC 1302; PL 97-455, Sec 4; PL 97-455, Sec 5; 42 USC 1383

CFR Citation: 20 CFR 404.900 to 404.960; 20 CFR 404.1546; 20 CFR 416.946; 20 CFR 416.1400 to 416.1460

Abstract: Sections 4 and 5 of Pub. L. 97-455 require SSA to make face-to-face evidentiary hearings available at the first stage of appeal, known as reconsideration, in cases in which an initial determination is made that an individual receiving title II disability benefits is not now disabled. Regulations are necessary to implement this statutory requirement, which will make the reconsideration stage more meaningful. Although not specifically required by the statute, the proposed regulations will include SSI disability and blindness cessation cases in the new reconsideration process. The availability of an evidentiary hearing at the reconsideration stage in disability and blindness termination cases should enable reconsiderations to be based on more complete information, enable more appeals to be resolved at that level, and thus reduce the workload at the administrative law judge hearing level and in the Appeals Council.

Timetable:

Action	Date	FR Cite	9
NPRM	08/15/83	48 FR 368	31
NPRM Comment Period Begin	08/15/83		
NPRM Comment Period End	10/14/83	market in	
Final Action	04/00/85		

Small Entity: No

Agency Contact: Anita Dunn, Social Insurance Specialist, Department of Health and Human Services, Social Security Administration, Office of Disability Hearings, 3-K-24 Operations Bldg., 6401 Security Blvd., Baltimore, Maryland 21235, 301 597-0367

RIN: 0960-AA49

40. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; PROVISION FOR INFERRING A PERSON IS DEAD

Legal Authority: 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 404, Subpart H

Abstract: The proposed regulations explain that the claimant at all times bears the burden of proving the insured person's death and clarifies that SSA will not presume a missing insured person is dead if there are known circumstances that could reasonably explain the absence, even without direct evidence that such circumstances actually were the reason for the absence. The proposed changes will result in negligible program or administrative costs or savings.

Timetable:

Action	Date	FR	Cite
		171-2	2015
NPRM	02/29/84	49 FR	07405
NPRM Comment Period Begin	02/29/84		
NPRM Comment Period End	04/30/84		
Final Action	04/00/85		

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7452

RIN: 0960-AA54

41. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; WAGE COVERAGE UNDER SOCIAL SECURITY

Legal Authority: 42 USC 405; 42 USC 1302; PL 98-21, Sec 327; PL 96-342, Sec 1002(a); PL 97-306, Sec 408; PL 96-499, Sec 1141

CFR Citation: 20 CFR 404.1043; 20 CFR 404.1055; 20 CFR 404.1059; 20 CFR 404.1060; 20 CFR 404.1341

Abstract: This regulation consists of amendments to 5 rules on wage

coverage under Social Security. These amendments are: (1) The value of the meals and lodging furnished for the convenience of the employer must be excluded from the employee's gross income: (2) With only limited exceptions, an employer may no longer exclude from an employee's wages, his or her payment of the employee's FICA tax; (3) Payments by an employer to an employee after the calendar year of the employee's entitlement to disability insurance benefits are not wages if paid in a period the employee did not work; (4) The scope of the entitlement to the deemed wages provided to internees of the camps for Japanese-Americans during World War II period is being broadened; (5) The scope of the entitlement to the deemed wages provided to members of the uniformed services is being narrowed. Only two regulations will have a cost impact. Amendment (1) above will reduce the Social Security benefits paid the affected employees but not by \$100 million in any year. Amendment (2) will increase taxes paid by employers and employees but these increases are required by the statutory provisions and not the regulation.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: C.H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 597-3408

RIN: 0960-AA55

42. SUPPLEMENTAL SECURITY
INCOME PROGRAM; REOPENING AND
REVISING SUPPLEMENTAL SECURITY
INCOME DETERMINATIONS AND
DECISIONS WITHIN FOUR YEARS OF
THE NOTICE OF THE INITIAL
DETERMINATION

Legal Authority: 42 USC 1302; 42 USC 1383; 42 USC 1383b

CFR Citation: 20 CFR 416.1488

Abstract: The proposed rules provide for the reopening and revising of Supplemental Security Income determinations within four years of the notice of the initial determination if we discover an error affecting a claimant's eligibility or benefit amount during this period through the use of information exchange and data gathering involving either our records or our records and those of other Federal or State agencies. This rule is being proposed because the two-year period in which we may reopen and revise a determination based on new and material evidence we acquire through data and exchange is often too short and often expires before the determination to correct errors revealed by the data can be made. The budgetary impact has not yet been determined.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	THE RESERVE

Small Entity: No

Agency Contact: Philip Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7452

RIN: 0960-AA59

43. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; BENEFITS FOR DIVORCED SPOUSES BEFORE ENTITLEMENT OF INSURED WORKER

Legal Authority: PL 98-21, Sec 132; PL 98-21, Sec 301

CFR Citation: 20 CFR 404, Subpart D; 20 CFR 404, Subpart E

Abstract: This proposed regulation provides that a divorced spouse of a worker who is eligible for old-age benefits can receive wife's or husband's benefits if the divorced spouse is otherwise eligible for them and the parties have been divorced for at least 2 years, even if the worker has not applied for benefits or if the worker's current earnings are too high to permit payment of the worker's old-age benefits. Total program cost is estimated as under \$100 million through 1989.

Timetable:

Action	Date	FR Cite
NPRM	02/08/85	50 FR 05264
Final Action	00/00/00	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-6785

RIN: 0960-AA60

44. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; PAYMENT OF CERTAIN TRAVEL EXPENSES

Legal Authority: 42 USC 401; 42 USC 1383; PL 97-51; PL 97-92; PL 97-161; PL 97-276; PL 97-377; PL 98-107; PL 98-139

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 416, Subpart N

Abstract: These proposed regulations reflect section 310 of Pub. L. 96-265 which became effective June 9, 1980. That law provides permanent authority for the payment of certain travel . expenses to (1) individuals who attend medical examinations requested by the Social Security Administration (SSA) in connection with disability determinations, (2) parties, their representatives, and all reasonably necessary witnesses who attend disability termination hearings in connection with disability claims, and (3) parties, their representatives, and all reasonably necessary witnesses who attend hearings held before an administrative law judge. We have been paying travel expenses based on internal procedure without regulation. These regulations will not cause any appreciable change in expenditures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AA61

45. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; NEW BENEFIT COMPUTATIONS FOR COST-OF-LIVING ADJUSTMENT, FOR DELAYED RETIREMENT CREDIT, AND FOR ETC

Legal Authority: 42 USC 402(w); 42 USC 403(a),(b); 42 USC 415(i); 42 USC 1382(f)

CFR Citation: 20 CFR 404, Subpart C; 20 CFR 404, Subpart D; 20 CFR 404, Subpart E; 20 CFR 416, Subpart D

Abstract: This proposed regulation will state that beginning with 1983, the annual cost-of-living adjustment will be effective in December and paid in January rather than being effective in June and paid in July. This revised schedule affects both OASDI and SSI. Additionally, the adjustment will be based on the lower of wages or price increases when the OASDI trust fund ratio of assets to estimated outgo falls below a given percentage. This proposed regulation will also explain that the combined family maximum, where there is entitlement on two workers' records, will be increased only on the basis of cost-of-living adjustments. Finally, this regulation will explain the gradual increases in the delayed retirement credit. Shifting the cost-of-living adjustment will reduce program expenditures by \$39.4 billion for 1983-89. The other provisions on this regulation package will have negligible program costs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-6785

RIN: 0960-AA62

46. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAMS; COVERAGE OF EMPLOYEES OF U.S. NON-PROFIT ORGANIZATIONS AND FOREIGN AFFILIATES OF AMERICAN EMPLOYERS; COVERAGE UNDER ETC

Legal Authority: PL 98-21, Sec 102; PL 98-21, Sec 321; PL 98-21, Sec 322; PL 98-21, Sec 323

CFR Citation: 20 CFR 404, Subpart B; 20 CFR 404, Subpart K

Abstract: The proposed regulations will provide for additional coverage of employees of non-profit organizations and other employees and self-employed individuals working outside the U.S. Section 102 will increase revenues by \$12.4 billion for 1984-89. Long range savings of .10 percent of taxable payroll. Sections 321, 322 and 323 will have negligible cost implications.

Timetable:

Action	Date	FR Cite
NPRM	04/06/84	49 FR 13710
NPRM Comment Period Begin	04/06/84	
NPRM Comment Period End	06/05/84	
Final Action	00/00/00	A STATE OF THE PARTY OF THE PAR

Small Entity: No

Agency Contact: Dave Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7460

RIN: 0960-AA63

47. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; SIMPLIFIED FEE PROCESS FOR REPRESENTATIVES OF CLAIMANTS

Priority: Agency Determination

Legal Authority: 42 USC 406(a); 42 USC 1383(d)(2); 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 404, Subpart R; 20 CFR 416, Subpart O

Abstract: We are proposing to change the manner by which we determine the amount of the fee we approve for the person(s) who represent a claimant in proceedings with us. We estimate administrative savings of less than \$3 million in the first full year of implementation and no program costs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	1

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-6785

RIN: 0960-AA64

48. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; ELIMINATION OF WINDFALL BENEFITS FOR PERSONS RECEIVING PENSIONS FROM NONCOVERED EMPLOYMENT

Legal Authority: PL 98-21, Sec 113 CFR Citation: 20 CFR 404, Subpart C

Abstract: The provision of section 113 of Pub. L. 98-21 (the Social Security Amendments of 1983) eliminates the windfall that occurs when the heavy weighting in the benefit formula that is intended for workers with low wages goes instead to workers who spent many years in noncovered employment and worked only a few years in covered employment. This will be accomplished by modifying the benefit computation formula to consider a worker's pension from noncovered employment. This provision will decrease program costs by \$0.1 billion for 1983-89.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-6785

RIN: 0960-AA65

49. SUPPLEMENTAL SECURITY INCOME PROGRAM; TEMPORARY RESIDENTS OF EMERGENCY SHELTERS FOR THE HOMELESS

Priority: Agency Determination

Legal Authority: 42 USC 1383 (e)(i)(d)

CFR Citation: 20 CFR 416, Subpart B; 20 CFR 416, Subpart M

Abstract: Section 1611(e)(1)(A) of the Social Security Act provides that, with certain limited exceptions, no person may be eligible for Supplemental Security Income Benefits for months throughout which he or she resides in a public institution. Section 403 of Pub. L-98-21, which these regulations would implement, provides that an aged, blind, or disabled resident of a public emergency shelter for the homeless may be eligible for benefits for as many as three months in any 12-month period throughout which he or she is a

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resident of such a shelter. Program costs will be approximately \$2 million for fiscal year 1983.

Timetable:

Action	Date		FR	Cite
NPRM	04/18/84	49	FR	15225
NPRM Comment Period Begin	04/18/84			
NPRM Comment Period End	06/18/84			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Harry J. Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7337

RIN: 0960-AA70

50. AID TO FAMILIES WITH DEPENDENT CHILDREN AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DISREGARDING OF SUPPORT AND MAINTENANCE ASSISTANCE BASED ON NEED

Priority: Agency Determination

Legal Authority: 42 USC 602; 42 USC 1382a: 42 USC 1302: PL 98-369

CFR Citation: 20 CFR 416, Subpart K; 20 CFR 416, Subpart L; 45 CFR 233.20

Abstract: These proposed regulations implement section 404 of Pub. L. 98-21 and section 2639 of Pub. L. 98-369 which provide that certain support and maintenance assistance is not to be counted when determining an individual's eligibility for and the amount of his or her Supplemental Security Income (SSI) benefits or at the State's option, his or her Aid to Families With Dependent Children (AFDC) payments. Section 404 is effective May 1, 1983 through September 30, 1984. Section 2639 is effective October 1, 1984 through September 30, 1987.

Timetable:

14

Small Entity: No

Agency Contact: Harry J. Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7337

RIN: 0960-AA71

51. SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCE LIMITS FOR CONDITIONAL SSI PAYMENTS

Legal Authority: 42 USC 1302; 42 USC 1382b(b); 42 USC 1383(d)

CFR Citation: 20 CFR 416, Subpart L

Abstract: Current regulations for the Supplemental Security Income program provide that if total resources (liquid and nonliquid) exceed certain limits, an individual may receive conditional SSI payments while disposing of the excess resources. This proposed regulation will eliminate the limit on total resources but retain the limit on liquid resources so that individuals who have little or no income but who own expensive, hard to dispose of nonliquid resources, may receive conditional payments. The proposed change will result in no significant program or administrative cost or savings.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Henry D. Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7463

RIN: 0960-AA75

52. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; RESIDENCY REQUIREMENT FOR PAYING BENEFITS TO NON-RESIDENT ALIENS

Legal Authority: 42 USC 405; 42 USC 1302; PL 98-21, Sec 340

CFR Citation: 20 CFR 404.460(b)

Abstract: These regulations implement Sec. 340 of Pub. L. 98-21—The Social Security Amendments of 1983—which provides a U.S. residence requirement that the dependent or survivor beneficiary must now meet if he or she is an alien outside the U.S. These provisions do not apply to the alien who is an old-age beneficiary who is residing outside the U.S. The dependent or survivor beneficiary, however, who is an alien outside the U.S. will not be paid benefits effective January 1, 1985 unless he or she satisfies these new residence requirements. These provisions will effect negligible budget savings, i.e., \$50 million for the period 1983-89.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: C.H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 597-3498

RIN: 0960-AA76

53. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; INDEXING FOR WIDOW(ER)'S BENEFITS; EFFECT OF REMARRIAGE ON WIDOW(ER)'S ENTITLEMENT; REDUCTION OF DISABLED WIDOW(ER)'S BENEFITS; ETC

Legal Authority: PL 98-21, Sec 131; PL 98-21, Sec 133; PL 98-21, Sec 134; PL 98-21, Sec 334; 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart C; 20 CFR 404, Subpart D; 20 CFR 404, Subpart E; 20 CFR 404, Subpart G

Abstract: These final rules will explain: (1) that in many situations remarriage will no longer affect a widow(er)'s entitlement to benefits on the earnings record of a deceased insured worker; (2) that benefit amounts for a widow(er) will be larger because the worker's earnings will be indexed based on the surviving spouse's eligibility rather than on the worker's year of death; (3) that benefits to a widow(er) who becomes entitled before age 60 (based on disability) will no longer be further reduced for months before age 60; (4) that, as an exception to limited retroactivity, a widow(er) age 60 or 61 may choose to have benefits begin effective with the month of death even though he or she did not apply until the next month. Budgetary information is unavailable at this time.

Current and Projected Rulemakings

Timetable:			
Action	Date	FR Cite	
NPRM	05/29/84	49 FR 22340	
NPRM Comment Period Begin	05/29/84		
NPRM Comment Period End	07/30/84		
Final Action	04/00/85	1	
	ENTER DE LA CONTRACTION DEL LA CONTRACTION DE LA		

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-6785

RIN: 0960-AA77

54. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME; CHANGES OF TIME OR PLACE OF HEARINGS BEFORE ADMINISTRATIVE LAW JUDGES, NOTICE OF HEARINGS, AND DISMISSAL ETC

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 416, Subpart N

Abstract: These rules were developed as a result of a decision of the U.S.D.C. for the District of Colorado in the case of Pulido et al. v. Heckler. The rules would revise (1) 20 CFR 404.938 and 20 CFR 416.1438 to provide that a notice of hearing will be provided to a claimant at least 20 days prior to the date of a hearing; (2) 20 CFR 404.936 and 20 CFR 416.1436 to set forth standards to be applied and factors to be considered by an ALJ in determining whether there is good cause for changing the time or place of a hearing at a claimant's request; and (3) 20 CFR 404.957 and 20 CFR 416.1457 to permit the ALJ to dismiss a request for hearing without further contact with a claimant or his or her representative when the claimant and the representative fail to appear at the hearing and the ALJ has not found good cause for changing the time or place of the hearing.

Timetable:

Action	Date	FR Cite
NPRM	03/23/84	49 FR 10939
NPRM Comment	03/23/84	CLIEBLES.
Period Begin		
NPRM Comment	05/22/84	
Period End	01100105	
Final Action	04/00/85	

Small Entity: No

Additional Information: TITLE CONT: of Hearing Requests When Claimants Fail to Appear.

Agency Contact: Eugene R. Larkin, Policy Analyst, Div. of Hearings Procedures, Department of Health and Human Services, Social Security Administration, Office of Hearings and Appeals, Room 101 Webb Building, P.O. Box 3200, Arlington, Virginia 22203, 703 235-8545

RIN: 0960-AA78

55. SUPPLEMENTAL SECURITY
INCOME PROGRAM; PRESUMPTIVE
DISABILITY AND PRESUMPTIVE
BLINDNESS; CATEGORIES OF
IMPAIRMENTS; CHRONIC RENAL
DISEASE

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416.934

Abstract: Section 1631(a)(B) of the Social Security Act provides for the payment of benefits to persons applying for supplemental security income benefits on the basis of disability or blindness before making a formal determination when available information indicates a high probability that disability exists. These presumptive disability and blindness decisions may be made at the Social Security district offices in a limited number of impairment categories. We are proposing to add Chronic Renal Disease to these categories in view of the predictability that the disease will result in a finding of disability. Budgetary impact is expected to be negligible.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7415

RIN: 0960-AA79

56. AID TO FAMILIES WITH DEPENDENT CHILDREN; REDUCTION OF FEDERAL FUNDS FOR UNREPORTED CHILD SUPPORT COLLECTIONS

Legal Authority: 42 USC 1302; 42 USC 603

CFR Citation: 45 CFR 201.5

Abstract: This final rule makes a technical amendment to 45 CFR 201.5* based on section 407 of Public Law 96-265, the Social Security Disability Amendments of 1980. The rule requires the Department of Health and Human Services to reduce a State's title IV-A grant award for failure to include appropriate child support collections on its statement of expenditures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AA83

57. AID TO FAMILIES WITH DEPENDENT CHILDREN; DEFINITION OF PERMISSIBLE STATE PRACTICE-QUALITY CONTROL

Legal Authority: 42 USC 1302; 42 USC 602

CFR Citation: 45 CFR 205.40

Abstract: The proposed rule will amend the definition of "Permissible State Practice." The rule will enable quality control to review against Federal requirements when a State plan is not amended to reflect new Federal rules, or when a State plan is submitted which is inconsistent with Federal rules and has not yet been disapproved.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

HHS-SSA

Current and Projected Rulemakings

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AA85

58. AID TO FAMILIES WITH DEPENDENT CHILDREN; CONSIDERATION OF UTILITY PAYMENTS MADE BY TENANTS IN HOUSING AND URBAN DEVELOPMENT ASSISTED HOUSING

Legal Authority: PL 98-181; 42 USC 602; 42 USC 1302

CFR Citation: 45 CFR 233

Abstract: The proposed rule will provide that Housing and Urban Development Assisted Aid to Families With Dependent Children tenants who pay utilities but no rent to landlord will have their utilities considered rent by a State IV-A agency in computing the Aid to Families With Dependent Children grant.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AA87

59. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; COVERAGE OF CERTAIN FEDERAL EMPLOYEES; COVERAGE OF EARNINGS OF FEDERAL JUDGES

Legal Authority: PL 98-21, Sec 101; PL 98-118, Sec 4

CFR Citation: 20 CFR 404.1018; 20 CFR 404.1061

Abstract: The proposed regulations would codify section 101 of Pub. L. 98-21, as amended by section 4 of Pub. L. 118, which generally provides Social Security coverage for certain Federal employees and covers certain payments to retired Federal judges after 1985. Estimated increased revenues (resulting from this legislation) for 1984-1989 are

\$9.4 billion. Long-range savings are estimated at .28 percent of taxable payroll.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Steve Siff, Chief, IRR Branch, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-6697

RIN: 0960-AA89

60. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS TREATMENT OF OASDI AND SSI LUMP SUM PAYMENTS IN THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383(a)

CFR Citation: 20 CFR 404, Subpart U; 20 CFR 416, Subpart F

Abstract: These proposed rules would revise 20 CFR 404.2040 and 20 CFR 416.640, which stipulate the use of benefit payments by a representative payee, explaining that retroactive title II and title XVI benefits received by a representative payee who is a member of an Aid to Families with Dependent Children (AFDC) assistance unit, on behalf of a child in the same unit, may be considered available to meet the needs of that AFDC assistance unit. If the representative payee is not a member of the assistance unit, title II and title XVI benefits would be counted as available income for AFDC purposes only to the extent that the payee provides these funds to the AFDC household for the beneficiary's maintenance. Potential costs and benefits are not available at this time. We are also proposing direct payment to a beneficiary under age 18 if the beneficiary is within 7 months of attaining age 18 and is initially filing an application for benefits. This proposed revision represents a policy change and is an extension of the 4-month period in our current regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7452

RIN: 0960-AA90

61. SUPPLEMENTAL SECURITY
INCOME PROGRAM; PRESUMPTIVE
DISABILITY AND PRESUMPTIVE
BLINDNESS; CATEGORIES OF
IMPAIRMENTS-AIDS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC

1383

CFR Citation: 20 CFR 416.934

Abstract: Section 1631(a)(B) of the Social Security Act provides for the payment of benefits to persons applying for supplemental security income benefits on the basis of disability or blindness before making a formal determination when available information indicates a high probability that disability exists. These presumptive disability and blindness decisions may be made at the Social Security district offices in a limited number of impairment categories. We are adding AIDs to these categories in view of the predictability that the disease will result in a finding of disability. Budgetary impact is expected to be negligible.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	02/11/85	50	FR	05573

Next Action Undetermined

Small Entity: No

Agency Contact: William J. Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7415

RIN: 0960-AA91

62. SUPPLEMENTAL SECURITY
INCOME PROGRAM; THE
AUTOMOBILE, PROPERTY ESSENTIAL
TO SELF-SUPPORT, THE HOME

Priority: Agency Determination

Legal Authority: 42 USC 1383, 42 USC 1302; 42 USC 1382b

CFR Citation: 20 CFR 416.1212; 20 CFR 416.1218; 20 CFR 416.1220; 20 CFR 416.1222; 20 CFR 416.1224; 20 CFR 416.1225; 20 CFR 416.1226; 20 CFR 416.1227

Abstract: The regulations are being amended to provide rules where resources are excluded because they are property essential to an individual's self-support. These changes, which do not appear in existing regulations, include value limits for property essential to self-support and describe conditions under which an individual's property will be taken into consideration when income-producing activities are associated with the home. Certain rules involving the automobile and the home are included with these regulations since they relate to the selfsupport rules. We estimate negligible additional costs.

Timetable:

Action	Date	FR Cite
NPRM	11/08/82	47 FR 50511
Final Action	04/00/85	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7463

RIN: 0960-AA92

63. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; MENTAL DISORDERS-APPENDIX 1 - PART A

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P

Abstract: Section 12.00 of Appendix 1 Part A to the Disability Regulations (404.1501 through 404.1598) describes those mental disorders which are considered severe enough to prevent a person from doing any gainful activity. We are proposing a comprehensive revision to that section to require consideration of the nature and clinical manifestations of mental disorders as well as consideration of the degree of limitations such disorders may impose on an individual's ability to work. Initial estimates of the Budgetary impact are 3.5 billion for title II and 0.795 for title XVI. Estimates for Health Care Costs are now being obtained.

Timetable:

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Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7415

RIN: 0960-AA93

64. PUBLIC ASSISTANCE PROGRAMS, DUPLICATE ASSISTANCE PAYMENTS

Legal Authority: 42 USC 1302; 42 USC 603

CFR Citation: 45 CFR 201.70

Abstract: This proposed regulation will require States to report on their quarterly statement of expenditures the Federal share of previously claimed assistance checks which are determined to be: (1) replacements of checks cashed by eligible recipients, or (2) original checks cashed by persons other than the authorized payee. This rule will also clarify procedures for claiming Federal Financial Participation for duplicate checks.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	Total Control
0	Street Street	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AA96

65. OLD AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; BLACK LUNG PROGRAM; AND SUPPLEMENTAL SECURITY INCOME PROGRAM; OFFICE OF MANAGEMENT & BUDGET CONTROL NUMBERS FOR APPROVED INFORMATION ETC

Legal Authority: 44 USC 3507(f)

CFR Citation: 20 CFR 404; 20 CFR 410.240; 20 CFR 416

Abstract: To comply with the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and with regulations implementing the Act published by OMB on 3/31/83 (48 FR 13666), we are publishing, as part of our regulations, the OMB control number for all reporting or recordkeeping requirements currently approved by OMB that are imposed by 20 CFR Parts 401, 404, 410, 416, and 422 of existing regulations.

Timetable:

Action	Date	FR Cite
TO STORY		The second second

Next Action Undetermined

Small Entity: No

Additional Information: TITLE CONT: Collection Requirements Imposed by Social Security Administration Regulations

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AA97

66. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DETERMINATIONS OF DISABILITY- PERFORMANCE STANDARD REVISIONS AND OTHER CHANGES INVOLVING ETC

Legal Authority: 30 USC 923; 42 USC 404; 42 USC 405; 42 USC 427; 42 USC 1302

CFR Citation: 20 CFR 404, Subpart Q; 20 CFR 416, Subpart J

Abstract: Effective June 1, 1981, we promulgated regulations requiring State agencies making disability determinations for the Social Security Administration to meet accuracy and processing time standards and to follow other administrative requirements and procedures. The purpose of these changes is to improve the disability determination process and to clarify

and update certain administrative requirements. On the basis of experience in operating under those regulations, we are now proposing performance standard changes for both accuracy and processing time, as well as some administrative changes in fiscal, audit, and appeal requirements.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: TITLE CONT: Administrative Requirements and Procedures

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7415

RIN: 0960-AA98

67. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; CARDIOVASCULAR SYSTEM

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1500ff Appendix

Abstract: Section 4.00 of Appendix 1 of the Disability regulations (404.1501 through 404.1598) describes cardiovascular impairments considered severe enough to prevent an individual from doing any gainful activity. We are reviewing this section of the Listing of Impairments and are anticipating the need for revising the criteria to bring them more up to date with current medical technologies and practice in this area of medicine which is advancing rapidly.

Timetable:

Action Date FR Cite

NPRM 05/00/86

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir of Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, 301 594-3352

RIN: 0960-AA99

68. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; RESPIRATORY SYSTEM

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC

CFR Citation: 20 CFR 404.1500ff, Appendix 1, Part A

Abstract: Section 3.00 of Appendix 1 to the Disability Regulations (404.1501 through 404.1598) describes those respiratory impairments which are considered severe enough to prevent a person from engaging in any gainful activity. We are proposing comprehensive revision to that section to require consideration of the nature and clinical manifestations of respiratory disorders, as well as consideration of the degree of limitations such disorders may impose on an individual's ability to work.

Timetable:

Action Date FR Cite
NPRM 01/00/86

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir of Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, 361 594-3352

RIN: 0960-AB00

69. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; MUSCULOSKELETAL SYSTEM

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1500ff, Appendix 1, Part A

Abstract: Section 1.00 of Appendix 1 to the Disability Regulations 404.1501 through 404.1598 describes those musculoskeletal impairments which are considered severe enough to prevent a person from doing any gainful activity. We are proposing comprehensive revisions to that section to ensure that the medical evaluation criteria are up to date and consistent with the latest advances in medicine.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 10/00/85

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir of Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, 301 594-3352

RIN: 0960-AB01

70. AID TO FAMILIES WITH
DEPENDENT CHILDREN PROGRAM,
TREATMENT OF ASSIGNED SUPPORT
PAYMENTS RECEIVED DIRECTLY
AND RETAINED BY AFDC
APPLICANTS OR RECIPIENTS

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 232.12; 45 CFR 233.20; 45 CFR 302.31; 45 CFR 303.80

Abstract: This proposed regulation establishes two methods under which support payments directly received from an absent parent and retained by an AFDC recipient must be accounted for. One method is the IV-A income method in which the IV-A agency counts retained support as income and the other is IV-D recovery in which the IV-D agency collects payments on the indebtedness from the recipient. The proposed regulations provide policy for the collection or accounting for retained support.

Timetable:

Action Date FR Cite
NPRM 06/00/85

Small Entity: No

HHS-SSA

Current and Projected Rulemakings

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW. Washington, DC 20201, 202 245-2637

RIN: 0960-AB02

71. AID TO FAMILIES WITH
DEPENDENT CHILDREN PROGRAM;
OFFICE OF MANAGEMENT AND
BUDGET CONTROL NUMBERS FOR
INFORMATION COLLECTION
REQUIREMENTS CONTAINED IN
AFDC REGULATIONS

Legal Authority: 44 USC 3507(f)

CFR Citation: 45 CFR 200

Abstract: To comply with the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and with regulations implementing the Act published by OMB on 3/31/83 (48 FR 13666), we are publishing, as part of our regulations, the OMB control numbers for all reporting or recordkeeping requirements currently approved by OMB that are imposed by 45 CFR Chapter II of existing regulations.

Timetable:

Antion	Date	FR Cite
Action	Date	LUI CHE

Next Action Undetermined

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AB04

72. BLACK LUNG PROGRAM; ESTABLISHING DEPENDENCY OF SURVIVING DIVORCED WIFE AND COMPUTATION OF BASIC RATE

Legal Authority: 30 USC 801

CFR Citation: 20 CFR 410

Abstract: These proposed

Abstract: These proposed regulations correct several errors in our regulations relating to the Black Lung Benefits Program, update the formula for determining the monthly black lung benefit amount, and change the heading of 20 CFR 410 to "Federal Mine Safety and Health Act of 1977."

Timetable:

Action Date FR Cite
NPRM 05/00/85

Small Entity: No

Agency Contact: Irving Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 597-3409

RIN: 0960-AB05

73. AID TO FAMILIES WITH
DEPENDENT CHILDREN;
APPLICATION OF FEDERAL
FINANCIAL PARTICIPATION OF
RECOVERED INCORRECT PAYMENTS
TO QUALITY CONTROL
DISALLOWANCES

Legal Authority: 42 USC 1203; 42 USC

CFR Citation: 45 CFR 201.69

Abstract: This proposed rule would reduce the Federal dollar amount of Quality Control Disallowances assessed on States for incorrect assistance payments (payments to ineligibles and overpayments to eligible individuals) made in the Aid to Families With Dependent Children program by a percentage of the recoveries of incorrect payments made.

Timetable:

Action	Date	FR Cite	
NPRM	06/00/85	No of Paris	

Small Entity: No

Agency Contact: Barbara Levering, Director, Office of Intergovernmental Comm., Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AB06

74. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; INCOME AND ELIGIBILITY VERIFICATION SYSTEMS

Priority: Agency Determination

Legal Authority: PL 98-369 The Deficit Reduction Act of 1984

CFR Citation: 45 CFR 205.50; 45 CFR 205.51; 45 CFR 205.56; 45 CFR 205.57; 45 CFR 205.58; 45 CFR 205.60; 45 CFR 206.10

Abstract: The proposed regulations describe State agency requirements to access and use of income and eligibility information in the administration of the AFDC program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., S.W., Washington, D.C. 20201, 202 245-2637

RIN: 0960-AB07

75. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; IMPLEMENTATION OF THE DEFICIT REDUCTION ACT OF 1984

Priority: Agency Determination

Legal Authority: PL 98-369 The Deficit Reduction Act of 1984

CFR Citation: 45 CFR 205.50; 45 CFR 206.10; 45 CFR 224.51; 45 CFR 232.11; 45 CFR 233.20(a)(2); 45 CFR 233.31; 45 CFR 233.51; 45 CFR 233.38; 45 CFR 234.60(a)(12); 45 CFR 238; 45 CFR 240.22; 45 CFR 239.12; 45 CFR 239.14

Abstract: The interim regulations implement changes made to the Aid to Families With Dependent Children (AFDC) program by the Deficit Reduction Act of 1984. These changes affect eligibility requirements, countable income and resources, work programs and program administration.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	09/10/84	49	FR	35586
Final Action	03/00/85			

Small Entity: No

Agency Contact: Barbara Levering. Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AB08

76. SUPPLEMENTAL SECURITY INCOME PROGRAM; INCOME; BILLS PAID FOR YOU

Legal Authority: 42 USC 1382(a)

CFR Citation: 20 CFR 416.1103(g)

Abstract: Federally funded needs based payments are counted dollar for dollar as income for SSI purposes regardless of the manner in which they are paid (e.g., directly to a vendor). Bills paid by "someone else" (e.g., a relative or friend) are not income. Regulations need clarification that "someone else" does not mean another federally funded needs based program.

Timetable:

Action Date FR Cite
NPRM 03/00/86

Small Entity: No

Agency Contact: Irving Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 597-3409

RIN: 0960-AB09

77. SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCES; EXCLUSION OF UNDERPAYMENTS

Legal Authority: PL 98-369, Deficit Reduction Act of 1984

CFR Citation: 20 CFR 416.1210

Abstract: The proposed regulations implement legislation requiring the exclusion from resources of supplemental security income and title II underpayments for 6 months following the month of payment.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Henry Leraer, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7453

RIN: 0960-AB11

78. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; QUALIFICATIONS OF MEDICAL PROFESSIONALS EVALUATING MENTAL IMPAIRMENTS

Legal Authority: 42 USC 1302; 42 USC

CFR Citation: 20 CFR 404.1500ff; 20 CFR 404.1600ff; 20 CFR 416.900ff; 20 CFR 416.1000ff

Abstract: Disability regulations 404.1526(d) and 416.926(b) state that one or more physicians designated by the Secretary must determine medical equivalence. Disability regulations 404.1546 and 416.946 state that physicians designated by the Secretary must assess residual functional capacity where required. Disability regulations 404.1615(c) and 416.1015(c) state that disability determinations are to be made by a medical consultant and a disability examiner. The preamble to the cited regulations defines medical consultant as a physician. We will be proposing new policies with regard to responsibilities and qualifications of psychologists and physicians in mental disorder claims. We will also be proposing new policies with regard to our and State Agency responsibilities for ensuring that every reasonable effort is made to have qualified psychologists and physicians participate in all determinations involving mental impairments.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir. Division of Preadjudicative Policy. Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, 301 597-3352

RIN: 0960-AB15

79. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; BLACK LUNG PROGRAM; OPPORTUNITY FOR ORAL HEARING BEFORE BENEFIT RECOVERY

Legal Authority: 42 USC 404; 42 USC 405; 42 USC 427; 42 USC 1302; 30 USC 921; 30 USC 922(a); 30 USC 922(b); 30 USC 936(a); 30 USC 952; 31 USC 957

CFR Citation: 20 CFR 404.902a; 20 CFR 404.907; 20 CFR 404.930; 20 CFR 410.561; 20 CFR 410.623; 20 CFR 410.630

Abstract: These regulations reflect the Supreme Court's decision in Califano v. Yamasaki that SSA must provide the person who is requesting that SSA waive recovery of an overpayment with an opportunity for an oral hearing

before action is taken to recover the overpayment.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Charles H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 597-3468

RIN: 0960-AB17

80. • OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; PERSONAL APPEARANCE DEMONSTRATION PROJECTS

Priority: Agency Determination

Legal Authority: 42 USC 405: 42 USC 1302; 42 USC 1383; PL 98-460

CFR Citation: 20 CFR 404,906; 20 CFR 416,1406

Abstract: Sec. 6 of Pub. L. 98-460 requires SSA to carry on demonstration projects that provide an opportunity for a personal appearance with the decisionmaker before an unfavorable determination about disability or blindness is made. The sample of cases is to include disability cases under title II of the Social Security Act (the Act) as well as blindness and disability cases in the Supplemental Security Income program under title XVI of the Act. It is to include people who have applied for benefits but have not received an initial determination about their eligibility and people who have been receiving benefits but whose condition is being reviewed to determine whether they are still disabled or blind. The purpose is to test whether a personal appearance with the decisionmaker at this stage of the decisionmaking process will permit the decisionmaker to better evaluate the person's condition and simplify and expedite the decision process. We plan to issue regulations to implement the demonstration projects. The cost to SSA is not yet determined.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AB20

81. O OLD AGE SURVIVORS
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAM; FREQUENCY OF
PERIODIC REVIEWS

Priority: Agency Determination

Legal Authority: PL 98-460, Sec 15; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416; 20 CFR 404

Abstract: The regulation will implement Sec. 15 of PL 98-460 by providing that the Secretary promulgate regulations within 6 months after enactment which establish the standards to be used in determining the frequency of periodic eligibility reviews. Until final regulations are issued, no individual's eligibility may be reviewed under periodic review more than once.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7337

RIN: 0960-AB21

82. O OLD AGE SURVIVORS
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAMS; STANDARDS FOR
CONSULTATIVE EXAMINATIONS;
MEDICAL EVIDENCE

Priority: Agency Determination

Legal Authority: PL 98-460, Sec 9; 42 USC 465; 42 USC 421; 42 USC 423; 42 USC 1302; 42 USC 1382c; 42 USC 1383

CFR Citation: 20 CFR 404.1512; 20 CFR 416.912; 20 CFR 404.1519; 20 CFR 416.919; 20 CFR 404.1502; 20 CFR 416.920; 20 CFR 404.1593; 20 CFR 416.993

Abstract: The regulations include standards for obtaining consultative examinations, the types of consultative examination referrals to be made, and monitoring procedures for consultative examinations and the referral process. The regulations also provide for evaluating medical evidence of record and a 12-month medical history where appropriate. The requirement that a medical assessment in work-related terms be included in medical reports is being eliminated. Congress expressed concern about SSA's reliance on consultative examinations rather than medical evidence from treating sources. SSA has been criticized because consultative examiners (especially those providing consultative examinations on a volume basis) were believed to have done incomplete examinations or used inadequate facilities. Congress believed that requiring SSA to put its consultative examination standards in regulation would serve to eliminate these problems. The changes will not have any significant impact on either administrative or program costs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	min Project

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7415

RIN: 0960-AB22

83. SUPPLEMENTAL SECURITY INCOME PROGRAM; INCREASE IN DOLLAR LIMITATION UNDER ASSETS TEST

Legal Authority: 42 USC 1302; 42 USC 1383; PL 98-369, Sec 2611

CFR Citation: 20 CFR 416.1202; 20 CFR 416.1205; 20 CFR 416.1244; 20 CFR 416.1246; 20 CFR 416.1324

Abstract: This regulation reflects the provisions of section 2611 of PL 98-369, the Deficit Reduction Act of 1984, which amended section 1611(a) of the Social Security Act (the Act). Section 2611 provides for increasing the Supplemental Security Income (SSI) resource limitations by \$100 for an individual and \$150 for a couple each year from January 1985 to January 1989. On January 1, 1989, and continuing, the resource limits will be \$2,000/\$3,000 respectively. There are no alternatives. We estimate program cost of less than \$1 million per year and the

administrative costs will be insignificant.

Timetable:

Action	Date	FR Cite

Final Action 04/00/85

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7463

RIN: 0960-AB23

84. SUPPLEMENTAL SECURITY INCOME PROGRAM; PERMANENT RESIDENCE UNDER COLOR-OF-LAW

Legal Authority: Berger v. Schweiker No. 76C 1420 (E.D.N.Y. July 31, 1984)

CFR Citation: 20 CFR 416.1618

Abstract: The proposed rule implements Berger which establishes additional categories of aliens who are to be considered permanently residing in the U.S. under color of law. This will enable additional aliens to qualify for Supplemental Security Income benefits. Federal costs for FY's 1985 through 1990 are estimated at \$17 million, \$7 million, \$9 million, \$11 million, \$13 million and \$14 million respectively.

Timetable:

Action	Date	FR	Cite
NUMBER	Marc		CIFC

Next Action Undetermined

Small Entity: No

Agency Contact: Dave Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7460

RIN: 0960-AB24

85. OLD AGE SURVIVORS
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAMS; STANDARD OF REVIEW
FOR TERMINATION OF DISABILITY
BENEFITS AND PERIODS OF
DISABILITY

Priority: Agency Determination

Legal Authority: PL 98-460, Sec 2; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404; 20 CFR 416

Current and Projected Rulemakings

Abstract: The proposed regulations will permit the Secretary to terminate a beneficiary's entitlement to Social Security disability or SSI disabled or blind benefits or to determine that a period of disability has ended on the basis that the impairment has ceased. no longer exists, or is not disabling only if there is substantial evidence of at least one of the following: (1) That the individual has medically improved (other than improvement not related to his ability to work) and is now able to engage in substantial gainful activity (SGA): (2) That (except for SSI recipients eligible to receive benefits under section 1619) new medical evidence and a new assessment of the individual's residual functional capacity demonstrate that, although the individual has not improved medically. (a) he is a beneficiary of advances in medical or vocational therapy or technology, related to his ability to work, and is now able to perform SGA. or (b) he has undergone vocational therapy, related to his ability to work, and is now able to perform SGA; (3) That, as determined on the basis of new or improved diagnostic techniques or evaluations, the individual's impairment is now as disabling as it (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: was considered to be at the time time of the most recent prior disability determination and that therefore the individual is able to engage in SGA; or (4) That, as demonstrated on the basis of evidence on the record at the time of any prior determination or newly obtained evidence relating to that determination. a prior determination was in error. In addition it provides that any determination under this standard should be made neutrally-without any initial inference as to the presence or absence of disability-on the basis of all evidence (both prior and new) available in the case file concerning the individual's prior or current condition. Applies similar provision, modified to rely on the concept of ability to perform gainful activity, to widows, widowers, and surviving divorced spouses. Regulations for the standard of review

are required to be in place within 6 months after enactment.

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7337

RIN: 0960-AB25

86. PROHIBITION OF FEDERAL FUNDING OF COSTS OF INCARCERATION AND COUNSEL FOR INDIGENT ABSENT PARENTS

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 304.23

Abstract: This proposed rule would prohibit Federal funding under the Child Support Enforcement program for expenditures resulting from incarceration of absent parents in child support enforcement cases and costs of counsel for indigents in IV-D initiated actions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Joyce Linder, Program Specialist, Department of Health and Human Services, Social Security Administration, 6110 Executive Boulevard, Room 1010, Rockville, Maryland 20852, 301 443-5350

RIN: 0960-AB26

87. DISREGARD OF CHILD SUPPORT PAYMENTS; AFDC REGULATIONS IMPLEMENTING THE DEFICIT REDUCTION ACT OF 1984

Legal Authority: 42 USC 1302; 42 USC 657(b)(1)

CFR Citation: 45 CFR 302.51

Abstract: This interim final rule implements the Deficit Reduction Act of 1984 which amends the Social Security Act to require that the first \$50 collected on a monthly support obligation be paid to the Aid to Families with Dependent Children (AFDC) family. This amount does not affect the family's AFDC eligibility or the amount of assistance to which they were entitled.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/10/84	49 FR 35586
Final Action	04/00/85	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Carol Jordan, Program Specialist, Department of Health and Human Services, Social Security Administration, 6110 Executive Boulevard, Room 1010, Rockville, Maryland 20852, 301 443-5350

RIN: 0960-AB27

88. SUPPLEMENTAL SECURITY INCOME PROGRAMS; ASSIGNMENT OF RIGHTS TO THIRD-PARTY MEDICAL PAYMENTS TO STATE

Legal Authority: 42 USC 1383c; 42 USC 1396k

CFR Citation: 20 CFR 416.2101 to 416.2119

Abstract: Our current regulations permit a State to have SSA make determinations for the State on whether aged, blind, or disabled people are eligible for Medicaid. The regulations now permit this only if the State's Medicaid requirements for these people are the same as SSI eligibility requirements. But Sec. 2367 of Pub. L. 98-369 mandates that States require, as a condition of Medicaid eligibility, that a person assign to the State his or her rights to any medical care support available under an order of a court or an administrative agency and any thirdparty payments for medical care (except Medicare). Since this is a Medicaid requirement that is different from SSI requirements, no complying State could have SSA make its Medicaid determinations. The assignment requirement is intended to give States an efficient means of preventing or recovering Medicaid overpayments that result from payment by Medicaid of medical expenses for which someone else is legally responsible. Making Medicaid determinations for States is intended to prevent duplication of effort and save States some expense. Our regulations were not intended (cont)

Timetable:

 Action
 Date
 FR Cite

 NPRM
 00/00/00

Small Entity: No

Additional Information: ABSTRACT CONT: to prevent States from having the benefit of both, but only to simplify our making Medicaid determinations and keep down their cost. We plan to amend our regulations to permit States to comply with the assignment requirement and still have SSA make Medicaid determinations. The resulting cost for SSA is not yet determined.

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AB28

89. ● SUPPLEMENTAL SECURITY INCOME PROGRAM; HOW WE COUNT UNEARNED INCOME

Legal Authority: 42 USC 1302; 42 USC 1382a

CFR Citation: 20 CFR 416.1123(b)

Abstract: The issue is whether amounts otherwise due an individual assigned to repay a legal obligation should continue to be included in income under the Supplemental Security Income (SSI) program. The proposed regulation will clarify that we count such amounts as income. Because this clarification only will lend greater support to current operating policy, no costs/savings are anticipated.

Timetable:

Action	Date	FR	Cite	
NPRM	12/00/85	PM 3		

Small Entity: Not Applicable

Agency Contact: Sander Weissman, Chief EP Branch, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7318

RIN: 0960-AB29

90. © OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; CONTINUATION OF BENEFITS DURING APPEAL

Priority: Agency Determination

Legal Authority: 42 USC 405; 42 USC 423; 42 USC 1302; 42 USC 1382c; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P; 20 CFR 416, Subpart I

Abstract: These proposed rules which implement section 2 of Pub. L. 97-455, section 2 of Pub. L. 98-118 and section 7 of Pub. L. 98-460 provide the following groups with the option to elect to continue receiving benefits/payments pending reconsideration and/or a hearing before an administrative law judge on a medical cessation determination.

Recipients of disability insurance; adult child's, disabled widow's, disabled widower's, mother's and father's, or spouse's based on having in care a disabled adult child. Recipients of benefits based on having in care, a child under age 18 but over age 15, who is disabled and receiving child's benefits. Recipients of SSI benefits based on disability or blindness. Any continued payments are subject to recovery as overpayments, subject to the same waiver provisions now in current law and regulations where the medical cessation decision is upheld on appeal. The estimated additional costs not already funded are FY 1985--\$80.1 million, FY 1986-\$112.6 million.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Larry Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7459

RIN: 0960-AB30

91. SUPPLEMENTAL SECURITY INCOME PROGRAM; TREATMENT OF OVERPAYMENTS WHEN RECIPIENT'S COUNTABLE ASSETS EXCEED LIMITS IN CERTAIN CASES

Legal Authority: PL 98-369, Sec 2613

CFR Citation: 20 CFR 416

Abstract: This proposed regulation reflects the provisions of section 2613 of P.L. 98-369 which provides for waiving recovery of an overpayment that is attributable solely to excess resources if the amount of the excess if \$50 or less unless the overpaid recipient (and

spouse if any) knowingly and willfully failed to report the value of his/her resources accurately and timely.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	constitute.

Small Entity: No

Agency Contact: Larry Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7459

RIN: 0960-AB32

92. • AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; EXTENSION OF MEDICAID ELIGIBILITY WHEN SUPPORT COLLECTIONS RESULT IN TERMINATION OF AFDC ELIGIBILITY

Legal Authority: 42 USC 606; 42 USC 1302; PL 98-378, Sec 20

CFR Citation: 45 CFR 233

Abstract: This interim final rule, which implements section 20 of the Child Support Enforcement Amendments of 1984 (Pub. L. 98-378) specifies that in any case where the collection or increased collection of support under title IV-D of the Social Security Act contributes wholly or partly to a family's ineligibility for AFDC, the family is deemed, but only for the purpose of Medicaid eligibility, to be receiving AFDC for a period of four calendar months after the last month of AFDC eligibility. This applies only to families who receive AFDC in three of the six months immediately preceding the month of ineligibility. "Received" includes those individuals denied an AFDC payment solely because the payment amount is under \$10 or because the payment is determined to be zero as a result of rounding. The estimated costs are: FY 1985-\$53 million, FY 1986--\$58 million, FY 1987--\$62 million, and FY 1988--\$68 million.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	-
Interim Final Rule	06/30/85	

Small Entity: No

Agency Contact: Duane Heaton, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-6629

RIN: 0960-AB33

93. O OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM REOPENING AND REVISING DETERMINATIONS AND DECISIONS WHERE THERE IS CLEAR ERROR OR NEW AND MATERIAL EVIDENCE - FINALITY OF ETC

Legal Authority: 42 USC 405; 42 USC 1302; 30 USC 923(b); 30 USC 936(a); 30 USC 956; 30 USC 957

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 410, Subpart F

Abstract: These proposed rules would make two changes on when a determination or decision affecting someone's rights may be reopened and revised. These changes would permit reopening more than 4 years after the date of the notice of the initial determination so that we can correct clerical errors or errors on the face of the evidence considered in making the determination or decision. We are proposing to make these changes so that we can correct erroneous determinations or decisions discovered more than 4 years after the date of the initial determination. In addition, the proposed rules would establish a new administrative action called a "nonaction finding." A "non-action finding" occurs when we fail to act on a report by a beneficiary and as a result fail to make an adverse change in the individual's benefits. A "non-action finding" is final and binding on both us and the beneficiary, subject to special rules on reopening and revising that action. We are proposing to make this change so that a beneficiary is protected under rules covering the reopening and revising of determinations and decisions against the retroactive effect of a (cont)

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: No

Additional Information: TITLE CONT: Adjudicative Non-Action.

ABSTRACT CONT: determinations and decisions against the retroactive effect

of a determination made more than 4 years later based on that report. Expansion of the time limits - Saving of \$78.6 million in benefit payments per year; "Non-action finding"-Cost of \$400,000 a year in benefit payments.

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7452

RIN: 0960-AB34

94. SUPPLEMENTAL SECURITY INCOME PROGRAMS; ELIGIBILITY; CONTINUATION OF BENEFITS AND ELIGIBILITY FOR CERTAIN SEVERELY IMPAIRED RECIPIENTS WHO WORK

Priority: Agency Determination

Legal Authority: PL 98-460, Sec 14(a)

CFR Citation: 20 CFR 416.260; 20 CFR 416.261; 20 CFR 416.262; 20 CFR 416.263; 20 CFR 416.264; 20 CFR 416.265; 20 CFR 416.266; 20 CFR 416.267; 20 CFR 416.268; 20 CFR 416.269

Abstract: Reflects the provisions of Section 14(a) of P.L. 98-460, which changes from December 31, 1983 to June 30, 1987 the day on which sections 1619 (a) and (b) of the Social Security Act are to expire. The projected annual program savings are \$4.7 million; \$5.6 million SSI benefit savings and \$0.9 million Medicaid costs. Total estimated administrative expenses are \$420,000.

Timetable:

Action Date FR Cite
Final Action 04/00/85

Small Entity: No

Agency Contact: Fred Miranda, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7341

RIN: 0960-AB35

95. O OLD AGE SURVIVORS
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAMS; COMPLIANCE WITH
FEDERAL LAW

Priority: Agency Determination Legal Authority: 42 USC 421

CFR Citation: 20 CFR 404; 20 CFR 416

Abstract: The regulations deal with the operation of State agencies which make disability determinations for the Social Security Disability Benefits program and the Supplemental Security Income for the Aged, Blind, and Disabled program under regulations and other written SSA guidelines. The regulations implement recently enacted law which requires the Secretary to take definitive steps within specific time frames to assure the compliance of State agencies with SSA regulations and other written guidelines or proceed to determine their participation in the SSA administered programs. The regulations also make other changes to improve the disability determination process and to clarify and update other administrative requirements. Costs/savings cannot be estimated at this time.

Timetable:

Action Date FR Cite
NPRM 05/00/85

Small Entity: No

Agency Contact: Irving Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 597-3409

RIN: 0960-AB36

96. O OLD AGE SURVIVORS
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAMS; PAYMENT OF COSTS OF
REHABILITATION SERVICES

Priority: Agency Determination

Legal Authority: PL 98-460, Sec 11; 42 USC 405; 42 USC 422; 42 USC 1302; 42 USC 1382(d)

CFR Citation: 20 CFR 404; 20 CFR 416

Abstract: Public Law 98-460 created 2 new provisions under which SSA will pay vocational rehabilitation (VR) agencies for the costs of services provided to disabled or blind social security beneficiaries or SSI recipients. Under the first new provision, SSA will allow payment to VRA's for the costs of VR services provided to individuals continuing to receive payment because they are participating in a VR program after their period of disability has ceased due to their unexpected medical recovery. The second new provision allows payment to VRA's for the costs of VR services provided to beneficiaries/recipients who refuse

without good cause to continue or to cooperate in a VR program in such a way as to preclude their successful rehabilitation with such refusal resulting in the nonpayment of their disability or blindness payments. It is estimated that the first year costs of this program will be less than 1 million dollars.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	THE BUTT

Small Entity: No

Agency Contact: Dave Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulation, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7460

RIN: 0960-AB37

97. O OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; ADJUSTMENTS IN SSI BENEFITS ON ACCOUNT OF RETROACTIVE BENEFITS UNDER TITLE II

Legal Authority: 42 USC 1320a-6

CFR Citation: 20 CFR 404.408b; 20 CFR 416.1123

Abstract: Sec. 2615 of Pub. L. 98-369 amended sec. 1127 of the Social Security Act to eliminate loopholes that permit some people who are paid Old-Age, Survivors and Disability Insurance (OASDI) and Supplemental Security Income (SSI) benefits retroactively to receive more in total benefits for the same period than if they had been paid the benefits when regularly due. The two main changes are: (1) Retroactive SSI benefits will be reduced where retroactive OASDI benefits for the same period have been paid before the SSI benefits. Under prior law, reductions could be made only in retroactive OASDI benefits and only when the retroactive SSI had been paid first. (2) OASDI or SSI benefits payable retroactively upon reinstatement following a period of suspension or termination will be reduced by the

amount of SSI benefits that would not have been paid if the OASDI benefits had been paid when regularly due. We plan to amend our regulations to conform to the statutory changes. The program savings and administrative costs to SSA are not yet determined.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	2 100

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AB38

98. SUPPLEMENTAL SECURITY INCOME PROGRAM; LIMITATION ON RECOUPMENT RATE IN CASE OF OVERPAYMENT

Legal Authority: 42 USC 1302; 42 USC 1381; 42 USC 1381a; 42 USC 1382; 42 USC 1382c; 42 USC 1383; 42 USC 1383b

CFR Citation: 20 CFR 416, Subpart E

Abstract: These proposed rules which implement section 2612 of Pub. L. 98-469 will limit the rate at which an overpayment may be recovered from an individual still receiving benefits (SSI or federally administered supplementary payments, or both) to 10 percent of the recipient's total income (countable income plus SSI and State supplementary payments) or the recipient's payment for the month, whichever is less. They will apply the 10 percent requirement only to recipients in current payment status. However, recovery of an overpayment by withholding from SSI payments due will be suspended when a recipient is subject to the \$25 payment limitation (living arrangement D). The 10 percent limit will not apply in situations involving installment agreements, recovery by refund, cross program adjustment or where it is determined that the overpayment occurred because of recipient fraud or willful misrepresentation. They will, in

negotiated cases, set a rate of withholding that is appropriate for the financial condition of the overpaid person after factual evaluation. Such cases will also be considered initial determinations for (cont)

Timetable:

Action	Date	FR Cite	
NPRM	09/00/85		

Small Entity: No

Additional Information: ABSTRACT CONT: which the recipient has appeal rights. Estimated costs are FY 1985--\$22 million, FY 1986--\$2 million, FY 1987--\$2 million, FY 1988--\$2 million, FY 1989--\$2 million.

Agency Contact: Larry Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-7459

RIN: 0960-AB40

99. DETERMINING DISABILITY BLINDNESS; EVALUATION OF PAIN

Priority: Agency Determination Legal Authority: PL 98-460

CFR Citation: 20 CFR 404, Subpart P; 20 CFR 416, Subpart I

Abstract: These proposed regulations provide a temporary statutory standard (through December 31, 1986) for using subjective and objective evidence in evaluating cases involving pain or other symptoms. This standard reflects SSA's current policy for evaluating symptoms, including pain.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd, Baltimore, Maryland 21235, 301 594-7415

RIN: 0960-AB41

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS). Social Security Administration (SSA)

Existing Regulations Under Review

100. O OLD AGE SURVIVORS
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAMS; QUALIFICATIONS OF
MEDICAL PROFESSIONALS
EVALUATING MENTAL IMPAIRMENTS

Priority: Agency Determination

Legal Authority: PL 98-460, Sec 8; 42 USC 405; 42 USC 421; 42 USC 1302; 42 USC 1382c; 42 USC 1383

CFR Citation: 20 CFR 404.1503; 20 CFR 404.1526; 20 CFR 404.1516; 20 CFR 404.1616; 20 CFR 404.1617; 20 CFR 416.903; 20 CFR 416.926; 20 CFR 416.946; 20 CFR 416.1015; 20 CFR 414.1016; 20 CFR 416.1017

Abstract: The proposed regulations reflect the provisions of section 8 of PL 98-460 by requiring that we make every reasonable effort to have a qualified psychiatrist or psychologist to complete the medical portion of the case review and any residual functional capacity assessment in unfavorable determinations in mental impairment cases. As a result of this new provision of the law, we are also explaining in the regulations the qualifications

necessary to be considered as reasonable effort to obtain the services of a qualified psychiatrist or psychologist. In enacting section 8 of PL 98-460, Congress has expressed its concern that in some instances, the Social Security Administration did not have sufficient professional expertise involved in the evaluation of mental impairment claims. Thus, by permitting SSA to use Federal Resources, the Congress addressed conditions which usually impeded the States from obtaining qualified medical professionals such as the inability to obtain their services due to inadequate compensation. This change in the law means that SSA must now make every reasonable effort to see that the services of qualified psychiatrists and (cont)

Timetable:

Action	Col.	Date	FR Cite
NPRM		04/00/85	

Small Entity: No

Additional Information: ADDITIONAL ABSTRACT: psychologists are obtained

through proper State administration including, where necessary, raising State fee schedules to provide compensation at the prevailing rates in the community. SSA may also contract directly for these services when the State is unable to provide them due to inadequate compensation or other impediments at the State level. Costs will increase by a range of less than \$3.4 million in 1985 to \$7.2 million in 1986. These figures were derived from the number of additional physician hours needed for State agency medical consultants.

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7415

RIN: 0960-AB31

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Social Security Administration (SSA)

COMPLETED RULEMAKINGS

101. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE, BLACK LUNG, AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; WAIVER OF ADJUSTMENT OR RECOVERY OF OVERPAYMENTS

Priority: Agency Determination

CFR Citation: 20 CFR 404, Subpart F; 20 CFR 410, Subpart E; 20 CFR 416, Subpart E

Completed:

Reason		Date	FR	Cite
THE RESERVE TO THE	CONTRACTOR OF			

Regulation Action 10/24/84 Cancelled

Small Entity: No

Agency Contact: Larry Dudar 301 594-6629

RIN: 0960-AA00

102. SUPPLEMENTAL SECURITY INCOME PROGRAM; ELIGIBILITY, MANDATORY APPLICATION FOR EARNED INCOME TAX CREDITS

Priority: Agency Determination

CFR Citation: 20 CFR 416, Subpart B

Completed:

Reason	Date	FR Cite
Final Action	02/11/85	50 FR 05571

Small Entity: No

Agency Contact: David Smith 301 594-

RIN: 0960-AA01

103. SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCES

CFR Citation: 20 CFR 416, Subpart L

Completed:

Reason	Date	FR Cite
Regulation Action	01/00/85	

Small Entity: No

Agency Contact: Henry Lerner 301 594-7463

RIN: 0960-AA32

104. FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; ADDITIONAL EXCEPTION TO REDUCTION OF BENEFITS OF SPOUSE RECEIVING GOVERNMENT PENSION

CFR Citation: 20 CFR 404.408a

Completed:

Reason	Date		FR	Cite	
	Final Action	10/22/84	49	FR	41244

Small Entity: No

Agency Contact: Jack Schanberger 301 594-6785

RIN: 0960-AA48

105. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; QUALITY CONTROL REQUIREMENTS (TEFRA)

CFR Citation: 45 CFR 205.40; 45 CFR 205.42; 45 CFR 205.43; 45 CFR 205.44

Completed Actions

Completed:

Reason Date FR Cite
Final Action 09/28/84 49 FR 38276

Small Entity: No

Agency Contact: Barbara Levering 202 245-2637

RIN: 0960-AA51

106. OASDI, BLACK LUNG, AND SSI PROGRAMS; REOPENING AND REVISING DETERMINATIONS AND DECISIONS--EXPEDITED APPEALS PROCESS

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 410, Subpart F; 20 CFR 416, Subpart N; 20 CFR 422, Subpart C

Completed:

Reason Date FR Cite
Final Action 11/26/84 49 FR 46365

Small Entity: No

Agency Contact: Phil Berge 301 594-7452

RIN: 0960-AA52

107. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; EMPLOYMENT, WAGES, SELF-EMPLOYMENT INCOME; SICK PAY

CFR Citation: 20 CFR 404,1049; 20 CFR 404,1051A

Completed:

Reason Date FR Cite
Final Action 01/14/85 50 FR 01831

Small Entity: Undetermined

Agency Contact: C.H. Campbell 301 597-3408

RIN: 0960-AA58

108. AID TO FAMILIES WITH
DEPENDENT CHILDREN PROGRAM;
DISREGARD OF INCOME OF
DEPENDENT CHILDREN DERIVED
FROM PARTICIPATION IN PROGRAMS
CARRIED OUT UNDER THE JOB
TRAINING PARTNERSHIP ACT

Priority: Agency Determination **CFR Citation:** 45 CFR 233.20

Completed:

 Reason
 Date
 FR Cite

 Final Action
 12/13/84
 49 FR 48547

Small Entity: No

Agency Contact: Barbara Levering 202 245-2637

RIN: 0960-AA72

109. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; DEDUCTIONS; REDUCTIONS; AND NONPAYMENT OF BENEFITS-NONPAYMENT OF BENEFITS TO PRISONERS

CFR Citation: 20 CFR 404, Subpart E

Completed:

 Reason
 Date
 FR Cite

 Final Action
 12/11/84
 49 FR 48181

Small Entity: No

Agency Contact: William Ziegler 301

594-4715

RIN: 0960-AA73

110. SUPPLEMENTAL SECURITY INCOME PROGRAM; WHAT IS NOT INCOME

CFR Citation: 20 CFR 416, Subpart K

Completed:

 Reason
 Date
 FR Cite

 Final Action
 12/10/84
 49 FR 48036

Small Entity: No

Agency Contact: Henry D. Lerner 301 594-7463

RIN: 0960-AA74

111. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAMS; DETERMINING DISABILITY AND BLINDNESS; APPENDIX 1 PART B; MEDICAL CRITERIA FOR EVALUATION OF CHILDREN

CFR Citation: 20 CFR 404, Subpart P

Completed:

Cancelled

Reason Date FR Cite
Regulation Action 01/00/85

Small Entity: No

Agency Contact: William Ziegler 301 594-7415

RIN: 0960-AA80

112. PUBLIC ASSISTANCE
PROGRAMS; EXCLUSION OF
CERTAIN FUNDS DISTRIBUTED TO
MEMBERS OF INDIAN TRIBES AS
INCOME AND RESOURCES

CFR Citation: 45 CFR 233.20

Completed:

Cancelled

Reason Date FR Cite
Regulation Action 11/08/84

Small Entity: No

Agency Contact: Barbara Levering 202

245-2637

RIN: 0960-AA95

113. SUPPLEMENTAL SECURITY
INCOME PROGRAM; INCOME;
EXCLUSION FROM INCOME OF
CERTAIN ALASKA BONUS PAYMENTS

CFR Citation: 20 CFR 416.1124(c)(7)

Completed:

Reason Date FR Cite

Regulation Action 01/00/85 Cancelled

Small Entity: No

Agency Contact: Henry Lerner 301 594-4753

4/33

RIN: 0960-AB10

114. SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCES GENERAL, TRUSTS

CFR Citation: 20 CFR 416.1201, (Revision)

Completed:

Reason Date FR Cite

Regulation Action 01/00/85 Cancelled

Small Entity: No

Agency Contact: Henry Lerner 301 594-7453

RIN: 0960-AB12

115. SUPPLEMENTAL SECURITY INCOME PROGRAM; TERMINATION OF FEDERAL FISCAL LIABILITY

Priority: Agency Determination

CFR Citation: 20 CFR 416, Subpart T

Completed:

 Reason
 Date
 FR Cite

 Final Action
 09/28/84
 49 FR 38247

Small Entity: No

Agency Contact: Duane Heaton 301

594-7951

RIN: 0960-AB13

116. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; PROBATIVE VALUE OF EVIDENCE

CFR Citation: 20 CFR 404.1519ff, (New)

Completed:

Reason Date FR Cite

Regulation Action 01/00/85 Cancelled

Small Entity: No

Agency Contact: Hugh A. Meade, Jr. 301 594-3352

RIN: 0960-AB14

117. OLD-AGE, SURVIVORS,
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAMS; SOCIAL SECURITY
DISABILITY BENEFITS

Priority: Agency Determination

CFR Citation: 20 CFR 404; 20 CFR 416

Completed:

Reason Date FR Cite

Regulation Action 01/00/85 Cancelled

Small Entity: No

Agency Contact: Charles Rollins 301 594-6695

RIN: 0960-AB18

RECIPIENTS

118. SUPPLEMENTAL SECURITY INCOME PROGRAM; CERTAIN PROVISIONS OF P.L. 98-369 (THE DEFICIT REDUCTION ACT OF 1984)

CFR Citation: 20 CFR 416

Completed:

Reason Date FR Cite

Regulation Action 01/00/85 Cancelled

Small Entity: No

Agency Contact: Charles Rollins 301 594-6695

RIN: 0960-AB19

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

119. O OLD AGE SURVIVORS
DISABILITY INSURANCE AND
SUPPLEMENTAL SECURITY INCOME
PROGRAMS; DETERMINING
DISABILITY AND BLINDNESS;
MULTIPLE IMPAIRMENTS

Priority: Agency Determination

Legal Authority: PL 98-460, Sec 4; 42 USC 405; 42 USC 423; 42 USC 1302; 42 USC 1382

CFR Citation: 20 CFR 404.1520; 20 CFR 404.1521; 20 CFR 404.1522; 20 CFR 404.1523; 20 CFR 416.920; 20 CFR 416.921; 20 CFR 416.922; 20 CFR 416.923

Abstract: This provision of the law requires us to consider the combined effect of all of a person's impairments in determining disability regardless of whether any single impairment, if considered separately, would be of sufficient severity. If we do find a medically severe combination of impairments, the combined impact of the impairments must be considered throughout the disability determination

process. We are revising regulations which explain how we evaluate multiple nonsevere impairments to reflect that we will now consider the combined effect of impairments to determine severity. We believe the Congress intended to ensure that the combined effect of multiple impairment is considered when we determine whether a person has a severe impairment and, when the combined effect is found to be severe, that the person's impairments are evaluated under the full sequential evaluation process. Current cost estimates for fiscal years 1985 and 1986 are as follows: Additional title II benefits: less that \$5 million per year. Additional SSI benefits: FY 1985-negligible; FY 1986-\$1 million.

Timetable:

 Action
 Date
 FR Cite

 Final Action
 03/05/85
 50 FR 08726

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, 301 594-7415

RIN: 0960-AB39 [FR Doc. 85-6366 Filed 04-25-85; 6:45 am] BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Office of Child Support Enforcement (OCSE)

120. TREATMENT OF ASSIGNED
SUPPORT PAYMENTS RECEIVED
DIRECTLY AND RETAINED BY AFDC

have been in the family. To States the flee

Legal Authority: 42 USC 652(a); 42 USC

CFR Citation: 45 CFR 232.12; 45 CFR 233.20; 45 CFR 302.31; 45 CFR 303.80

Abstract: These joint Office of Family Assistance (OFA)-OCSE regulations provide regulatory authority for child support enforcement agencies to recover support payments that have been assigned to the State as a condition of eligibility for receiving AFDC when these support payments

have been incorrectly made directly to the family. These regulations give States the flexibility to use either the child support or AFDC agency in resolving a direct payment problem.

Timetable:

 Action
 Date
 FR Cite

 Interim Final Rule
 09/30/82
 47 FR 43953

 Final Action
 04/00/85

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Marianne Rufty, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, 301 443-5350

RIN: 0992-AA08

121. MEDICAL SUPPORT ENFORCEMENT

Legal Authority: 42 USC 654(13); 42 USC 1302; 42 USC 652(f)

CFR Citation: 45 CFR 304.20; 45 CFR 304.23; 45 CFR 306.50; 45 CFR 306.51; 45 CFR 302.80; 45 CFR 306.0

Abstract: Currently, medical support enforcement activities are pursued through optional cooperative agreements between the State IV-D agency and the State Medicaid agency. This regulation requires all State IV-D agencies to attempt to obtain minimal medical support information during the normal processing of child support cases. This will result in increased use of available third party resources in the form of private medical insurance and in medical cost savings to State and Federal governments. State IV-D agencies are also required to petition to include medical support in new or modified orders for support, if employment-related medical insurance is available to the absent parent.

Timetable:

Action	Date	FR	Cite
NPRM	08/04/83	48 FR	35468
Final Action	04/00/85		

Small Entity: No

Agency Contact: Carol Jordan, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, 301 443-5350

RIN: 0992-AA12

122. REVISION OF IV-D PROGRAM AUDIT REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 652(a)(1); 42 USC 652(a)(4); 42 USC 603(h); 42 USC 1302; 42 USC 602(a)(27)

CFR Citation: 45 CFR 305; 45 CFR 205.146(d)

Abstract: These regulations: (1) require OCSE to conduct an audit of the effectiveness of State Child Support Enforcement programs at least once every three years; (2) require OCSE to use a "substantial compliance" standard to determine whether each State has an effective IV-D child support enforcement program; (3) provide that any State found not to have an effective IV-D program in substantial compliance with the requirements of title IV-D of the Social Security Act be given an opportunity to take the corrective action necessary to be in substantial compliance with these requirements; (4) provide for the use of a graduated penalty of not less than one nor more than five percent of a State's Federal AFDC funds if a State is not in substantial compliance with title IV-D of the Act; (5) specify the period of time during which a penalty is effective; and (6) add State-plan audit criteria and performance-related audit criteria that will be used in addition to existing criteria in determining whether a State has an effective IV-D program.

Timetable:

Action	Date		FR	Cite
NPRM	10/05/84	49	FR	39488
Final Action	04/00/85			

Small Entity: No

Agency Contact: Michael P. Fitzgerald, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, 301 443-5350

RIN: 0992-AA13

123. OMB CONTROL NUMBERS FOR INFORMATION COLLECTION REQUIREMENTS CONTAINED IN OCSE REGULATIONS

Legal Authority: 42 USC 1302; 44 USC 3507(f); 44 USC 3512; 44 USC 3516

CFR Citation: 45 CFR 300, (New)

Abstract: To implement the provisions of section 3512 of Paperwork Reduction Act of 1980 and the regulations at 5 CFR 1320.5(b) implemented by the Office of Management and Budget (OMB), OCSE is displaying in 45 CFR Part 300 current OMB control numbers for information collection requirements contained in OCSE regulations.

Additional control numbers will be added to the numbers in 45 CFR Part 300 when we are notified by OMB.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Agency Contact: Gail Blatt, Program Technician, Department of Health and Human Services, Office of Child Support Enforcement, 6110 Executive Blvd., Rockville, Maryland 20852, 301 443-5350

RIN: 0992-AA15

124. IMPLEMENTATION OF CHILD SUPPORT ENFORCEMENT AMENDMENTS OF 1984

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 652; 42 USC 653; 42 USC 654; 42 USC 655; 42 USC 656; 42 USC 657; 42 USC 658; 42 USC 664; 42 USC 666; 42 USC 667

CFR Citation: 45 CFR 301.1; 45 CFR 302; 45 CFR 303; 45 CFR 304; 45 CFR 305; 45 CFR 307

Abstract: The rules implement the Child Support Enforcement Amendments of 1984, which require all States to enact laws requiring the use of certain procedures in their Child Support Enforcement programs. Such procedures include income or wage withholding, expedited processes for establishing and enforcing support obligations, State income tax refund offsets, liens against property, extended paternity statute of limitations. imposition of security, bond or guarantee and providing information to consumer reporting agencies. States must also notify AFDC recipients of child support collections made during the year; establish guidelines for child support award amounts; publicize the availability of support enforcement services; and charge a mandatory application fee not to exceed \$25.00 for non-AFDC support services. States may charge absent parents late payment fees of between 3 percent and 6 percent of arrearages and may provide tracking and monitoring of support payments at the request of either parent. The statute also reduces Federal funding to States for administrative costs, revises the system for payment of incentives to States on (cont)

Timetable:

Small Entity: No

Action	Date	F	R Cite
NPRM	09/19/84	49 F	R 36780
Final Action	04/00/85		

Additional Information: ABSTRACT CONT: collections, extends the Federal income tax refund offset processes to non-AFDC families for five years, and makes several other changes to the current IV-D program. Most of these provisions are effective October 1, 1985.

Agency Contact: Elizabeth Matheson, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, 6110 Executive Blvd., Rockville, Maryland 20852, 301 443-5350

RIN: 0992-AA16

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Office of Child Support Enforcement (OCSE)

Completed Actions

COMPLETED RULEMAKINGS

125. COSTS OF SERVICES FOR NON-AFDC FAMILIES; REDUCTION OF PROGRAM EXPENDITURES BY FEES AND OTHER INCOME

Priority: Agency Determination

CFR Citation: 45 CFR 302.33; 45 CFR 304 50

Completed:

Reason	Date		FR	Cite
Final Action Final Action	09/19/84 09/19/84	49	FR	36764

Small Entity: No

PROJECTS

Agency Contact: Michael Fitzgerald 301 443-5350

RIN: 0992-AA02

126. COMPUTERIZED CHILD SUPPORT ENFORCEMENT SYSTEM

CFR Citation: 45 CFR 302.85; 45 CFR 304.20(b)(9) and (10); 45 CFR 307

Completed:

Reason	Date		FR	Cite
Final Action	08/22/84	49	FR	33255

Small Entity: No

Agency Contact: Michael Fitzgerald 301 443-5350

RIN: 0992-AA06

127. PROCEDURES FOR CASE ASSESSMENT AND PRIORITIZATION

CFR Citation: 45 CFR 303.10

Completed:

Reason	Date	FR Cite
Final Action	09/19/84	49 FR 36764

Small Entity: No

Agency Contact: Marianne Rufty 301 443-5350

RIN: 0992-AA09

[FR Doc. 85-6366 Filed 04-26-85; 8:45 am] BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)-Office of Assistant Secretary for Health (OASH)

128. GRANTS FOR ADOLESCENT PREGNANCY AND FAMILY LIFE

Legal Authority: 42 USC 300z et seq Public Health Service Act

CFR Citation: 42 CFR 59

Abstract: The proposed rule would establish the requirements for grants for demonstration projects funded under the recently enacted Title XX of the Public Health Service Act. The title authorizes the Department of Health and Human Services to make grants to projects that will provide health, social and education services to pregnant and

nonpregnant adolescents, adolescent parents, and their families.

Timetable:

Action	Date		FR	Cite
NPRM	05/20/83	48	FR	22750
NPRM Comment Period Begin	05/20/83	48	FR	22750
NPRM Comment Period End	07/19/83			
Final Action	06/30/85			
Conall Entitue No				

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Given the size of the appropriation anticipated, the number of grants for demonstration

projects that can be funded is not expected to result in this regulation's having a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act.

Current and Projected Rulemakings

Agency Contact: Donald Underwood. Grants Management Officer, Department of Health and Human Services, Public Health Service, Office of Adolescent Pregnancy Programs, Room 1351, HHS-N, 330 Independence Ave., S.W., Washington, DC 20201, 202 245-0146

RIN- 0905-AA24 [FR Doc. 85-8386 Filed 04-26-85; 8:45 am] **BILLING CODE 4150-04-T**

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Current and Projected Rulemakings Public Health Service (PHS)-Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA)

129. CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE PATIENT RECORDS

Legal Authority: 42 USC 290ee-3; 42 USC 290dd-3

CFR Citation: 42 CFR 2

Abstract: Federal law requires that certain alcohol and drug abuse patient records be kept confidential. A comprehensive rewrite of implementing regulations proposed in the NPRM simplifies and substantially shortens existing rules and proposes major substantive changes including: (1)

Limiting applicability to specialized alcohol and drug abuse programs, (2) Requiring notice to patients of Federal confidentiality requirements, (3) Including a sample consent form, (4) Eliminating the impediment to a patient's access to her/his own records, (5) Eliminating most sections restricting disclosures based on patient consent, (6) Eliminating the prohibition on the entry of a court order authorizing disclosure of subjective information regarding a patient.

Timetable:

Action	Date		FR	Cite
Notice of Decision to Develop Regs	01/02/80	45	FR	53
NPRM	08/25/83	48	FR	38758
NPRM Comment Period End	10/24/83			
Final Action	05/00/85			

Small Entity: No

Additional Information: The location of the confidentiality provisions for alcohol and drug abuse patient records has been transferred from one public

Current and Projected Rulemakings

law to another and has been changed in the United States Code. P.L. 98-24, the Alcohol and Drug Abuse Amendments of 1983, consolidates alcohol, drug abuse, and mental health authorities in Title V of the Public Health Service Act. Section 408 of the Drug Abuse Prevention, Treatment and Rehabilitation Act (21 U.S.C. 1175) is transferred to section 527 of the Public Health Service Act and is now codified at 42 U.S.C. 290ee-3. Section 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 [42 U.S.C. 4582) is transferred to section 523 of the Public Health Service Act and is now codified at 42 U.S.C. 290dd-3.

Agency Contact: Judith T. Galloway. Regulations Officer, Department of Health and Human Services, Alcohol, Drug Abuse, and Mental Health Administration, Room 13C-06, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, 301 443-3200

RIN: 0905-AA26

130. O OBLIGATED SERVICE FOR MENTAL HEALTH TRAINEESHIPS

Legal Authority: 42 USC 242a CFR Citation: 42 CFR 64a

Abstract: This rule implements statutory service payback obligations of recipients of clinical traineeships in psychology, psychiatry, social work, or nursing. The NPRM would revise 42 CFR 64a to establish a uniform rate of interest for all individuals who receive clinical traineeships, clarify that funds owed to the government become a debt when the trainee fails to complete the obligation, require that training institutions conduct entrance and exit interviews with trainees to inform them of the seriousness of their service obligations, and provide guidelines for hardship deferrals. The option in existing regulations is to continue the potential for 50 different interest rates with disputes ensuing over what the maximum rate is within each jurisdiction. In addition the existing rule permits a 5-year interest-free period which the NPRM would reduce to 2 years. The NPRM will reduce costs to

the government by reducing the interest-free period and by avoiding the expense of settling disputes concerning the correct interest rate for payback obligations.

Timetable:

Action	Date	FR Cit
NPRM	07/00/85	compared to
Small Entity	y: Not Applicable	

Agency Contact: Joan Jenkins, Chief, Ofc. of Human Resources P&E Br; OPDPE, Department of Health and Human Services, Alcohol, Drug Abuse

Human Services, Alcohol, Drug Abuse, and Mental Health Administration, Room 17C-25, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, 301 443-3657

RIN: 0905-AB48

[FR Doc. 85-6366 Filed 04-20-85; 8:45 am]

BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)—Centers for Disease Control (CDC)

Current and Projected Rulemakings

131. PROJECT GRANTS FOR HEALTH PROGRAMS FOR REFUGEES

Legal Authority: 8 USC 1522(b) Section 412(b)(5) Immigration and Nationality Act; PL 96-212 Refugee Act of 1980; PL 97-363 Refugee Assistance Amendments of 1982

CFR Citation: 42 CFR 51e

Abstract: Regulations are required by Department policy for this project grant program administered by the Centers for Disease Control (CDC) under an intra-agency agreement with the Office of Refugee Resettlement (ORR). The project grants are awarded to State and local health agencies to assist them in providing initial health assessments to arriving refugees. These health assessments specifically address conditions of public health concerns, like tuberculosis, and also identify personal health problems that could impair the effective resettlement of the refugee. CDC has established the program requirements, guidelines, and standards for evaluation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: FTS 236-1802

Agency Contact: Anthony M. Scardaci, Associate Dir., Ctr. for Prevention Services, Department of Health and Human Services, Centers for Disease Control, 1600 Clifton Road, N.E., Atlanta, GA 30333, 404 329-1802

RIN: 0905-AB43

132. ● DISTRIBUTION OF REFERENCE BIOLOGICAL STANDARDS AND BIOLOGICAL PREPARATIONS

Priority: Agency Determination

Legal Authority: 31 USC 9701 Independent Offices Appropriation Act of 1952; 42 USC 216 Sec 215, 58 Stat. 690, as amended; 42 USC 263 Sec 352 of the Public Health Service Act, as amended

CFR Citation: 42 CFR 7, (New)

Abstract: This proposal initiates a program that would impose a user

charge upon a private agency which requests reference biological standards or biological preparations for their own comparative performance tests to cover the cost to the Centers for Disease Control (CDC) of developing and distributing the products. CDC is proposing to impose an average user charge of \$24 per unit distributed. The cost will vary, depending upon the type of preparation requested. CDC is not proposing to impose a user charge for State and local health departments, the World Health Organization, or international governments because these materials are provided to those agencies for public health reasons and not for the benefit of the requesters.

Timetable:

Action	Date	FR Cite
NPPM	00/20/05	

Small Entity: No

HHS-PHS-CDC

Current and Projected Rulemakings

Agency Contact: Morris T. Suggs, Dr. P.H., Director, Biological Products Program, Department of Health and Human Services, Centers for Disease Control, Center for Infectious Diseases, 1600 Clifton Road, N.E., Atlanta, GA 30333, 404 329-3353

RIN: 0905-AB49

133. • SPECIFICATIONS FOR MEDICAL EXAMINATIONS OF UNDERGROUND COAL MINERS

Legal Authority: 30 USC 843 Federal Mine Safety and Health Act of 1977

CFR Citation: 42 CFR 37, (Revision)

Abstract: The National Institute for Occupational Safety and Health (NIOSH) administers an X-ray examination program for coal miners as mandated by the Federal Mine Safety and Health Act of 1977. The proposed amendment will provide additional specifications to enable X-ray readers in the Department's medical surveillance program for underground coal miners to interpret miners' chest Xrays more accurately to classify any existing or developing pneumoconiosis. The proposed changes are based on recommendations by NIOSH, the Mine Health Research Advisory Committee to NIOSH, and the American College or Radiology Task Force on Pneumoconiosis. The proposed rule will expand the specification for X-ray film size, specify film/screen combinations and speeds which can be used, and specify the method for obtaining a

definitive interpretation of chest X-rays when two readers' interpretations do not agree.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/30/85

Small Entity: No

Agency Contact: Ms. Mitzie Martin, Chief, Receiving Center Section, Department of Health and Human Services, Centers for Disease Control, Examinatns Proc Br. Div of Resp Dis Studies, NIOSH, 944 Chestnut Ridge Rd., Morgantown, WV 26505, 304 291-4301

RIN: 0905-AB51

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)—Centers for Disease Control (CDC)

Public Health Service (PHS)—Centers for Disease Control (

COMPLETED RULEMAKINGS Completed:

CFR Citation: 42 CFR 71

134. FOREIGN QUARANTINE

Completed:			
Reason	Date	FR	Cite
Final Action	01/11/85	50 FR	01516
Final Action Effective	02/11/85	50 FR	01516

Completed Actions

Agency Contact: Dr. Laurence S. Farer 404 329-2574

RIN: 0905-AA31

Small Entity: No

[FR Doc. 85-6366 Filed 04-26-85; 8:45 am] BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)—Food and Drug Administration (FDA)

Current and Projected Rulemakings

135. OBLIGATIONS OF SPONSORS OF CLINICAL INVESTIGATIONS

Priority: Agency Determination

Legal Authority: 21 USC 346 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360b to 360f Federal Food, Drug, and Cosmetic Act; 21 USC 360h to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 42 USC 216 Public Health Service Act: 42 USC 262 Public Health Service Act; 42 USC 263b to 263n Public Health Service Act

CFR Citation: 21 CFR 52; 21 CFR 71; 21 CFR 170; 21 CFR 171; 21 CFR 180; 21 CFR 310; 21 CFR 312; 21 CFR 314; 21 CFR 320; 21 CFR 330; 21 CFR 430; 21 CFR 431; 21 CFR 510; 21 CFR 511; 21 CFR 514; ...

Abstract: This proposed rule would clarify or revise certain existing requirements concerning obligations of persons who sponsor clinical investigations involving a drug or medical device and extend those requirements to cover other products regulated by FDA. The rule is intended to provide greater protection of the rights and safety of subjects involved in clinical investigations and to help assure the quality and integrity of the data filed with FDA under the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/27/77
 42 FR 49612

 NPRM Comment
 09/27/77
 42 FR 49612

 Period Begin
 NPRM Comment
 12/27/77

 Period End
 12/27/77

 Period End
 04/00/85

 Small Entity: Not Applicable

Agency Contact: Marilyn L. Watson, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-360), 5600 Fishers Lane, Rockville, MD 20857, 301 443-3640

RIN: 0905-AA03

136. OVER-THE-COUNTER (OTC) DRUG REVIEW

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 310; 21 CFR 330; 21 CFR 333; 21 CFR 334; 21 CFR 335; 21 CFR 336; 21 CFR 337; 21 CFR 338; 21 CFR 339; 21 CFR 340; 21 CFR 341; 21 CFR 342; 21 CFR 343; 21 CFR 344; 21 CFR 345; ...

Abstract: The OTC drug review establishes conditions under which OTC drugs are considered generally recognized as safe and effective and

not misbranded. After a final monograph (i.e., final rule) is issued. only OTC drugs meeting the conditions of the monograph, or having an approved new drug application, may be legally marketed. NOTE: NPRM for "Antidotes, Toxic Ingestion Products" to be combined with NPRM for "Emetic Products" and reproposed as "Poison Treatment Products." NPRM for "Astringent (Wet Dressings) Products" to be included in NPRMs for "External Analgesic" & "Skin Protectant Products." NPRM for "Diaper Rash Products" to be included in NPRMs for 'Anti-fungal," "Anti-microbial," "External Analgesic" and "Skin Protectant Products." NPRM for "Fever Blister/Cold Sore Products (External)' to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Insect Bites and Stings (Relief) Products" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Male Genital Desensitizer Products" to be included in NPRM for "External Analgesic Products." NPRM for "Mercurial (Topical) Products" to be included in NPRM for (cont)

Supplemental Timetable: Acne (Topical) Products

ANPRM 03/23/82 (47 FR 12430) NPRM 01/15/85 (50 FR 2172) Final Action 00/00/00

Alcohol (Topical) Products ANPRM 05/21/82 (47 FR 22344)

Alertness Aid Products

ANPRM 12/08/75 (40 FR 57292) NPRM 06/13/78 (43 FR 25544) Final Action 04/00/85

Anorectal Products

ANPRM 05/27/80 (45 FR 35576) NPRM 04/00/85

Anthelmintic Products

ANPRM 09/09/80 (45 FR 59541) NPRM 08/24/82 (47 FR 37062) Final Action 04/00/85

Antibiotic First Ald Products

ANPRM 04/01/77 (42 FR 17642) NPRM 07/09/82 (47 FR 29986) Final Action 00/00/00

Anticaries Products

ANPRM 03/28/80 (45 FR 20666) NPRM 00/00/00

Antidiarrheal Products

ANPRM 03/21/75 (40 FR 12924) NPRM 00/00/00

Antidotes, Toxic Ingestion Products ANPRM 01/05/82 (47 FR 444)

Antiemetic Products

ANPRM 03/21/75 (40 FR 12934) NPRM 07/13/79 (44 FR 41064) Final Action 00/00/00

Antifungal (Topical) Products ANPRM 03/23/82 (47 FR 12480) NPRM 00/00/00

Antimicrobial Products

ANPRM 09/13/74 (39 FR 33103) NPRM 01/06/78 (43 FR 1210) Revised NPRM 00/00/00

Antiperspirant Products

ANPRM 10/10/78 (43 FR 46694) NPRM 08/20/82 (47 FR 36492) Final Action 00/00/00

Aphrodisiac Products

ANPRM 10/01/82 (47 FR 43572) NPRM 01/15/85 (50 FR 2168) Final Action 00/00/00

Astringent (Wet Dressings) Products ANPRM 09/07/82 (47 FR 39436)

Benign Prostatic Hypertrophy Products ANPRM 10/01/82 (47 FR 43566) NPRM 00/00/00

Boll Ointments

ANPRM 06/29/82 (47 FR 28306) NPRM 00/00/00

Camphorated Oil Drug Products Final Action 09/21/82 (47 FR 41716)

Cholecystokinetic Products
ANPRM 02/12/80 (45 FR 9286)
NPRM 08/24/82 (47 FR 37068)
Final Action 06/10/83 (48 FR 27004)

Corn and Callus Remover Products ANPRM 01/05/82 (47 FR 522) NPRM 00/00/00

Cough/Cold (Anticholinergic/Expectorant)
Products

ANPRM 09/09/76 (41 FR 38312) NPRM 07/09/82 (47 FR 30002) Final Action 00/00/00

Cough/Cold (Antihistamine) Products ANPRM 09/09/76 (41 FR 38312) NPRM 01/15/85 (50 FR 2200) Final Action 00/00/00

Cough/Cold (Antitussive) Products ANPRM 09/09/76 (41 FR 38312) NPRM 10/19/83 (48 FR 48576) Final Action 00/00/00

Cough/Cold (Bronchodilator) Products ANPRM 09/09/76 (41 FR 38312) NPRM 10/26/82 (47 FR 47520) Final Action 00/00/00

Cough/Cold (Combination) Products ANPRM 09/09/76 (41 FR 38312) NPRM 00/00/00

Cough/Cold (Nasal Decongestant)
Products

ANPRM 09/09/76 (41 FR 38312) NPRM 01/15/85 (50 FR 2220) Final Action 00/00/00

Dandruff, Seborrheic Dermatitis and Psoriasis Control Products ANPRM 12/03/82 (47 FR 54646) NPRM 00/00/00

Diaper Rash Products

ANPRM 09/07/82 (47 FR 39406) Digestive Aid Products

ANPRM 01/05/82 (47 FR 454) NPRM 00/00/00

Emetic Products
ANPRM 03/21/75 (40 FR 12902)
NPRM 09/05/78 (43 FR 39544)

Exocrine Pancreatic Insufficiency Products ANPRM 12/21/79 (44 FR 75666) NPRM 00/00/00

External Analgesic Products
ANPRM 12/04/79 (44 FR 69768)
NPRM 02/08/83 (48 FR 05852)
Final Action 00/00/00

Fever Blister Products (Internal) ANPRM 01/05/82 (47 FR 502) NPRM 04/00/85

Fever Blister/Cold Sore Products (External)
ANPRM 09/07/82 (47 FR 39436)

Hair Grower and Hair Loss Prevention Products

ANPRM 11/27/80 (45 FR 73955) NPRM 01/15/85 (50 FR 2190) Final Action 00/00/00

Hormone (Topical) Products
ANPRM 01/05/82 (47 FR 430)
NPRM 04/00/85

Hypo/Hyperphosphatemia Products ANPRM 12/09/80 (45 FR 81154) NPRM 01/15/85 (50 FR 2160) Final Action 00/00/00

Ingrown Toenall Relief Products
ANPRM 10/17/80 (45 FR 69128)
NPRM 09/03/82 (47 FR 39120)
Final Action 00/00/00

Insect Bites and Stings (Relief) Products ANPRM 09/07/82 (47 FR 39412)

Insect Repellant Drug Products (Internal) ANPRM 01/05/82 (47 FR 424) NPRM 06/10/83 (48 FR 26986) Final Action 00/00/00

Internal Analgesic Products
ANPRM 07/08/77 (42 FR 35346)
NPRM 04/00/85

Internal Deodorant Products ANPRM 01/05/82 (47 FR 512) NPRM 04/00/85

Laxative Products

ANPRM 03/21/75 (40 FR 12902)

NPRM 01/15/85 (50 FR 2124)

Final Action 00/00/00

Leg Muscle Cramps (Nocturnal Relief) Products ANPRM 10/01/82 (47 FR 43562)

NPRM 00/00/00

Male Genital Desensitizer Products
ANPRM 09/07/82 (47 FR 39412)
NPRM 04/00/85

Menstrual Products ANPRM 12/07/82 (47 FR 55075) NPRM 00/00/00

Mercurial (Topical) Products ANPRM 01/05/82 (47 FR 436)

Nailbiting/Thumbsucking Deterrent Products ANPRM 10/17/80 (45 FR 69122)

NPRM 09/03/82 (47 FR 39096) Final Action 00/00/00 Nighttime Sleep Aid Products

ANPRM 12/08/75 (40 FR 57292) NPRM 06/13/78 (43 FR 25544) Final Action 00/00/00

Ophthalmic Products
ANPRM 05/06/80 (45 FR 30002)
NPRM 06/28/83 (48 FR 29788)
Final Action 00/00/00

Oral Cavity (Health Care) Products ANPRM 05/25/82 (47 FR 22760) NPRM 00/00/00

Oral Discomfort (Relief) Products ANPRM 05/25/82 (47 FR 22712) NPRM 00/00/00

Oral Mucosal Injury Products ANPRM 11/02/79 (44 FR 63270) NPRM 07/26/83 (48 FR 33984) Final Action 00/00/00

Otic Products

ANPRM 12/16/77 (42 FR 63556) NPRM 07/09/82 (47 FR 30012) Final Action 04/00/85

Overindulgence Remedies

ANPRM 10/01/82 (47 FR 43540) NPRM 00/00/00

Pediculicide Products

ANPRM 06/29/82 (47 FR 28312) NPRM 00/00/00

Poison Ivy/Oak/Sumac Prevention ANPRM 09/07/82 (47 FR 39412)

Poison Treatment Products

NPRM 01/15/85 (50 FR 2244) Final Action 00/00/00

Skin Bleaching Products

ANPRM 11/03/78 (43 FR 51546) NPRM 09/03/82 (47 FR 39108) Final Action 00/00/00

Skin Protectant Products

ANPRM 08/04/78 (43 FR 34628) NPRM 02/15/83 (48 FR 6820) Final Action 00/00/00

Smoking Deterrent Products

ANPRM 01/05/82 (47 FR 490) NPRM 04/00/85

Stomach Acidifier Products

ANPRM 10/19/79 (44 FR 60316) NPRM 01/15/85 (50 FR 2184) Final Action 00/00/00

Vaginal Contraceptive Products

ANPRM 12/12/80 (45 FR 82014) NPRM 00/00/00

Vaginal Drug Products

ANPRM 10/13/83 (48 FR 46694) NPRM 00/00/00

Wart Remover Products

ANPRM 10/03/80 (45 FR 65609) NPRM 09/03/82 (47 FR 39102)

Final Action 00/00/00

Weight Control Products

ANPRM 02/26/82 (47 FR 8466)

NPRM 04/00/85

Small Entity: No

Additional Information: ABSTRACT CONT: "Antimicrobial Products."
"Poison Ivy/Oak/Sumac Prevention" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Alcohol (Topical) Products" to be included in revised NPRM for "Antimicrobial Products."

SMALL BUSINESSES CONT: The effects, if any, vary depending on the individual rulemaking. However, the agency anticipates that the rules would not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act.

Agency Contact: William E. Gilbertson, Director, Division of OTC Drug Evaluation, Department of Health and Human Services, Food and Drug Administration, Center for Drugs &

Biologics (HFN-210), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4960

RIN: 0905-AA06

137. SUCROSE AND CORN SUGAR, CORN SYRUP, AND INVERT SUGAR

Priority: Agency Determination

Legal Authority: 21 USC 321(s) Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 182; 21 CFR 184

Abstract: These two proposed rules would affirm the GRAS (generally recognized as safe) status of sucrose and corn sugar, corn syrup, and invert sugar. This action is the result of a reevaluation of the safety of these food ingredients as part of FDA's review of the safety of all GRAS ingredients.

Timetable:

Action	Date	FR Cite
NPRM	11/30/82	47 FR 53917
NPRM Comment Period Begin	11/30/82	47 FR 53917
NPRM Comment Period End	01/31/83	
Notice of 30-day ext. of Com. Per.	02/04/83	48 FR 05279
Final Action	00/00/00	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Because the effect of the two proposals is to maintain current known uses of sucrose and corn sugar, corn syrup, and invert sugar covered by the proposals, there could be no significant economic impact on large or small businesses.

Agency Contact: Corbin I. Miles, Chief, GRAS Review Branch, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-335), 200 C Street, SW, Washington, DC 20204, 202 472-4750

RIN: 0905-AA09

138. CAFFEINE

Priority: Agency Determination

Legal Authority: 21 USC 321(s) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 341 Federal Food, Drug, and Cosmetic Act; 21 USC 371(e) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 165; 21 CFR 181

Abstract: This proposed rule would announce the agency's tentative conclusion that a prior sanction exists for the use of caffeine in soft drinks. A companion proposal would propose the revocation of the food standard for soda water which requires that soda water designated by any name that includes the word "cola" or "pepper" contain caffeine.

Timetable:

Action	Date	FR Cite
NPRM	10/21/80	45 FR 69816
NPRM Comment Period Begin	10/21/80	45 FR 69816
NPRM Comment Period End	12/22/80	
Revised NPRM	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Prince Harrill (for food standard proposal). Deputy Director, Division of Food Technology (see Agency contact heading for address); phone 202-485-0097.

SMALL BUSINESSES CONT: Because the proposed rule would announce the agency's tentative conclusion that a prior sanction exists for the use of caffeine in soft drinks, there should be no economic impact on any business, large or small, in the affected industry.

Agency Contact: Lawrence Lin (for GRAS status), Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-335) 200 C Street, SW, Washington, DC 20204, 202 426-8950

RIN: 0905-AA10

139. POLICY FOR REGULATING CARCINOGENIC CHEMICALS IN FOOD AND COLOR ADDITIVES

Priority: Agency Determination

Legal Authority: 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR Chapter 1

Abstract: This proposed rule would establish a new policy for assessing the

safety of food and color additives containing minute levels of carcinogenic substances. The proposal would clarify the definition of an "additive" to apply the Delaney Clause only when the additive as a whole has been shown to cause cancer, and would use risk assessment procedures as one of the tools for determining the safety of an additive under the general safety clause of section 409 of the Federal Food, Drug, and Cosmetic Act.

Timetable:

Action	Date		FR	Cite
ANPRM	04/02/82	47	FR	14464
ANPRM Comment Period Begin	04/02/82	47	FR	14464
ANPRM Comment Period End	07/01/82			
NPRM	00/00/00			

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Alan M. Rulis (for risk assessment procedures), Consumer Safety Officer (see Agency Contact heading for address), phone (202) 472-5676.

Agency Contact: Terry C. Troxell (for policy and rules), Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-334) 200 C Street, SW, Washington, DC 20204, 202 472-5690

RIN: 0905-AA12

140. NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS; DEFINITION AND GENERAL CONSIDERATIONS; REVISED PROCEDURES REGARDING MEDICATED FEED APPLICATIONS

Priority: Agency Determination

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 207; 21 CFR 210; 21 CFR 225; 21 CFR 226; 21 CFR 501; 21 CFR 514; 21 CFR 558

Abstract: This proposed rule would revise the existing rules to provide revised criteria for the need of an approved medicated feed application for the manufacture of medicated feeds.

Timetable:			
Action	Date	FR	Cite
NPRM	01/09/81	46 FR	2456
NPRM Comment Period Begin	01/09/81	46 FR	2456
NPRM Comment Period End	04/09/81		
Tentative Final Rule	07/29/83	48 FR	34574
Tentative Final Rule Comment Period begins	07/29/83	48 FR	34574
Tentative Final Rule Comment Period ends	10/27/83		
Final Action	04/00/85		

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Although there would be costs involved for several sectors of the medicated feed industry, the impacts on small businesses would be insufficient to warrant a regulatory flexibility analysis under the Regulatory Flexibility Act.

Agency Contact: George Graber, Director, Division of Animal Feeds, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-220), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4438

RIN: 0905-AA15

141. NATIONAL ENVIRONMENTAL POLICY ACT; POLICY AND PROCEDURES

Legal Authority: 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 42 USC 4332 National Environmental Policy Act of 1969

CFR Citation: 21 CFR 25

Abstract: This proposed rule would amend agency requirements for compliance with the National Environmental Policy Act in accordance with the Council on Environmental Quality's regulations (40 CFR 1500-1508). This rule, which has agency-wide applicability, would change the environmental documents and procedures followed for environmental review of actions proposed by or requested by the agency.

Timetable:

Action	Date	FR Cite
NPRM	12/11/79	44 FR 71748
NPRM Comment Period Begin	12/11/79	44 FR 71742
NPRM Comment Period End	02/11/80	

Action	Date	FR Cite
Final Action	04/00/85	A STATE OF THE PARTY OF THE PAR
Small Entity:	Not Applicable	

Agency Contact: John C. Matheson, Chief, Environmental Staff, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-310), 5600 Fishers Lane, Rockville, MD 20857, 301 443-1880

RIN: 0905-AA16

142. PREMARKET APPROVAL; PROCEDURES FOR MEDICAL DEVICES

Priority: Agency Determination

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 360c to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 373 Federal Food, Drug, and Cosmetic Act; 21 USC 374 Federal Food, Drug, and Cosmetic Act; 21 USC 375 Federal Food, Drug, and Cosmetic Act; 21 USC 379 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 814

Abstract: This proposed rule would establish requirements for submission to FDA of applications for premarket approval including safety and effectiveness data for all class III (premarket approval) medical devices. The rule would establish procedures for manufacturers to demonstrate the safety and effectiveness of these medical devices.

Timetable:

Action	Date		FR	Cite
NPRM	12/12/80	45	FR	81769
NPRM Comment Period Begin	12/12/80	45	FR	81769
NPRM Comment Period End	02/10/81			
Notice of 60-day Ext. of Com. Per.	02/17/81	46	FR	12502
Final Action	04/00/85			
Small Entity: No	ot Applicable			

Agency Contact: Charles H. Kyper,
Acting Premarket Approval
Coordinator, Department of Health and
Human Services, Food and Drug
Administration, Center for Devices &
Rad Health (HFZ-402), 8757 Georgia
Avenue, Silver Spring, MD 20910, 301
427-7114

RIN: 0905-AA19

143. DENTAL DEVICES; CLASSIFICATION

Priority: Agency Determination

Legal Authority: 21 USC 360c Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 872

Abstract: This proposed rule would classify commercially distributed dental devices into one of three regulatory classes, depending upon the regulatory controls needed to assure their safety and effectiveness.

Timetable:

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Action	Date		FR	Cite
NPRM	12/30/80	45	FR	85962
NPRM Comment Period Begin	12/30/80	45	FR	85962
NPRM Comment Period End	03/02/81			
Notice of 30-day Ext. of Com. Per.	03/06/81	46	FR	15519
Final Action	00/00/00			

Small Entity: Not Applicable

Agency Contact: Darryl G. Singleton. Dental Officer, Department of Health and Human Services, Food and Drug Administration, Center for Devices & Rad Health (HFZ-470), 8757 Georgia Avenue, Silver Spring, MD 20910, 301 427-7555

RIN: 0905-AA20

144. DETACHED CIGARETTE FILTERS AS MEDICAL DEVICES; CLASSIFICATION

Priority: Agency Determination

Legal Authority: 21 USC 360c Federal Food, Drug, and Cosmetic Act, 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 868

Abstract: FDA plans to issue a proposed rule to classify into one of three regulatory classes those detached cigarette filters that FDA has concluded are medical devices based on evidence showing that manufacturers or vendors

intend the articles to cure, mitigate, treat, or prevent disease or to affect the structure or function of the body within the meaning of section 201(h) of the act. The classification would be dependent upon the regulatory controls needed to assure the safety and effectiveness of the device. The proposal is a follow-up to FDA's November 25, 1980 decision granting, in part, a request to regulate certain detached cigarette filters as medical devices and denying requests to regulate as devices cigarettes and attached cigarette filters, generally.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Les Weinstein.
Paralegal Specialist, Department of
Health and Human Services, Food and
Drug Administration, Nat Cent for
Devices & Rad Health (HFZ-84), 5600
Fishers Lane, Rockville, MD 20857, 301
443-4874

RIN: 0905-AA21

145. PROTECTION OF HUMAN SUBJECTS; PRISONERS USED AS RESEARCH SUBJECTS

Legal Authority: 21 USC 346 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act, 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act: 21 USC 360c to 360f Federal Food, Drug, and Cosmetic Act; 21 USC 360h to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 42 USC 216 Public Health Service Act; 42 USC 262 Public Health Service Act:

CFR Citation: 21 OFR 50

Abstract: This proposed rule would establish conditions under which biomedical research on prisoners would be accepted in satisfaction of FDA's regulatory requirements. In the Federal Register of July 7, 1981 [46 FR 35085]. FDA stayed indefinitely the effective date of the original rule, pending final action on its proposal. FDA's original rule, published May 30, 1980 [45 FR 36386], had been challenged in court by several prisoners and a drug

manufacturer because the rule would have virtually banned research on prisoners. Under the new proposal published December 18, 1981, FDA would accept, in addition to the categories of research listed in the original rule, the results of biomedical research on prisoners if the sponsor of the proposed research establishes that the conditions set forth by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research had been met.

Timetable:

Action	Date		FR	Cite
NPRM	12/18/81	46	FR	61666
NPRM Comment Period Begin	12/18/81	46	FR	61666
NPRM Comment Period End	02/16/82			
Final Action	00/00/00			

Small Entity: No

Additional Information: SMALL, BUSINESSES CONT: Any costs the proposed rules would impose would not affect any small entities as defined by the Regulatory Flexibility Act. The only companies currently conducting research on prisoners are among the largest pharmaceutical companies.

Agency Contact: Halyna P. Breslawec, Staff Pharmacist, Department of Health and Human Services, Food and Drug Administration, Office of Health Affairs (HFY-2), 5600 Fishers Lane, Rockville, MD 20857, 301 443-1382

RIN: 0905-AA22

146. CURRENT GOOD MANUFACTURING PRACTICE FOR HUMAN FOOD

Legal Authority: 21 USC 332 Federal Food, Drug, and Cosmetic Act; 21 USC 333 Federal Food, Drug, and Cosmetic Act; 21 USC 334 Federal Food, Drug, and Cosmetic Act; 21 USC 342(a) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 110

Abstract: This tentative final rule represents the next action on FDA's proposed revisions to the Current Good Manufacturing Practice regulations published June 8, 1979, and FDA's review of the existing regulations under Executive Order 12291 and the Regulatory Flexibility Act.

HHS-PHS-FDA

Current and Projected Rulemakings

Timetable:

Action	Date	FR	Cite
NPRM	06/08/79	47 FR	33238
NPRM Comment Period Begin	06/08/79	47 FR	33238
NPRM Comment Period End	12/31/79		
Tentative Final Rule	00/00/00		

Small Entity: Not Applicable

Additional Information: Old title during review: "Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding Human Food (Umbrella Rule)"

Agency Contact: F. Leo Kauffman, Chief, Formulation Sec. Plant & Protein Br., Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-214) 200 C Street, SW, Washington, D.C. 20204, 202 485-1017

RIN: 0905-AA72

147. ADDITIONAL STANDARDS FOR DIAGNOSTIC SUBSTANCES FOR LABORATORY TESTS; BLOOD GROUPING SERUM

Legal Authority: 21 USC 262 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 660

Abstract: As part of FDA's retrospective review of its existing regulations for blood and blood products, FDA proposes to amend the additional standards for blood grouping serum. In the future, FDA intends to publish additional proposed rules based on the ongoing review of the regulations for blood and blood products.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
STATE STATE		

Small Entity: No

Agency Contact: Joseph Wilczek, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 5600 Fishers Lane, Rockville, MD 20857, 301 443-1306

RIN: 0905-AA75

148. PANEL ON REVIEW OF BACTERIAL TOXOIDS AND BACTERIAL VACCINES WITH U.S. STANDARDS OF POTENCY

Priority: Agency Determination

Legal Authority: 42 USC 262 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 620

Abstract: This proposed rule would place bacterial toxoids and bacterial vaccines with U.S. Standards of Potency in categories designated as (1) safe and effective and not misbranded, (2) unsafe or ineffective and misbranded and (3) not within category (1) or (2) on the basis that available data are insufficient to classify such products. The proposal would bring these products into conformance with current standards of safety and effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Steven F. Falter, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 8800 Rockville Pike, Bethesda, MD 20205, 301 443-1306

RIN: 0905-AA80

149. PANEL ON REVIEW OF BLOOD AND BLOOD PRODUCTS

Priority: Agency Determination

Legal Authority: 42 USC 262 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 606; 21 CFR 610; 21 CFR 640; 21 CFR 660

Abstract: This proposed rule would place blood and blood products in categories designated as (1) safe and effective and not misbranded. (2) unsafe or ineffective and misbranded and (3) not within category (1) or (2) on the basis that available data are insufficient to classify such products. This proposal would bring these products into conformance with current standards of safety and effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Steven F. Falter, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 8800 Rockville Pike, Bethesda, MD 20205, 301 443-1306

RIN: 0905-AA82

150. PANEL ON REVIEW OF ALLERGENIC EXTRACTS

Priority: Agency Determination

Legal Authority: 42 USC 262 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 600.13; 21 CFR 680.1; 21 CFR 680.2; 21 CFR 680.3

Abstract: This proposed rule would place allergenic extracts in categories designated as (1) safe and effective and not misbranded, (2) unsafe or ineffective and misbranded, and (3) not within category (1) or (2) on the basis that available data are insufficient to classify such products. The proposal would bring these products into conformance with current standards of safety and effectiveness.

Timetable:

Action	Date		FR	Cite
NPRM	01/23/85	50	FR	3082
Final Action	00/00/00			

Small Entity: No

Agency Contact: Michael L. Hooten, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 5600 Fishers Lane, Rockville, MD 20857, 301 443-1306

RIN: 0905-AA83

151. GOOD LABORATORY PRACTICE FOR NONCLINICAL LABORATORY STUDIES

Priority: Agency Determination

Legal Authority: 21 USC 346 Federal Food, Drug, and Cosmetic Act; 21 USC 346a Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 22 USC 381 Federal Food, Drug, and Cosmetic Act; 24 USC 381 Federal Food, Drug, and Cosmetic Act; 24 USC 216 Public Health Service Act; 42 USC

262 Public Health Service Act; 42 USC 263 Public Health Service Act; ...

CFR Citation: 21 CFR 58

Abstract: This proposed rule will propose revisions to the regulations covering Good Laboratory Practice for Nonclinical Laboratory Studies based upon the agency's review of these existing rules under Executive Order 12291 and the Regulatory Flexibility Act.

Timetable:

Action	Date		FR	Cite
NPRM	10/29/84	49	FR	43530
NPRM Comment Period Begin	10/29/84	49	FA	43530
NPRM Comment Period End	12/28/84			
Final Action	00/00/00			

Small Entity: No

Agency Contact: Paul D. Lepore, Acting Deputy Director, Department of Health and Human Services, Food and Drug Administration, Div. of Compliance Policy [HFC-211], 5600 Fishers Lane, Rockville, MD 20857, 301 443-2390

RIN: 0905-AA84

152, EXEMPT INFANT FORMULA

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 321(aa) Federal Food, Drug, and Cosmetic Act; 21 USC 343(a) Federal Food, Drug, and Cosmetic Act; 21 USC 350a Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 107.3; 21 CFR

Abstract: The Infant Formula Act of 1980 exempts from some of its requirements specialty infant formulas that are intended for use by infants with special dietary needs. This proposed rule would implement the exemption provisions of the Infant Formula Act of 1980 by establishing the terms and conditions under which those infant formulas would continue to be exempt.

Timetable:			
Action	Date	FR Cite	
NPRM	07/12/83	48 FR 31875	
NPRM Comment Period Begin	07/12/83	48 FR 31875	
NPRM Comment Period End	09/12/83		
Final Action	05/00/85		

Small Entity: No

Agency Contact: Nicholas Duy. Chemist, Department of Health and Human Services. Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-204) 200 C Street, SW. Washington, D.C. 20204, 202 245-3117

RIN: 0905-AAB5

153. PRIOR SANCTION FOR LEAD IN TIN CANS

Priority: Agency Determination

Legal Authority: 21 USC 321(s) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 181

Abstract: This proposed rule would codify a prior sanction for lead that migrates from solder used in tin cans. It would resolve a long standing question about the legal status of lead used in making tin cans.

Timetable

Action	Date	FR Cite
NPRM	00/00/00	The state of
Small Entity:	Not Applicable	

Agency Contact: Blondell Anderson. Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-334), 200 C Street, S.W. Washington, D.C. 20204, 202 472-5740

RIN: 0905-AA86

154, IRRADIATION IN THE PRODUCTION, PROCESSINGS, AND HANDLING OF FOOD

Priority: Agency Determination

Legal Authority: 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 342 Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act '21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 373 Federal Food, Drug, and Cosmetic Act; 21 USC 374 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 179.25; 21 CFR 179.26

Abstract: This proposed rule would permit the sterilization of food with ionizing radiation. This proposal has resulted from increased interest in irradiation in food processing by industry and Congress, as well as the completion of a report by FDA's Irradiated Food Committee.

Ti			

Action	Date	FR Cite
ANPRM	03/27/81	46 FR 18992
ANPRM	03/27/81	46 FR 18992
Comment		
Period Begin		
ANPRM	06/25/81	
Comment		
Period End		
Ext. of Comment	07/07/81	46 FR 35120
Period to		
07/27/81	*********	
NPRM	02/14/84	
NPRM Comment	02/14/84	49 FR 05714
Period Begin		
NPRM Comment	04/16/84	
Period End		
Final Action	00/00/00	

Small Entity: No

Agency Contact: Clyde A. Takeguchi, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-334) 200 C Street, SW, Washington, D.C. 20204 202 472-5690

RIN: 0905-AA88

155. COMMON OR USUAL NAMES FOR VEGETABLE PROTEIN PROD. AND SUBSTITUTES FOR MEATS. SEAFOOD, POULTRY, EGGS OR CHEESES WHICH CONTAIN VEG. PROTEIN PROD. AS SOURCES OF PROTEIN

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 102.75; 21 CFR 102.76

Abstract: This final rule will establish common or usual names for vegetable protein products and names and definitions of autritional equivalence for substitutes for the five major protein foods. The final rule will provide consistency in the labeling and in the nutrient content of vegetable protein substitutes for the five major protein foods.

Timetable			
Action	Date	FI	R Cite
NPRM	06/14/74	39 Ff	20892
NPRM Comment Period Begin	06/14/74	39 FI	R 20892
NPRM Comment Period End	08/14/74		

HHS-PHS-FDA

Current and Projected Rulemakings

Action	Date		FR	Cite
Interim Final Rule	07/14/78	43	FR	30471
Final Action	00/00/00			

Small Entity: Not Applicable

Agency Contact: Elizabeth Campbell, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-312), 200 C Street, S.W., Washington, D.C. 20204, 202 485-0177

RIN: 0905-AA90

156. ABBREVIATED NEW ANIMAL DRUG APPLICATIONS FOR POST-1962 ANIMAL DRUGS

Priority: Agency Determination

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1; 21 CFR 514.2; 21 CFR 514.3; 21 CFR 514.11

Abstract: This proposed rule would permit applicants to file abbreviated new animal drug applications (ANADAs) for products identical to approved post-1962 drugs and to omit certain reports that are required in full NADAs to show safety and effectiveness of the product. It would apply only to certain drug products specified by FDA. If adopted, the proposed rule would reduce duplicative testing of drugs and also reduce the cost to the manufacturer of getting the affected drugs on the market.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Richard Lehmann, Dir., Div. of Biometrics & Production Drugs, Department of Health and Human Services, Food and Drug Administration, Bureau of Veterinary Medicine (HFV-120), 5600 Fishers Lane, Rockville, MD 20857, 301 443-3134

RIN: 0905-AA91

157. INVESTIGATIONAL NEW ANIMAL DRUGS FOR EXPORT

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 511.1

Abstract: This tentative final rule would detail requirements and procedures for the submission of a notice of investigational exemption to export an investigational new animal drug.

Timetable:

Action	Date		FR	Cite
NPRM	01/06/78	43	FR	1100
NPRM Comment Period Begin	01/06/78	43	FR	1100
Tentative Final Rule	11/09/84	49	FR	44766
Final Action	00/00/00			

Small Entity: No

Agency Contact: Frank Pugliese, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-100), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4313

RIN: 0905-AA93

158. AVAILABILITY OF BULK NEW ANIMAL DRUG SUBSTANCES TO VETERINARIANS

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1

Abstract: This proposed rule would permit veterinarians to obtain bulk new animal drug substances for compounding products for use in their own practice. A number of veterinarians have requested that the regulations be revised in order that bulk new animal drug substances may be legally obtained by them for use in their practices.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	A THE PARTY OF THE

Small Entity: No

Agency Contact: Frank Pugliese, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-100), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4313

RIN: 0905-AB01

159. OBLIGATIONS OF CLINICAL INVESTIGATORS

Priority: Agency Determination

Legal Authority: 21 USC 346 Federal Food, Drug, and Cosmetic Act; 21 USC 346a Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 360h to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 361 Federal Food, Drug, and Cosmetic Act; 21 USC 361 Federal Food, Drug, and Cosmetic Act; 22 USC 216 Public Health Service Act; 42 USC 262 Public Health Service Act; 42 USC 263b to 263n Public Health Service Act

CFR Citation: 21 CFR 16.1; 21 CFR 56.1; 21 CFR 56.2; 21 CFR 56.3; 21 CFR 56.8; 21 CFR 56.25; 21 CFR 56.21; 21 CFR 56.25; 21 CFR 56.26; 21 CFR 56.34; 21 CFR 56.80; 21 CFR 56.82; 21 CFR 56.85; 21 CFR 56.87; 21 CFR 56.90; ...

Abstract: This final rule will clarify existing regulations governing the conduct of persons who conduct clinical investigations on new drug products and extends the regulations to include persons who conduct clinical investigations on medical devices, food or color additives, and electronic products. This final rule will provide greater protection of the rights and safety of subjects in clinical investigations and help ensure the quality and integrity of the research data used to support the marketing of FDA-regulated products.

Timetable:

Action	Date	FR Cite
NPRM	08/08/78	43 FR 35186
NPRM Comment Period Begin	08/08/78	43 FR 35186
NPRM Comment Period End	12/06/78	
Final Action	04/00/85	

Small Entity: Not Applicable

Agency Contact: Marilyn Watson, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-360), 5600 Fishers Lane, Rockville, MD 20857, 301 443-3640

RIN: 0905-AB02

160. SPONSORED COMPOUNDS IN FOOD-PRODUCING ANIMALS; CRITERIA AND PROCEDURES FOR EVALUATING THE SAFETY OF CARCINOGENIC RESIDUES

Priority: Agency Determination

Legal Authority: 21 USC 342 Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 500.80; 21 CFR 500.82; 21 CFR 500.84; 21 CFR 500.86; 21 CFR 500.88; 21 CFR 514.1; 21 CFR 514.11; 21 CFR 514.115

Abstract: This reproposal would establish an operational definition of the no-residue requirements of the anticancer clauses of the Federal Food, Drug, and Cosmetic Act regarding food additives, color additives, and drugs intended for use in food-producing animals.

Timetable:

Action	Date	FR Cite
NPRM	03/20/79	44 FR 17070
NPRM Comment Period Begin	03/20/79	44 FR 17070
NPRM Comment Period End	07/18/79	
Amended NPRM	02/11/83	48 FR 06361
Revised NPRM	06/00/85	

Small Entity: Yes

Agency Contact: Joseph Settepani, Dep Associate Dir for Human Food Safety, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-301), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4500

RIN: 0905-AB04

161. SOLID CONTENT WEIGHT OR DRAINED WEIGHT FOR CANNED FRUITS AND VEGETABLES

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 101.105; 21 CFR 101.107

Abstract: This final rule will amend the appropriate regulations to permit the declaration of the solid content weight (fill weight) or drained weight, in addition to the net quantity of contents, on the labels of canned fruits and vegetables. The rule will permit industry to voluntarily provide additional labeling information in the interest of improving consumers' ability to make value comparisons in the marketplace.

Timetable:

Action	Date	FR Cite
NPRM	11/07/75	40 FR 52171
NPRM Comment Period Begin	11/07/75	40 FR 52171
Reprop. Comment Per.	12/09/77	42 FR 62282
to 07/01/79 Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Prince G. Harrill, Deputy Director, Div. of Food Tech., Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-210) 200 C Street, SW, Washington, D.C. 20204, 202 485-0097

RIN: 0905-AB05

162. REPORTING REQUIREMENTS FOR MARKETED ANIMAL DRUGS

Legal Authority: 21 USC 360C Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 510.300; 21 CFR 510.301; 21 CFR 514.8

Abstract: This proposed rule would amend the reporting requirements for marketed animal drugs to clarify the information on dosage and species, and to specify reporting requirements for manufacturers. To permit a more accurate assessment of adverse effects related to dosage and species, and to clarify the responsibility of premix manufacturers in reporting adverse effects from use of medicated feeds.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Andrew Beaulieu, Veterinary Medical Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-210), 5600 Fishers Lane, Rockville, MD 20857, 301 443-3044

RIN: 0905-AB06

163. NEW DRUG APPROVAL PROCESS; REVISION OF IND RULES

Priority: Task Force

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic

Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 312

Abstract: This proposed rule would revise extensively the IND rules to improve the efficiency of FDA's operations and to update and clarify its internal policies in reviewing and expediting applications for new drugs. These revisions are believed necessary to improve the efficiency of the drug review process. The result would be greater assurance that safe and effective new drugs are approved as promptly as possible. The undertaking reflects FDA's commitment to refine and improve the entire IND/NDA process. The IND/NDA rules were scheduled for retrospective review announced by FDA in its July 2, 1982 notice (47 FR 29004) establishing priorities for reviewing the agency's existing rules under the Regulatory Flexibility Act and Executive Order 12291. This item was previously listed in the agenda as New Drug Approval Process: Revision of IND/NDA Rules (RIN 0905-AA00).

Timetable:

Action	Date	FR Cite
NPRM	06/09/83	48 FR 26760
NPRM Comment Period Begin	06/09/83	48 FR 26760
NPRM Comment Period End	08/08/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Steven H. Unger, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, 301 443-5220

RIN: 0905-AB09

164. FOOD INGREDIENT LABELING: EMULSIFIERS AND STABILIZERS; EXEMPTIONS

Legal Authority: 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 101

Abstract: This proposed rule would revise the food ingredient labeling regulations concerning the use of stabilizers and emulsifiers.

Current and Projected Rulemakings

Timetable: Action Date FR Cite NPRM 04/00/85

Small Entity: No

Agency Contact: Elizabeth J. Campbell, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-312) 200 C Street, SW, Washington, D.C. 20204, 202 485-0177

RIN: 0905-AB26

165. CURRENT GOOD MANUFACTURING PRACTICE FOR BLOOD AND BLOOD COMPONENTS; UNIFORM BLOOD LABELING

Legal Authority: 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 601; 21 CFR 640

Abstract: This proposed rule would revise, simplify, and update the labeling requirements for any blood and blood component product that is collected or manufactured in a blood bank.

Timetable:

Action	Date		FR	Cite
NPRM	10/31/80	45	FR	72416
NPRM Comment Period Begin	10/31/80	45	FR	72416
NPRM Comment Period End	12/30/80			
Final Action	04/00/85			

Small Entity: Not Applicable

Agency Contact: Steven F. Falter, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 5600 Fishers Lane, Rockville, MD 20857, 301 443-1306

RIN: 0905-AB30

166. NEW ANIMAL DRUG REQUIREMENTS FOR MEDICATED FREE-CHOICE FEEDS

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 510.455

Abstract: This proposed rule would amend the regulations to provide for maintenance of confidentiality of data to support approval of medicated freechoice feeds. The proposed rule responds to a petition filed jointly by two trade associations to maintain confidentiality of consumption and stability data submitted in a master file in support of approval of a medicated feed application.

Timetable:

Action	Date	FR Cite
NPRM	11/19/84	49 FR 45593
Final Action	00/00/00	

Small Entity: No

Agency Contact: Richard P. Lehmann, Dir., Div. of Biometric & Production Drugs, Department of Health and Human Services, Food and Drug Administration, Bureau of Veterinary Medicine (HFV-102), 5600 Fishers Lane, Rockville, MD 20857, 301 443-3134

RIN: 0905-AB34

167. STANDARDIZED FOODS; PROPOSAL TO AMEND STANDARDS OF IDENTITY

Legal Authority: 21 USC 341 Federal Food, Drug, and Cosmetic Act; 21 USC 371(e) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 133; 21 CFR 137; 21 CFR 139; 21 CFR 145; 21 CFR 146; 21 CFR 150; 21 CFR 160; 21 CFR 161; 21 CFR 163; 21 CFR 164; 21 CFR 169

Abstract: This proposed rule would revise certain food standards concerning labeling policies for optional ingredients.

Timetable:

Date	FR Cite
04/00/85	
	North Control of the

Small Entity: No

Agency Contact: P. G. Harrill, Deputy Dir., Div. of Food Technology, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-210) 200 C Street, SW, Washington, DC 20204, 202 485-0097

RIN: 0905-AB35

168. NUTRIENT REQUIREMENTS FOR INFANT FORMULA

Legal Authority: 21 USC 321(aa) Federal Food, Drug, and Cosmetic Act; 21 USC 350(a) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act CFR Citation: 21 CFR 107

Abstract: This proposed rule would codify and modify, if necessary, the nutrient profile set forth in the Infant Formula Act of 1980 in the interest of assuring the nutritional adequacy of infant formulas.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	THE REAL PROPERTY.

Small Entity: No

Agency Contact: Nicholas Duy, Chemist, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-204), 200 C St., S.W., Washington, DC 20204, 202 245-3117

RIN: 0905-AB37

169. SULFITING AGENTS; LABELING IN DRUGS FOR HUMAN USE; PRECAUTIONARY STATEMENT

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 201

Abstract: This proposed rule would require a label declaration in the form of a precautionary statement for all sulfiting agents when used in drugs. Persons who are susceptible to allergic-type reactions caused by sulfiting agents would, by review of the product labeling, be able to avoid drug products containing these substances.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	out prise

Small Entity: No

Agency Contact: Edwin V. Dutra, Jr., Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, 301 443-6490

RIN: 0905-AB38

170. LABELING OF DRUG PRODUCTS FOR OVER-THE-COUNTER HUMAN USE

Priority: Agency Determination

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 352 HHS-PHS-FDA

Current and Projected Rulemakings

Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 330

Abstract: The agency's exclusivity policy of limiting over-the-counter (OTC) drug monograph labeling terminology to specific words and phrases has been the subject of comment throughout the OTC drug review process. This proposed rule would modify that exclusivity policy as it relates to indications for use and would prescribe the placement of monograph terminology in the labeling of OTC drug products. The modified exclusivity policy would permit manufacturers to use other truthful and nondeceptive wording relating to indications for use.

		e:

Action	Date	FR Cite
NDDM	04/00/85	

Small Entity: No

Agency Contact: William E. Gilbertson, Dir., Div. of OTC Drug Evaluation, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-210), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4960

RIN: 0905-AB40

171. • FOOD LABELING; PROPOSED RULE CONCERNING SULFITING AGENTS

Legal Authority: 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 100

Abstract: This proposed rule will clarify the circumstances in which the presence of sulfiting agents (also referred to as "sulfites") must be declared on the label of foods. Sulfiting agents (sulfur dioxide, sodium sulfite, and sodium or potassium bisulfite or metabisulfite) are usually added to foods for their preservative effect. The proposed regulation makes clear that when a sulfite that is added either to a food or to one of its ingredients is detectable in the finished food, it is present in that food at a significant level. In such circumstances, the sulfite is not an incidental additive and must be declared on the label. The proposed regulation also makes clear the level of sulfites that the agency considers to be detectable.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Howard Pippin, Chief, Guidelines & Compliance Research Br., Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-312), 200 C St., SW, Washington, DC 20204, 202 485-0175

RIN: 0905-AB52

172. ADVERSE DRUG EXPERIENCE
REPORTING REQUIREMENTS FOR
MARKETED PRESCRIPTION DRUGS
WITHOUT APPROVED NEW DRUG OR
ABBREVIATED NEW DRUG
APPLICATIONS

Priority: Agency Determination

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 21 USC 374 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 211; 21 CFR 310

Abstract: This proposed rule would require manufacturers, packers, and distributors of marketed prescription drug products that are not the subject of approved new drug or abbreviated new drug applications to report to the agency whenever the manufacturer, packer, or distributor receives information about any serious and unexpected adverse event associated with the use of one of its marketed drug products. The agency is taking this action based on recent events whereby serious adverse reactions, which were associated with an intravenous drug product (that was not the subject of an approved new drug or abbreviated new drug application and that is no longer being marketed), were not reported to the agency by the manufacturer, packer, or distributor. Under the agency's current regulations, neither the manufacturer, packer, nor distributor of such a product is expressly obligated to report serious safety problems to the agency.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	The state of the s

Small Entity: No

Agency Contact: Marilyn Watson, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Cent. for Drugs & Biologics (HFN-360), 5600 Fishers Lane, Rockville, MD 20857, 301 443-3640

RIN: 0905-AB53

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)—Food and Drug Administration (FDA)

173. CURRENT GOOD MANUFACTURING PRACTICE FOR FINISHED PHARMACEUTICALS

Priority: Agency Determination

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 211

Abstract: As part of its retrospective review, FDA plans to determine the need for any changes in the current GMPs to eliminate unnecessary requirements and to allow flexibility without undermining protection of the public health.

Existing Regulations Under Review

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	
End Review	00/00/00	
Small Entity	Indetermined	

HHS-PHS-FDA

Existing Regulations Under Review

Agency Contact: Robert J. Meyer. Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, 301 443-5220

RIN: 0905-AA73

174. ANTIBIOTIC DRUGS

Priority: Agency Determination

Legal Authority: 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 371(f) Federal Food, Drug, and Cosmetic Act; 21 USC 371(g) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 430; 21 CFR 431; 21 CFR 432; 21 CFR 433; 21 CFR 436; 21 CFR 440; 21 CFR 440; 21 CFR 444; 21 CFR 446; 21 CFR 448; 21 CFR 449; 21 CFR 450; 21 CFR 452; 21 CFR 453; 21 CFR 455; ...

Abstract: As part of its retrospective review, FDA is currently reviewing these final rules to determine which should be maintained in effect and which may no longer be necessary for the review and approval of antibiotic drugs. One aspect of this retrospective review has been completed by publication of a final rule exempting antibiotic drugs and antibiotic susceptibility medical devices from certification.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	-
End Review	08/00/85	

Small Entity: Undetermined

Agency Contact: Robert J. Meyer, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, 301 443-5220

RIN: 0905-AA74

175. BUBBLE BATH PRODUCTS

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 362 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 740.17

Abstract: As part of its retrospective review, FDA is reviewing this 1980 final rule requiring that labels of cosmetic bubble bath products bear a prescribed caution statement and adequate directions for their safe use. Petitions from two trade associations assert, among other things, that the requirements of the rule are unjustified and place an undue burden on industry.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/82	
Interim Stay of effective date	02/18/83	48 FR 07169
Notice of Proposed Stay with request for comment	02/18/83	48 FR 07203
End Review	06/00/85	

Small Entity: Undetermined

Agency Contact: Heinz J. Eiermann, Director, Division of Cosmetics Technology, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-440) 200 C Street, SW, Washington, DC 20204, 202 245-1530

RIN: 0905-AA76

176. RECORDS AND REPORTS; ELECTRONIC PRODUCTS

Priority: Agency Determination

Legal Authority: 42 USC 263 Public Health Service Act

CFR Citation: 21 CFR 1002

Abstract: As part of its retrospective review, FDA plans to determine the need for revision of the various records and reports requirements in Part 1002 for radiation-emitting electronic products to eliminate unnecessary requirements and to allow flexibility without undermining protection of the public health.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	The same
End Review	04/00/85	
Small Entity:	Undetermined	

Agency Contact: John G. Bailey, Dir., Division of Information Services, Department of Health and Human Services, Food and Drug Administration, Center for Devices & Rad Health (HFZ-40), 5600 Fishers Lane,

Rockville, MD 20857, 301 443-6541

RIN: 0905-AA78

177. PERFORMANCE STANDARDS FOR IONIZING RADIATION EMITTING PRODUCTS

Priority: Agency Determination

Legal Authority: 42 USC 263f Public Health Service Act

CFR Citation: 21 CFR 1020.30; 21 CFR 1020.31; 21 CFR 1020.32

Abstract: These rules establish certification and reporting requirements for manufacturers and assemblers of diagnostic x-ray system components, radiographic equipment, and fluoroscopic equipment. The rules also identify specific standards for such items as radiation leakage, amount of material between patient and image reception, and measuring compliance. The review of the rules is intended to identify any undue burden they may impose and whether they need to be revised to respond effectively to the dynamic technological environment.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	throat suite
End Review	07/00/85	

Small Entity: Undetermined

Agency Contact: Harvey Rudolph,
Acting Deputy Director Planning Staff,
Department of Health and Human
Services, Food and Drug
Administration, Center for Devices &
Rad Health (HFZ-83), 5600 Fishers Lane,

Rockville, MD 20857, 301 443-3426

RIN: 0905-AA94

178. NEW ANIMAL DRUG APPROVAL PROCESS; REVIEW OF NADA RULES

Priority: Agency Determination

Legal Authority: 21 USC 360(b) Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1; 21 CFR 514.8

Abstract: These rules are being reviewed for the purpose of improving to the extent possible, FDA's practices, procedures and policies with respect to the agency's review of original and supplemental new animal drug applications (NADA's). The review is intended to improve the efficiency of the NADA review process and to identify any unnecessary burdens imposed by the rules.

Timetable:	THE BOULD SE	
Action	Date	FR Cite
Begin Review	08/00/82	
End Review	10/00/85	

Small Entity: Undetermined

Agency Contact: Richard A. Carnevale, DVM, Acting Dep Associate Dir for Sci Eval, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary

Administration, Center for Veterinary Medicine (HFV-101), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4313

RIN: 0905-AA96

179. DRUGS COMPOSED WHOLLY OR PARTLY OF INSULIN

Legal Authority: 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 429

Abstract: FDA's rules providing for the certification of insulin prescribe (1) standards of identity and of strength. quality, and purity; (2) tests and methods of assay to determine compliance with such standards; (3) effective periods for certificates and other conditions under which they shall cease to be effective as to certified batches; (4) administration and procedure; and (5) fees necessary to provide, equip, and maintain an adequate certification service. These rules are being reviewed to determine whether they impose any undue burden and to identify any necessary revisions as a result of technological changes in the development of insulin products.

Timetable:

Action	Date	FR Cite
Begin Review	11/00/82	
End Review	10/00/85	
Small Entity: I	No	

Agency Contact: Robert D. Bradley, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, 301 443-6490

RIN: 0905-AA98

180. DRUGS USED FOR TREATMENT OF NARCOTIC ADDICTS

Legal Authority: 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 242a Public Health Service Act; 42 USC 257 Public Health Service Act

CFR Citation: 21 CFR 291

Abstract: The rules covered by this review govern the use of methadone in the maintenance and treatment of narcotic addicts. The rules include conditions for use of methadone and appropriate methods of professional practice for medical treatment of the narcotic addiction of various classes of addicts. This review will help to determine what level of flexibility is most appropriate in satisfying the intent of the law, while still adopting to changing conditions.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/82	
End Review	07/00/85	
Small Entity:	Undetermined	

Agency Contact: Edwin V. Dutra, Jr., Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, 301 443-6490

RIN: 0905-AA99

181. BIOAVAILABILITY AND BIOEQUIVALENCE REQUIREMENTS

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act CFR Citation: 21 CFR 320

Abstract: These rules establish requirements concerning the bioavailability and bioequivalence of drugs intended for human use. The agency is reviewing these rules to determine whether they impose any undue burden and to otherwise reexamine their requirements.

Timetable:

Action	Date	FR Cite
Begin Review	11/00/82	
End Review	10/00/85	

Small Entity: Undetermined

Agency Contact: Richard L. Arkin, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, 301 443-6490

RIN: 0905-AB00

182. RADIOACTIVE DRUGS FOR CERTAIN RESEARCH USES

Legal Authority: 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 361

Abstract: As part of its retrospective review, FDA is reviewing its existing regulation in Part 361 covering radioactive drugs for certain research use to eliminate any unnecessary requirements and to consider whether any new requirements are necessary to protect the public health.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	
End Review	10/00/85	

Small Entity: No

Agency Contact: Robert D. Bradley, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, 301 443-6490

RIN: 0905-AB39

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)—Food and Drug Administration (FDA)

Completed Actions

COMPLETED RULEMAKINGS 183. ABBREVIATED NEW DRUG APPLICATIONS FOR POST-1962 DRUGS

Priority: Agency Determination, Major

CFR Citation: 21 CFR 314

Completed:

Reason Date FR Cite

Withdrawn This regulation has been superseded by legislation

Small Entity: Yes

Agency Contact: Jean Mansur 301 443-3640

RIN: 0905-AA01

184. REYE SYNDROME - LABELING FOR SALICYLATE-CONTAINING DRUG PRODUCTS

Priority: Agency Determination
CFR Citation: 21 CFR 201.314

Completed:

Reason Date FR Cite

Withdrawn 02/00/85

Pending review of voluntary compliance of labeling by industry

Small Entity: No

Agency Contact: Paul O. Fehnel, Jr. 301

RIN: 0905-AA07

185. INFANT FORMULA; LABELING REQUIREMENTS

Priority: Agency Determination

CFR Citation: 21 CFR 105; 21 CFR 107

Completed:

 Reason
 Date
 FR Cite

 Final Action
 01/14/85
 50 FR 1833

 Final Action
 01/14/86
 50 FR 1833

 Effective
 60 FR 1833

Small Entity: No

Agency Contact: Nicholas Duy 202 245-3117

RIN: 0905-AA13

186. NEW DRUG APPROVAL PROCESS; REVISION OF NDA RULES

Priority: Task Force

CFR Citation: 21 CFR 310; 21 CFR 312; 21 CFR 314; 21 CFR 430; 21 CFR 431; 21 CFR 433

Completed:

 Reason
 Date
 FR Cite

 Final Action
 02/22/85
 50 FR 07452

Small Entity: No

Agency Contact: Michael C. McGrane

301 443-5220 RIN: 0905-AB08

187. CHANGES IN PROPER NAMES OF CERTAIN BIOLOGICAL PRODUCTS

CFR Citation: 21 CFR 600; 21 CFR 606; 21 CFR 610; 21 CFR 620; 21 CFR 630; 21 CFR 630; 21 CFR 640; 21 CFR 660

Completed:

 Reason
 Date
 FR Cite

 Final Action
 01/29/85
 58 FR 4128

 Final Action
 01/29/86
 58 FR 4128

 Effective
 601/29/86
 601/29/86

Small Entity: Not Applicable

Agency Contact: Joseph Wilczek 301 443-1306

RIN: 0905-AB29

188. GUIDELINE FOR VETERINARY PRESCRIPTIONS AND OTHER ORDERS

CFR Citation: 21 CFR 201.105; 21 CFR 201.110

Completed:

Reason Date FR Cite

No further action 02/27/85

Small Entity: Yes

Agency Contact: Mr. Gary Dykstra 301 443-3400

RIN: 0905-AB47

[FR Doc. 85-8386 Filed 04-26-85; 8:45 am]

BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)—Health Resources and Services Administration (HRSA)

Current and Projected Rulemakings

189. REASONABLE VOLUME OF UNCOMPENSATED SERVICES TO PERSONS UNABLE TO PAY (HILL-BURTON)

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 300r; 42 USC 300s; 42 USC 300s-6

CFR Citation: 42 CFR 124, Subpart F

Abstract: The existing regulations at 42 CFR Part 124, Subpart F establish specific requirements that recipients of Federal assistance under Title VI or Title XVI of the PHS Act made assurances that they will make available in the facility constructed, modernized or converted with that assistance, a reasonable volume of

services to persons unable to pay for services. The proposed regulation would provide increased flexibility to obligated facilities and reduce administrative burden while assuring access to intended beneficiaries.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: No

Agency Contact: Richard R. Ashbaugh. Acting Associate Dir. for Health Facilities, Department of Health and Human Services, Health Resources and Services Administration, Parklawn Building, Room 1103, 5600 Fishers Lane. Rockville, MD 20857, 301 443-6560

RIN: 0905-AA35

190. LIMITATION ON FEDERAL PARTICIPATION FOR CAPITAL EXPENDITURES

Priority: Agency Determination, Task Force

Legal Authority: 42 USC 1320a-1 Social Security Act; 42 USC 216 Public Health Service Act; 42 USC 300k-1 to 300n-1 Public Health Service Act CFR Citation: 42 CFR 100, Subpart A

Abstract: This NPRM sets forth provisions under which the Secretary may deny Federal reimbursement under Title XVIII (Medicare) and Title XIX (Medicaid), for expenses related to capital expenditures (1) which the Designated Planning Agency (DPA) has found to be inconsistent with established standards, criteria or plans developed under the Public Health Service (PHS) Act; or (2) for which the DPA was not provided notice as required. The NPRM includes changes made in response to comments received on the NPRM published in the Federal Register on March 19, 1976; changes necessary to conform to the amendments to Title XV of the PHS Act enacted by the Health Planning and Resources Development Amendments of 1979 (P.L. 96-79), the Health Programs Extension Act of 1981 (P.L. 97-35); and changes necessary to conform to the amendments to Section 1122 of the Social Security Act enacted by the Social Security Amendments of 1983 (P.L. 98-21). Also, many States have discontinued their agreements with the Department to perform reviews under the Section 1122 program because the requirements of Section 1122 are inconsistent with the Department's requirements for acceptable certificate of (cont)

Timetable:

Action	Date	F	R Cite
NPRM	08/10/83	48 F	R 36402
NPRM Comment Period Begin	08/10/83	48 F	R 36402
NPRM Comment Period End	10/11/83		
Final Action	04/00/85		

Small Entity: No

Additional Information: ABSTRACT CONT: need programs. Now, requirements for CON and Section 1122 reviews are as alike as possible.

Agency Contact: Florence B. Fiori, Acting Associate Dir. for Health Planning, Department of Health and Human Services, Health Resources and Services Administration, Parklawn Building, Room 13A-56, 5600 Fishers Lane, Rockville, MD 20857, 301 443-6560

RIN: 0905-AA39

191. GRANTS FOR NURSE PRACTITIONER TRAINEESHIP PROGRAMS

Legal Authority: 42 USC 216; 42 USC 296m

CFR Citation: 42 CFR 57, Subpart AA

Abstract: This final regulation governs a grant program to provide traineeships for nurse practitioner training to registered nurses. The rule deletes the requirement that trainees must be residents of health manpower shortage areas and provides instead that applicants from such areas be given special considerations; the rule modifies practice commitment requirements and includes conditions for waiver or suspension of repayments. No funding for future traineeships is anticipated. The rule is needed to administer existing traineeships and to monitor compliance and repayment/waivers.

Timetable:

Action	Date		FR	Cite
(Past) Interim	05/06/80	45	FR	29803
Interim Final Rule	08/01/84	49	FR	30702
Final Action	04/00/85			

Small Entity: No

Agency Contact: Ms. Jo Eleanor Elliott. Director, Division of Nursing, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 5C-26, Rockville, MD 20857, 301 443-5786

RIN: 0905-AA47

192. STANDARDS FOR THE ACCREDITATION OF EDUCATIONAL PROGRAMS FOR AND THE CREDENTIALING OF RADIOLOGIC PERSONNEL

Legal Authority: PL 97-35 Consumer Patient Rad Health and Safety Act of 1981; 42 USC 10004

CFR Citation: 42 CFR 75

Abstract: The Department is proposing rulemaking to establish standards for both the accreditation of educational programs and the certification of radiologic personnel. Standards have been developed after consultation with relevant professional and State officials for accreditation of educational institutions and certification of radiologic personnel. The categories of personnel to be affected by the initial

standards are: radiographers, dental hygienists, dental assistants, radiation therapy technologists, and nuclear medicine technologists. The standards are mandatory for agencies of the Federal Government. Standards are voluntary for States.

Timetable:

Action	Date	FF	Cite
NPRM	07/12/83	48 FF	31966
NPRM Comment Period Begin	07/13/83		
NPRM Comment Period End	11/09/83		
Final Action	00/00/00		

Small Entity: No

Agency Contact: Dr. William S. Brooks, Health Personnel Standards Br., DADHP, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-95, Rockville, MD 20857, 301 443-6757

RIN: 0905-AA49

193. TRAINING GRANTS FOR PREVENTIVE MEDICINE RESIDENCY PROGRAM

Legal Authority: 42 USC 295h-1c CFR Citation: 42 CFR 57, Subpart EE

Abstract: These regulations would implement provisions of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) which give the Secretary new authority for a grants program which will assist schools of medicine, osteopathy, and public health in the planning and development of new residency programs and the maintenance and improvement of existing residency training programs in preventive medicine. Funds from this program can be used to provide financial assistance to trainees in the residency programs. Notice of Proposed Rulemaking (NPRM) during third quarter of FY 1983, if included in FY 1983 appropriations.

Timetable:

Action	Date		FR	Cite
NPRM	12/09/83	48	FR	55272
NPRM Comment Period Begin	12/09/83	48	FR	55272
NPRM Comment Period End	02/07/84			
Final Action	04/00/85			
The same of the same of				

Small Entity: No

HHS-PHS-HRSA

Current and Projected Rulemakings

Agency Contact: Daniel N. Masica, M.D., Acting Director, Division of Medicine, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 4C-25, Rockville, MD 20857, 301 443-6190

RIN: 0905-AA50

194. NATIONAL HEALTH SERVICE CORPS (NHSC); PRIVATE PRACTICE OPTION (PPO) LOANS TO INDIVIDUALS

Legal Authority: 42 USC 254f Public Health Service Act

CFR Citation: 42 CFR 23

Abstract: The Secretary is authorized to make such arrangements as are deemed necessary for the individual exercising the private practice option for the use of equipment and supplies and for the lease or acquisition of other equipment and supplies. Upon the expiration of the private practice agreement, the Secretary may sell to the individual equipment and other property of the United States utilized by the individual in providing health services. Sales may be made at fair market value, except that the Secretary is permitted to make such sales for a lesser value if he determines that the individual is financially unable to pay the full market value.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	The same of the

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Health Resources and Services Administration, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, 301 443-2380

RIN: 0905-AA57

195. NURSING STUDENT LOAN PROGRAM (NSL); DEBT MANAGEMENT; DELINQUENCY RATES

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 297a to 297h

CFR Citation: 42 CFR 57, Subpart D

Abstract: This final rule would amend existing regulations governing the Nursing Student Loan (NSL) program set forth in Subpart D of 42 CFR Part 57. This rule: (1) reflects technical amendments made to sections 835-841 of the Public Health Service Act since the existing regulations were published in the FEDERAL REGISTER on May 9, 1974; (2) simplifies the existing regulations so that they are written in clear, concise language; and (3) would strengthen the regulations regarding recordkeeping and collection procedures and establish performance standards against which a nursing school's delinquency rate would be measured.

Timetable:

Action	Date	FR	Cite
NPRM	06/03/83	48 FR	25072
NPRM Comment Period Begin	06/04/83		
NPRM Comment Period End	07/18/83		
Final Action	05/00/85		

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Dev. Branch, DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-48, Rockville, MD 20857, 301 443-4540

RIN: 0905-AA58

196. GRANTS FOR MATERNAL AND CHILD HEALTH SERVICES FEDERAL SET-ASIDE PROGRAM

Legal Authority: 42 USC 701 to 709

CFR Citation: 42 CFR 51a; 42 CFR 51d; 42 CFR 51d;

Abstract: The Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35) revised Title V of the Social Security Act to establish the Maternal and Child Health Service Block Grant. In the block grant there is a Federal Set-Aside Program which provides for the retention of 10 to 15 percent of the appropriation in each fiscal year for continuation of certain categorical programs (special projects of regional and national significance, maternal and child health research and training. genetic disease testing, counseling and information and hemophilia diagnostic and treatment centers). A Final Rule. published on June 25, 1982, made regulations for the previous programs applicable to the set-aside authority until regulations specifically designed for the set-aside could be developed.

Timetable:

Action	Date	FR	Cite
NPRM	01/12/83	48 FR	1323
NPRM Comment Period Begin	01/12/83		15
NPRM Comment Period End	02/11/83		
Final Action	04/00/85		

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Public Health Service, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, 301 443-2380

RIN: 0905-AA61

197. PROGRAM GRANTS FOR MIGRANT HEALTH SERVICES

Legal Authority: 42 USC 216 Public Health Service Act; 42 USC 254b Public Health Service Act

CFR Citation: 42 CFR 56

Abstract: A notice of proposed rulemaking (NPRM) was published in the Federal Register on December 19, 1980 to revise the existing regulations to incorporate provisions of Pub. L. 95-626, the Health Services Amendments of 1979. Because of administrative changes and new policy direction, a new NPRM will be developed to place greater emphasis on and to facilitate State participation in this program. The new NPRM would also simplify the regulation and incorporate the provisions of Pub. L. 95-626. These regulations will simplify application requirements for States, give certain priorities to awards to States, and will offer alternatives for States to meet requirements which have tended to be barriers to States.

Timetable:

Action	Date	FR Cite
Previous NPRM NPRM	12/19/80 00/00/00	45 FR 85366

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: This regulation will increase opportunities for States to become grantees under this program. Not every State will choose to implement this approach and it is anticipated that many who do will implement it in co-application with existing grantees. Therefore, it is expected that this regulation will not have a significant impact on a

substantial number of small entities as defined by the Regulatory Flexibility Act.

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Public Health Service, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, 301 443-2380

RIN: 0905-AA62

198. PROGRAM GRANTS FOR BLACK LUNG CLINICS

Legal Authority: 30 USC 937(a) CFR Citation: 42 CFR 55a

Abstract: This is a notice of proposed rulemaking (NPRM) which would amend the current Black Lung Clinics regulation. It would implement an administrative decision to simplify the regulation and to foster a greater role for the States in the administration of the program.

Timetable:

1 1111 1111 1111			
Date		FR	Cite
11/01/83	48	FR	50363
11/01/83	48	FR	50363
12/16/83			WE DEL
04/00/85			
	11/01/83 11/01/83 12/16/83	11/01/83 48 11/01/83 48 12/16/83	11/01/83 48 FR 11/01/83 48 FR 12/16/83

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Public Health Service, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, 301 443-2380

RIN: 0905-AA64

199. PROJECT GRANTS AND LOANS FOR HOME HEALTH SERVICES AND TRAINING

Legal Authority: 42 USC 255 CFR Citation: 42 CFR 51e

Abstract: Title III of the Public Health Service Act was amended by section 6 of the Orphan Drug Act of 1983 (P.L. 97-414). The effect of the amendment authorizes a new program of grants and loans to support home health services. Specifically, it authorizes grants to nonprofit agencies and loans to proprietary agencies to establish and operate home health programs. It also authorizes grants and contracts for training paraprofessionals to provide home health services, with special

consideration given to trainees 50 years of age or older. The amendment requires five separate reports to Congress and requires the Secretary to develop and carry out demonstration projects regarding patients at risk of institutionalization and alternative reimbursement methodologies. The program is expected to impact in cost savings through better methods of identifying patients at risk and decreasing the length and frequency of hospital stays.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Health Resources and Services Administration, Legislation and Policy, BHCDA, 5600 Fishers Lane, Room 7-05, Rockville, MD 20857, 301 443-2380

RIN: 0905-AB11

200. PRIMARY CARE BLOCK GRANT PROGRAM

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 300Y to 300Y11

CFR Citation: 42 CFR 51; 45 CFR 74; 45 CFR 96

Abstract: Section 1932 of the Public Health Service Act was amended by section 8 of the Orphan Drug Act of 1983 (P.L. 97-414). The effect of the amendment requires the Secretary to promulgate separate regulations for the Primary Care Block Grant taking into consideration the distinctive features of the program such as: the program consists principally of community health centers; the States have the option of assuming responsibility for the program; the States have to make a substantial financial contribution; if a State opts for the block, it agrees to continue to provide a statutory range of services; new centers could only be established in medically underserved areas; and procedural safeguards protecting existing centers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: James J. Corrigan. Associate Bureau Director, Department of Health and Human Services, Health Resources and Services Administration, Legislation and Policy, BHCDA, 5600 Fishers Lane, Room 7-05, Rockville, MD 20857, 301 443-2380

RIN: 0905-AB12

201. HEALTH PROFESSIONS STUDENT LOAN (HPSL) PROGRAM; DUE DILIGENCE

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 294m to 294q

CFR Citation: 42 CFR 57, Subpart C

Abstract: This notice of proposed rulemaking will amplify due diligence requirements in the regulations implementing the Health Professions Student Loan Program (Section 740 of the Public Health Service Act).

Timetable:

Action	Date	FR	Cite
NPRM	09/06/84	49 FR	35324
Final Action	06/00/85		

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Dev. Br., DSA, BHPr, Department of Health and Human Services, Public Health Service, 5600 Fishers Lane, Room 8-48, Rockville, MD 20857, 301 443-4540

RIN: 0905-AB14

202. HEALTH PROFESSIONS STUDENT LOAN PROGRAM: PERFORMANCE STANDARD

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 294m to 294q

CFR Citation: 42 CFR 57, Subpart C

Abstract: This proposed rule would amend existing regulations governing the Health Professions Student Loan (HPSL) program and would modify the procedures for determining whether or not a school is in compliance with the 5 percent performance standard.

Timetable:

Action	Date		FR	Cite
NPRM	06/03/83	48	FR	25071
NPRM Comment Period Begin	06/04/83	48	FR	25071
NPRM Comment Period End	07/05/83			

HHS-PHS-HRSA

Current and Projected Rulemakings

Action Date FR Cite

Final Action 07/00/85

Small Entity: No

Agency Contact: Ms Peggy Washburn, Chief, Prog. Dev. Br., DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-48, Rockville, MD 20857, 301 443-4540

RIN: 0905-AB24

203. INDIAN HEALTH SERVICE, 42 CFR PART 36 SUBPART I, CONTRACTS UNDER THE INDIAN SELF-DETERMINATION ACT: AMENDMENTS

Legal Authority: 25 USC 450G CFR Citation: 42 CFR 36, Subpart I

Abstract: This is a revision to implement a policy to charge interest and penalties on delinquent debts. This is in compliance with Department of the Treasury's guidelines pertaining to debt collection activities and the joint regulations issued on April 17, 1981, by the Attorney General and the Comptroller General and is consistent with the Debt Collection Act of 1982 (P.L. 97-365). This will require a change to the Department's Indian Health Service (IHS) P.L. 93-638 regulations to include a new contract/grant clause.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	YARRIN SO

Small Entity: Undetermined

Agency Contact: Richard J. McCloskey,
Director, Office of Leg. & Reg. Services,
Department of Health and Human

Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, PKLN Bldg. Rm. 6A-20, Rockville, MD 20857, 301 443-1116

WID 20007, 301 443-1110

RIN: 0905-AB31

204. GRANTS FOR NURSE ANESTHETISTS TRAINEESHIPS

Legal Authority: 42 USC 216; 42 USC 297-1

CFR Citation: 42 CFR 57, Subpart F (Proposed)

Abstract: These proposed rules would implement section 831 of the Public Health Service Act to make grants to public or private nonprofit institutions to cover the costs of traineeships for the training, in programs which meet such requirements as the Secretary shall by regulation prescribe and which are accredited by an entity or entities designated by the Secretary of Education, of licensed registered nurses to be nurse anesthetists.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	No. of the last of

Small Entity: No

Agency Contact: Mrs. Gretchen Osgood, Deputy Director, Division of Nursing, BHPr, Department of Health and Human Services, Public Health Service, 5600 Fishers Lane, Room 5C-26, Rockville, MD 20857, 301 443-5786

RIN: 0905-AB33

205. REVISIONS TO HILL-BURTON GRANT RECOVERY REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 300R; 42 USC 300S; 42 USC 300S-6

CFR Citation: 42 CFR 53, Subpart M

Abstract: Included in the Deficit Reduction Act of 1984 are amendments dealing with recovery of Hill-Burton grant funds. This regulation would revise the current regulations at 42 CFR 53 Subpart M to conform with the provisions of the Deficit Reduction Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Richard R. Ashbaugh, Acting Associate Dir. for Health Facilities, Department of Health and Human Services, Public Health Service, 5600 Pishers Lane, Room 11-03, Rockville, Maryland 20857, 301 443-6560

RIN: 0905-AB45

206. REVISED HEAL PROGRAM REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC

294 to 2941

CFR Citation: 42 CFR 60

Abstract: This proposed rule would revise existing regulations governing the Health Education Assistance Loan (HEAL) program, authorized by the PHS Act. These proposed revisions would strengthen the regulations to improve the due diligence procedures at schools and lending institutions for making, servicing, and collecting HEAL loans and would clarify the rights and responsibilities of lenders, schools, borrowers, and the Federal Government.

Timetable:

Action	Date	FR Cite
NIDDM	05/00/05	Lancing St.

Small Entity: No

Agency Contact: Ms. Peggy Washbum, Chief, Program Dev. Branch, DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-48, Rockville, Maryland, 20857, 301 443-4540

RIN: 0905-AB46

207. GRANTS FOR RESIDENCY TRAINING AND FACULTY DEVELOPMENT IN GENERAL INTERNAL MEDICINE OR GENERAL PEDIATRICS

Legal Authority: 42 USC 216; 42 USC 295g-4; 42 USC 295g-4(a)

CFR Citation: 42 CFR 57, Subpart FF

Abstract: These regulations propose to amend the existing regulations for residency training in general internal medicine and general pediatrics and to implement section 784 (a)(3) and (4) to plan, develop, and operate a program and provide financial assistance to physicians who plan to teach in general internal medicine and general pediatrics.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Daniel N. Masica, M.D., Director, Division of Medicine, BHPr, Department of Health and Human Services, Health Resources and Services Administration, DHHS, 5600 Fishers Lane, Room 4C-25, Rockville, MD 20857, 301 443-6190

RIN: 0905-AB50

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Completed Actions

Public Health Service (PHS)—Health Resources and Services Administration (HRSA)

COMPLETED RULEMAKINGS
208. HEALTH SYSTEMS AGENCY AND
STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY REVIEWS;
CERTIFICATE OF NEED

Priority: Agency Determination, Task Force CFR Citation: 42 CFR 143, Subpart D; 42 CFR 123, Subpart E

Completed:

Reason	Date	FR	Cite
Final Action Final Action Effective	01/14/85 02/13/85	50 FR	2008

Small Entity: No

Agency Contact: Florence B. Fiori 301 443-6560

RIN: 0905-AA38

209. HEALTH MAINTENANCE ORGANIZATIONS

Priority: Agency Determination CFR Citation: 42 CFR 110 Completed:

Reason	Date F			Cite	
Final Action	02/14/85	50	FR	06171	

Small Entity: No

Agency Contact: Dwight Blankenbaker 301 443-4106

RIN: 0905-AA65

210. NURSING STUDENT LOAN (NSL) PROGRAM; DUE DILIGENCE

Priority: Agency Determination
CFR Citation: 42 CFR 57, Subpart D

Completed:

Heason	Date	FA CITE
To be combined with the final action	01/00/85	
published for		

RIN-0905-AA58
Small Entity: No

Agency Contact: Ms Peggy Washburn 301 443-4540

RIN: 0905-AB15

211. TECHNICAL AMENDMENTS TO INDIAN HEALTH SERVICE GRANT REGULATION REVISING 42 CFR PART 36, SUBPARTS H AND J, TO CONFORM WITH 45 CFR 74

CFR Citation: 42 CFR 36, Subpart H; 42 CFR 36, Subpart J; 45 CFR 74

Completed:

Reason	Date		FR	Cite
Final Action	01/14/85	50	FR	1852
Final Action	01/14/85			

Small Entity: No

Agency Contact: Richard J. McCloskey 301 443-1116

RIN: 0905-AB23

[FR Doc. 85-6366 Filed 04-26-85; 8:45 am]

BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Public Health Service (PHS)—National Institutes of Health (NIH)

Current and Projected Rulemakings

212. NATIONAL LIBRARY OF
MEDICINE PROGRAMS. REVISION OF
GENERAL RULES FOR THE
NATIONAL LIBRARY OF MEDICINE
AND NATIONAL LIBRARY OF
MEDICINE GRANTS

Legal Authority: 42 USC 216; 42 USC 276; 42 USC 280b-4

CFR Citation: 42 CFR 4; 42 CFR 59a; 42 CFR 63; 42 CFR 64

Abstract: All of the regulations are being substantially clarified and reduced in size by eliminating out of date or otherwise available information. The regulations at 42 CFR Part 4 pertain to the access of facilities and library collections. Those at 42 CFR Part 59a deal with NLM extramural programs. Part 59a is being amended to remove the requirement that photocopies of biomedical material be provided without charge to users. The regulations at 42 CFR Part 63 deal with both NIH and NLM traineeships. Part 63 is proposed to be deleted because NIH no longer has general traineeship authority and the sole remaining NLM program is unfunded. The regulations at 42 CFR

Part 64 govern the training grants of NIH and NLM.

Timetable:

Action Date			FR	Cite
NPRM Final Action	02/11/85	50	FR	05638

Small Entity: No

Agency Contact: Kenneth Carney, Executive Officer, Department of Health and Human Services, Public Health Service, National Library of Medicine, Bethesda, MD 20209, 301 496-6491

RIN: 0905-AA66

213. NATIONAL INSTITUTES OF HEALTH CENTER GRANTS 42 CFR

Legal Authority: 42 USC 287d; 42 USC 289c-2; 42 USC 289c-6

CFR Citation: 42 CFR 52a

Abstract: The regulations would cover grants by the National Institutes of Health for support of research and demonstration centers. They would replace existing regulations covering only centers supported by the National

Heart, Lung and Blood Institute. These regulations would be available for other center programs which may be created in the future or operated under the general research authorities of NIH.

Timetable:

Action	Date	FR Cite
NPRM	12/18/84 4	9 FR 49115
Final Action	00/00/00	

Small Entity: No

Agency Contact: Lowell D. Peart, NIH Regulations Officer, Department of Health and Human Services, National Institutes of Health, Bethesda, MD 20205, 301 496-4606

RIN: 0905-AA68

214. • GRANTS FOR RESEARCH PROJECTS, FELLOWSHIPS NATIONAL RESEARCH SERVICE AWARDS HEALTH AND HUMAN SERVICE ACQUISITION REGULATION

Legal Authority: 42 USC 241; 42 USC 2891-1

CFR Citation: 42 CFR 52; 42 CFR 61; 42 CFR 66; 48 CFR 3, Appendix A

HHS-PHS-NIH

Current and Projected Rulemakings

Abstract: Recipients of Public Health Service research and research training funds do not presently have sufficient guidance regarding their responsibility to investigate and report possible misconduct in PHS-funded research or research training. While many institutions have voluntarily established procedures for dealing with misconduct in science, they are not required to do so and in many recent instances the lack of defined procedures has delayed or compromised awardees investigations. Institutional policies regarding reports to funding agencies vary considerably. The proposed

regulation will define the point at which funding agencies are notified and will require awardees to develop procedures for dealing with misconduct in science. Legislation proposed in the 98th Congress would have required Departmental approval of institutional procedures but PHS prefers a less directive approach allowing awardees to develop appropriate procedures.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period Begin		

Small Entity: No

Agency Contact: William F. Raub, Ph.D. Dep. Dir. for Extramural Rsch. & Training, Department of Health and Human Services, Public Health Service, National Inst. of Health, Bldg. 1, Rm: 107, 9000 Rockville Pike, Bethesda, Maryland 20205, 301 496-1096

RIN: 0905-AB91 [FR Doc. 85-6366 Filed 04-26-85; 8:45 am] BILLING CODE 4150-04-T

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Health Care Financing Administration (HCFA)

Current and Projected Rulemakings

215. IMPOSITION OF COST SHARING CHARGES UNDER MEDICAID

Priority: Agency Determination
Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 431.55; 42 CFR 447.15; 42 CFR 447.53

Abstract: This final rule responds to comments received on a final rule with comment period published on February 8, 1983 (48 FR 5730). That rule set forth revised requirements concerning the imposition of cost sharing charges on Medicaid recipients when they receive medical services covered by Medicaid. This document clarifies the recipient's liability for cost sharing charges and makes other revisions based on public comments.

Timetable:

Action	Date	FR	Cite
Final Rule with Comment	02/08/83 4	8 FR	05730
Final Action	04/00/85		

Small Entity: No

Agency Contact: Marinos Svolos,
Division Director, Department of Health
and Human Services, Health Care
Financing Administration, Div of
Medicaid Eligibility Policy, Room 416,
East High Rise Bldg, 6325 Security Blvd,
Baltimore, MD 21207, 301 594-9051

RIN: 0938-AA02

216. MEDICAID OVERPAYMENT REPORTING REQUIREMENTS

Priority: Agency Determination

Legal Authority: 31 USC 951 to 953; 42 USC 1302

CFR Citation: 42 CFR 447.401 to 447.431

Abstract: This regulation requires
States to establish procedures to
establish overpayments made to
providers of services and report and
refund them to HCFA on a timely basis.
It is intended to reduce State and
Federal Medicaid costs and improve
program efficiency.

Timetable:

Action	Date	FR	Cite
NPRM	04/05/83 4	8 FR	14664
Final Action	04/00/85		

Small Entity: No

Agency Contact: Dan Metzman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Overpayments, Room 1-B-2, Meadows East Bldg, 6300 Security Blvd, Baltimore, MD 21207, 301 594-8194

RIN: 0938-AA04

217. MMIS: CONDITIONS OF APPROVAL AND REAPPROVAL AND PROCEDURES FOR REDUCTION OF FEDERAL FINANCIAL PARTICIPATION

Priority: Agency Determination

Legal Authority: 42 USC 1396a(a)(4); 42 USC 1396b(a)(25); 42 USC 1396b(a)(3); 42 USC 1396b(d)(5); 42 USC 1396b(d)(5); 42 USC 1396b(p); 42 USC 1396b(p); 42 USC 1396b(p); 42 USC 1396k

CFR Citation: 42 CFR 433.110 to 433.114; 42 CFR 433.116 to 433.117; 42 CFR 433.119 to 433.123; 42 CFR 433.127; 42 CFR 433.130 to 433.131; 42 CFR 400.310

Abstract: This regulation would establish conditions for initial approval of MMIS and for subsequent reapproval. It would also establish procedures for reduction of FFP for MMIS in those States failing to meet initial or reapproval standards. It is intended to improve effectiveness of States' MMIS; to ensure efficient system operations; to better detect cases of fraud, waste and abuse effectively; and to reduce Medicaid program costs.

Timetable:

Action	Date		FR	Cite
NPRM Final Action	03/03/83 04/00/85	48	FR	9038
Final Action	04/00/65			

Small Entity: No

Agency Contact: Daniel Baker, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Methods & Syst Requiremts, Rm 2-A-1, Meadows East Bldg, 6300 Security Blvd, Baltimore, MD 21207, 301 594-5415

RIN: 0938-AA05

218. WITHHOLDING THE FEDERAL SHARE OF PAYMENTS TO RECOVER MEDICARE OR MEDICAID OVERPAYMENTS

Priority: Agency Determination

Legal Authority: PL 97-35, Sec 2104; 42 USC 1395vv; PL 96-499, Sec 905; 42 USC 1396a(a)(13); 42 USC 1396b(a)(1); 42 USC 1396b(j); 42 USC 1396b(h)

Current and Projected Rulemakings

CFR Citation: 42 CFR 400.310; 42 CFR 405.301; 42 CFR 405.375; 42 CFR 447.30; 42 CFR 447.31

Abstract: This regulation provides for the recovery of overpayments to providers and physicians under Medicare and Medicaid by withholding the Federal share of payments. It is intended to improve financial management, promote efficiency and increase accountability for overpayments.

Timetable:

Action	Date		FR	Cite
NPRM	02/10/83	48	FR	06304
Final Action	04/00/85			

Small Entity: No

Agency Contact: Dan Metzman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Overpayments, Room 1-B-2, Meadows East Bldg, 6300 Security Blvd, Baltimore, MD 21207, 301 594-8194

RIN: 0938-AA09

219. HOME HEALTH AGENCIES: AIDE TRAINING AND FINANCIAL SECURITY REQUIREMENTS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395f; 42 USC 1395g; 42 USC 1395j to 1395v; 42 USC 1395x to 1395z; 42 USC 1395aa to 1395cc; 42 USC 1395gg; 42 USC 1395hh; 42 USC 1395rr; 42 USC 1395ww; 42 USC 1395xx

CFR Citation: 42 CFR 405.236; 42 CFR 405.402; 42 CFR 405.419; 42 CFR 405.429; 42 CFR 405.1031; 42 CFR 405.1101; 42 CFR 405.1201 to 405.1202; 42 CFR 405.1227; 42 CFR 405.1231; 42 CFR 405.1702; 42 CFR 405.1731

Abstract: These regulations would establish home health aide training, supervision, and duty requirements applicable to all home health agencies that provide home health aide services under Part A or B of the Medicare program. They would require home health agencies participating in Medicare to meet conditions, including bonding or establishment of escrow accounts, to ensure the financial security of the Medicare program. The regulation would also amend the existing Medicare definition of a foreign trained physical therapist by deleting certain outdated requirements.

Ti			

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Yes

Agency Contact: Stefan Miller, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Laboratory and Ambulatory Services Branch, 300 EHR Bldg., 6325 Security Blvd., Baltimore, MD 21207, 301 597-6394

RIN: 0938-AA13

220. HOME AND COMMUNITY BASED SERVICES

Priority: Agency Determination

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 435.726; 42 CFR 435.735; 42 CFR 435.217; 42 CFR 436.217; 42 CFR 440.180; 42 CFR 441.302; 42 CFR 441.303; 42 CFR 441.304; 42 CFR 441.306; 42 CFR 441.310; 42 CFR 435.3; 42 CFR 435.232

Abstract: This regulation allows States to reduce Medicaid expenses for institutional care and gives the beneficiary an opportunity to receive necessary services at home. Clarifies the deeming of income methodology to prevent unnecessary institutionalization to qualify for benefits. It is intended to revise regulations to provide maximum flexibility to the States and make them less burdensome.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/81	46 FR 48524
Final Action	04/00/85	

Small Entity: Yes

Agency Contact: Robert Wren, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Coverage Policy, Room 403, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, 301 594-9690

RIN: 0938-AA19

221. CONDITIONS OF PARTICIPATION FOR HOSPITALS

Priority: Task Force

Legal Authority: 42 USC 1395t; 42 USC 1396d; 42 USC 1395hh; 42 USC 1395x; PL 98-369, Sec 2340

CFR Citation: 42 CFR 1011 to 1042; 42 CFR 416.41; 42 CFR 440.1; 42 CFR 440.10;

42 CFR 440.40; 42 CFR 440.140-150; 42 CFR 440.250; 42 CFR 441.11; 42 CFR 441.13; 42 CFR 441.40; 42 CFR 456.51; 42 CFR 456.501; 42 CFR 489.21

Abstract: This regulation simplifies requirements which hospitals must meet to be certified to participate in Medicare and Medicaid. It is intended to reduce Federal requirements, simplify and clarify regulations, and provide maximum flexibility in hospital administration while strengthening patient health and safety. This regulation is a review item of the Presidential Task Force on Regulatory Relief. It also conforms Medicare regulations to statutory changes made by PL 98-369 regarding certification of psychiatric and tuberculosis hospitals.

Timetable:

Action	Date	FR	Cite
NPRM	01/04/83	48 FR	299
Final Action	04/00/85		

Small Entity: Yes

Agency Contact: Sheila Ryan. Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Standards and Certification, 300 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-3775

RIN: 0938-AA23

222. HOSPITAL BASED SNF COST LIMITS (EFFECTIVE 10/1/82)

Priority: Agency Determination

Legal Authority: 42 USC 1395x(v)(1); 42 USC 1395vy

CFR Citation: 42 CFR 405.460

Abstract: This notice would set a revised schedule of limits for hospital based SNF inpatient routine service costs for cost reporting periods beginning on or after October 1, 1982.

Timetable:

	-	_	
Action	Date	FR	Cite

Proposed Notice 06/00/85

Small Entity: Undetermined

Agency Contact: Carl Slutter, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Payment Policy, Rm. 1-F-3 ELR Bldg., 6325 Security Blvd., Baltimore, MD 21207, 301 594-7365

RIN: 0938-AA25

223. LIMITATION ON PAYMENT FOR SERVICES FURNISHED TO EMPLOYED AGED, THEIR SPOUSES, AND SPOUSES OF YOUNGER EMPLOYEES

Priority: Agency Determination

Legal Authority: PL 97-248, Sec 116(b); 42 USC 1395y(b); PL 98-369, Sec 2301; PL 98-369, Sec 2338

CFR Citation: 42 CFR 405.340; 42 CFR 405.341; 42 CFR 405.342; 42 CFR 405.343; 42 CFR 405.344

Abstract: The regulation requires employers to offer their employees age 65 through 69, their dependents and spouses age 65 through 69 of employees under age 65 and their dependents the same health benefits as offered to their younger employees. The provision makes Medicare the secondary payor for such employees. This provision amends the Federal Age Discrimination in Employment Act (ADEA).

Timetable:

Action	Date	STEEL STEEL	FR	Cite
Interim Final Rule	04/13/83	48	FR	15902
Final Action	04/00/85			

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Medicare Eligibility, BERC, Rm. 448 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9077

RIN: 0938-AA31

224. AMENDING COST REPORTS AND REOPENING INTERMEDIARY PAYMENT DETERMINATIONS AND ADMINISTRATIVE REVIEW DECISIONS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395f(b); 42 USC 1395g; 42 USC 1395i; 42 USC 1395x(v); 42 USC 1395hh; 42 USC 1395rr; 42 USC 1395ww; 42 USC 1395xx; 42 USC 405; 42 USC 1395x(v); 42 USC 1395ii; 42 USC 1395oo

CFR Citation: 42 CFR 405.453(f); 42 CFR 405.1833; 42 CFR 405.1885; 42 CFR 405.1887

Abstract: This proposal would establish rules to govern and distinguish between the amending of cost reports and the reopening of Medicare intermediary payment determinations and administrative review decisions. This

proposal would provide guidance to intermediaries and the Provider Reimbursement Review Board concerning the circumstances under which those actions may be taken.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: George Cray, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Medicare Procedural Policy Branch, Room 349 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-3874

RIN: 0938-AA33

225. RECOGNITION OF STATE REIMBURSEMENT CONTROL SYSTEMS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395(a)(1)(F); 42 USC 1395hh; 42 USC 1305ww(c); PL 98-369, Sec 2315

CFR Citation: 42 CFR 403.300; 42 CFR 403.302; 42 CFR 403.304; 42 CFR 403.306; 42 CFR 403.310; 42 CFR 403.312; 42 CFR 403.314; 42 CFR 403.316; 42 CFR 403.318; 42 CFR 403.320; 42 CFR 403.322

Abstract: This regulation would permit payment to hospitals under a State applied alternative reimbursement system if that system meets certain statutory and administrative requirements. This regulation also includes changes resulting from Pub. L. 98-369.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Small Entit	W Undetermined	

Small Entity: Undetermined

Agency Contact: Anthony Lovecchio, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Alternative Reimb. Systems, 1-A-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-4010

RIN: 0938-AA34

226. SURVEY AND CERTIFICATION PROCEDURES

Priority: Agency Determination

Legal Authority: 42 USC 1395t; 42 USC 1395x; 42 USC 1395bb; 42 USC 1395cc; 42 USC 1395hb; 42 USC 1396a; 42 USC 1396a)

CFR Citation: 42 CFR 405; 42 CFR 431; 42 CFR 481; 42 CFR 442; 42 CFR 489; 42 CFR 490; 42 CFR 455; 42 CFR 485; 42 CFR 488; 42 CFR 491

Abstract: This regulation would streamline, simplify and integrate survey and certification procedures for providers and suppliers under Medicare and Medicaid. It is intended to accomplish effective monitoring with greater flexibility to States without loss of quality of health services.

Timetable:

Action	Date	FR Cite
NPRM	05/27/82	47 FR 23404
Final Action	10/00/85	

Small Entity: Undetermined

Agency Contact: Walter Merten, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Survey Procedures and Training, 2-K-1 DWE, 1849 Gwynn Oak Ave., Baltimore, MD 21207, 301 594-3812

RIN: 0938-AA38

227. PHYSICIAN CERTIFICATION AND PLAN OF TREATMENT REQUIREMENTS

Legal Authority: PL 96-499, Sec 930(e); 42 USC 1302; 42 USC 1395hh; PL 98-369, Sec 2336

CFR Citation: 42 CFR 405.1633; 42 CFR 405.1634; 42 CFR 405.1717

Abstract: These rules confirm interim final rules published on October 26, 1982 (47 FR 47388) with changes that make it possible for certain additional physicians to certify need for home health services and to establish and review a plan of treatment for those services. The changes are responsive to public comments and also serve to implement section 2336 of Pub. L. 98-369. The rules also make clarifying changes with respect to timing and procedures for certification for home health services and outpatient physical therapy and speech pathology services.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/26/82	47 FR 47388
Final Action	06/00/85	

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Raymond T. Johnson, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Utilization Effectiveness Branch, BERC, Rm. 455 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9370

RIN: 0938-AA46

228, MEDICAID ELIGIBILITY

Legal Authority: PL 97-248, Sec 137(b); PL 98-369, Sec 2373

CFR Citation: 42 CFR 435; 42 CFR 436

Abstract: This regulation would implement changes with respect to Medicaid eligibility groups and coverage criteria made by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Deficit Reduction Act of 1984 (PL 98-369). Most of these changes affect the provisions of September 30, 1981 regulations concerning Medicaid eligibility for the medically needy, published as a result of the Omnibus Budget Reconciliation Act of 1981. The regulations would also respond to public comments received on the September 30 regulations. Because of changes required by TEFRA and in order to respond to comments. an NPRM will be published rather than a final regulation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	Dan Senaria

Small Entity: No

Agency Contact: Marinos Svolos, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Medicaid Eligibility, Room 416, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, 301 594-9050

RIN: 0938-AA58

229. INTERMEDIATE SANCTION OF LONG-TERM CARE FACILITIES

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395; 42 USC 1395x; 42 USC 1395aa; 42 USC 1395cc; 42 USC 1395hh

CFR Citation: 42 CFR 405.1501; 42 CFR 405.1502; 42 CFR 442.1 to 442.2; 42 CFR 442.117 to 442.119; 42 CFR 489.1 to 489.3; 42 CFR 489.50; 42 CFR 489.53; 42 CFR 489.60; 42 CFR 489.62; 42 CFR 489.64; 42 CFR 489.66

Abstract: This regulation would authorize the Secretary and State Medicaid agencies to impose an alternative to terminating long-term care facilities found to be out of compliance with the Medicare conditions of participation or the Medicaid conditions of participation or standards.

Timetable:

Action	Date	FR	Cite
NPRM	02/21/85	50 FR	07191
Final Action	00/00/00		

Small Entity: No

Agency Contact: Brenda Suggs, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Long Term Care Services Branch, 2nd Floor, Dogwood East Bldg, 1848 Gwynn Oak Ave, Baltimore, MD 21207, 301 594-5017

RIN: 0938-AA60

230. THIRD PARTY LIABILITY (TPL), PREMIUM FFP RATES, MANDATORY ASSIGNMENT OF RIGHTS TO PAYMENTS; SOURCES OF STATE FUND

Legal Authority: 42 USC 1396a(a)(25); 42 USC 1396b(d)(2); PL 98-369, Sec 2367; 42 USC 1396a(a)(2); 42 USC 1396a(a)(45); 42 USC 1396b; 42 USC 1396b

CFR Citation: 42 CFR 432.2; 42 CFR 432.50; 42 CFR 432.60; 42 CFR 433.15; 42 CFR 433.45; 42 CFR 433.136; 42 CFR 433.139; 42 CFR 433.149; 42 CFR 433.151 to 433.152; 42 CFR 433.145; 42 CFR 433.137; 42 CFR 435.604; 42 CFR 432.45; 42 CFR 433.135; 42 CFR 436.604; ...

Abstract: This regulation provides States with flexibility in establishing their programs so as to maximize operational efficiency and promote cost-avoidance procedures. It is intended to promote program management efficiency and reduce program costs by increasing TPL recoveries. This regulation also conforms the Medicaid regulations to statutory changes that require Medicaid applicants and recipients to assign to the State their rights to medical support and other third party payments and to cooperate in establishing paternity and securing support as a condition of eligibility.

Timetable:

Action	Date		FR	Cite
NPRM	06/04/84	49	FR	23078
Final Action	04/00/85			

Small Entity: No

Agency Contact: David McNally, Director, Department of Health and Human Services, Health Care Financing Administration, Div. of State Agency Financial Management, Room 350, Meadows East, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1398

RIN: 0938-AA65

231. MENTAL RETARDATION— DEFINITION OF "PERSONS WITH RELATED CONDITIONS"

Legal Authority: 42 USC 1302; 42 USC 1396d

CFR Citation: 42 CFR 435.1009

Abstract: This regulation would amend Medicaid regulations on intermediate care facility services for the mentally retarded persons with related conditions by revising the current definition of "persons with related conditions." This definition is presently tied to the definition of developmental disability in the Developmental Disabilities Assistance and Bill of Rights Act (DDABRA). This regulation establishes a Medicaid definition of conditions related to mental retardation that would meet the specific needs of the Medicaid program and would be independent of the definition of developmental disability in the DDABRA.

Timetable:

Action	Date		FR	Cite
NPRM	02/23/83	48	FR	7593
Final Action	04/00/85			

Small Entity: Yes

Agency Contact: Robert Wren, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Coverage Policy, Room 403, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, 301 594-9690

RIN: 0938-AA78

232. FEDERAL FINANCIAL PARTICIPATION FOR INMATES IN PUBLIC INSTITUTIONS AND INDIVIDUALS IN AN INSTITUTION FOR MENTAL DISEASE OR TUBERCULOSIS

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 435.1008; 42 CFR 436.1004

Abstract: This regulation would preclude the availability of Federal matching funds in expenditures for all services to an individual who is an inmate in a public institution or to an individual under age 65 who is a patient in an institution for mental diseases or tuberculosis from the date of admission to the date of discharge. We would continue to provide matching funds in expenditures for services for individuals under age 22 who are receiving inpatient psychiatric services.

Timetable:

Action	Date	FR Cite
NPRM	03/31/83	48 FR 13446
NPRM Comment Period End	05/02/83	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Roy Trudel, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility Policy, 416 East High Rise Bldg., 6325 Security Blvd, Baltimore, Maryland 21207, 301 594-9128

RIN: 0938-AA93

233. PAYMENTS TO INSTITUTIONS

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 435.722; 42 CFR 435.725; 42 CFR 435.733; 42 CFR 435.832; 42 CFR 436.832

Abstract: This regulation alleviates problems encountered by States in calculating patient income to be applied to the cost of care in institutions. It extends Medicaid eligibility to certain individuals in medical institutions. It is intended to permit States greater flexibility in administering their programs (Regulatory Reform).

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Small Entity	y: No	

Agency Contact: Marinos Svolos, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility, Room 416 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9050

RIN: 0938-AB00

234. BENEFIT PERIOD DETERMINATIONS AND MISCELLANEOUS PROVISIONS

Legal Authority: 42 USC 1302; 42 USC 1395d; 42 USC 1395x; 42 USC 1395hh; 42 USC 1396d

CFR Citation: 42 CFR 405.1101; 42 CFR 405.1127(a); 42 CFR 409.60; 42 CFR 442.336(a)

Abstract: This regulation would amend current regulations regarding Medicare spell of illness to create a distinction between "inpatient" and "resident" for purposes of determining whether a patient is an inpatient of an SNF. This regulation also would correctly specify in the SNF conditions of participation the national organization responsible for approving training courses for dietetic service supervisors and would additionally propose that either an RN or a pharmacist could perform drug regimen reviews in SNFs or ICFs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	-100
Small Entit	w No	

Agency Contact: Bob Wren, Director, Division of Provider Services, Department of Health and Human Services, Health Care Financing Administration, Room 405 East High Rise, 6325 Security Boulevard, Baltimore, MD 21207, 301 594-9820

RIN: 0938-AB03

235. CLAIMS PROCESSING ASSESSMENT SYSTEM

Legal Authority: 42 USC 1396a(a)(4); 42 USC 1396b(r)(4)

CFR Citation: 42 CFR 431.800

Abstract: This regulation would revise claims processing requirements for Medicaid Quality Control (MQC) systems. It would propose that current claims processing elements of the MQC system would become part of the Medicaid Management Information System (MMIS) and be added as a

condition for annual MMIS approval and reapproval. These changes are intended to increase State flexibility in reporting requirements and reduce the burden on States under the current MQC system.

Timetable:

Action	Date		FR	Cite
NPRM	08/09/83	48	FR	36151
NPRM Comment Period Begin	08/09/83	48	FR	36151
NPRM Comment Period End	09/08/83			
Final Action	04/00/85			

Small Entity: No

Agency Contact: Marianne Faulstich, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Claims Processing Assessment Work Group, 2-K-1 ELR, 6325 Security Boulevard, Baltimore, MD 21207, 301 597-3961

RIN: 0938-AB04

236. SPENDDOWN

Priority: Agency Determination Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 435.732; 42 CFR 435.831; 42 CFR 436.831

Abstract: These regulations permit States to revise the process by which medical expenses are considered in determining Medicaid eligibility. This process applies when an individual's income level during a budget period would ordinarily preclude eligibility except that incurred medical expenses reduce income to the eligibility level.

Timetable:

Action	Date	1	FR	Cite
NPRM	09/02/83	48	FR	39959
NPRM Comment Period Begin	09/02/83			
NPRM Comment Period End	11/01/83			
Final Action	08/00/85			

Small Entity: Undetermined

Agency Contact: Marinos Svolos, Director, Div. of Medicaid Eligibility, Department of Health and Human Services, Health Care Financing Administration, Room 416 East High Rise Bldg., 6325 Security Boulevard, Baltimore, MD 21207, 301 594-9050

RIN: 0938-AB07

237. UTILIZATION AND QUALITY
CONTROL PEER REVIEW
ORGANIZATIONS: IMPOSITION OF
SANCTIONS ON HEALTH CARE
PRACTITIONERS AND PROVIDERS OF
HEALTH CARE SERVICES

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1320c; 42 USC 1320c-5

CFR Citation: 42 CFR 474.0 to 474.58

Abstract: This regulation would establish certain rights and responsibilities of health care practitioners and other persons who provide health care services and establishes sanctions and penalties that the Secretary may impose for noncompliance. The regulations would also impose certain related responsibilities on utilization and quality control peer review organizations. These regulations are intended to assure that the public receives medically necessary, quality health services.

Timetable:

Action	Date		FR	Cite
NPRM	04/18/84	49	FR	15233
Final Action	04/00/85			

Small Entity: No

Agency Contact: Anthony J. Tirone, Director, PRO Implementation Task Force, Department of Health and Human Services, Health Care Financing Administration, 1-K-3 Dogwood East Bldg., 1849 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-9208

RIN: 0938-AB11

238. UTILIZATION AND QUALITY
CONTROL PEER REVIEW
ORGANIZATION (PRO): ASSUMPTION
OF MEDICARE REVIEW FUNCTIONS
AND COORDINATION WITH MEDICAID

Priority: Agency Determination

Legal Authority: 42 USC 1320c Note; 42 USC 1320c to 1320c-12; 42 USC 1395cc(a); 42 USC 1302; 42 USC 1395y; 42 USC 1395cc; 42 USC 1395kk; 42 USC 1395pp; 42 USC 1396a(d)

CFR Citation: 42 CFR 400; 42 CFR 405; 42 CFR 431; 42 CFR 433; 42 CFR 456; 42 CFR 460; 42 CFR 462; 42 CFR 466

Abstract: This regulation would set forth requirements for the conduct of review and relations with Medicaid with respect to Utilization and Quality Control Peer Review Organizations (PROs). This regulation would redirect, simplify and enhance the cost-

effectiveness of the program of peer review under Medicare. This regulation also includes changes to require all hospitals under Medicare to have an agreement with a PRO or a Professional Standards Review Organization and to permit limited provider representation in a PRO governing body.

Timetable:

Action	Date	F	R	Cite
NPRM	07/17/84	49 F	R	29026
Final Action	04/00/85		11	

Small Entity: Yes

Agency Contact: Kay Terry, Director, Division of Review Programs, Department of Health and Human Services, Health Care Financing Administration, 2-K-3 Dogwood East Building, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-7910

RIN: 0938-AB12

239. ACQUISITION PROTECTION AND DISCLOSURE OF UTILIZATION AND QUALITY CONTROL PEER REVIEW ORGANIZATION INFORMATION

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1320c to 1320c-12

CFR Citation: 42 CFR 476

Abstract: This regulation sets forth requirements for the acquisition, protection and disclosure of information obtained or generated by Utilization and Quality Control Peer Review Organizations (PROs). This regulation provides PROs with the right to access necessary information and sets forth their responsibilities to assure that information once acquired is adequately safeguarded and used for proper purposes.

Timetable:

Action	Date	FR Cite
NPRM	04/16/84	49 FR 14977
Final Action	04/00/85	

Small Entity: No

Agency Contact: Mary K. Terry. Director, Div. of Review Programs, Department of Health and Human Services, Health Care Financing Administration, 2-K-3 Dogwood East Building, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-7910

RIN: 0938-AB13

240. RELATIONS WITH OTHER AGENCIES - BUY-IN, AND MISCELLANEOUS MEDICAID DEFINITIONS

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 431.625; 42 CFR 435.1009; 42 CFR 440.2; 42 CFR 440.10; 42 CFR 440.20; 42 CFR 440.80; 42 CFR 440.160; 42 CFR 441.151; 42 CFR 447.40; 42 CFR 431.800; 42 CFR 440.30

Abstract: This regulation revises several definitions and clarifies ambiguities in existing Medicaid regulations. These changes are a part of the Department's regulatory reform effort to clarify those regulations that are ambiguous or that have been identified as problematic.

Timetable:

Action	Date		FR	Cite
NPRM	03/31/83	48	FR	10378
Final Action	07/00/85			

Small Entity: No

Agency Contact: Thomas Hoyer, Chief, Institutional Services Branch, Department of Health and Human Services, Health Care Financing Administration, Room 409 EHR, 6325 Security Boulevard, Baltimore, MD 21207, 301 594-9446

RIN: 0938-AB21

241. PRO RECONSIDERATIONS AND APPEALS

Legal Authority: 42 USC 1302; 42 USC 1320c-4; 42 USC 1320c Note; 42 USC 1320c-3(g); 42 USC 1155; 42 USC 1866(a); 42 USC 1395cc(a)

CFR Citation: 42 CFR 473.7; 42 CFR 473.18; 42 CFR 473.20; 42 CFR 473.22; 42 CFR 473.24; 42 CFR 473.26; 42 CFR 473.30; 42 CFR 473.34; 42 CFR 473.36; 42 CFR 473.32; 42 CFR 473.42; 42 CFR 473.44; 42 CFR 473.46; 42 CFR 473.46; 42 CFR 473.50;

Abstract: This proposal implements that portion of Public Law 97-248 addressing reconsiderations and appeals of PRO denial determinations. It would establish procedures for (1) a PRO to reconsider its denial determinations regarding medical necessity, reasonableness and appropriateness of services and appropriateness of services and application of the waiver of liability provision; (2) appeals to the Department following a PRO reconsideration; and (3) judicial review following administrative hearings.

Timetable:

Action	Date		FR	Cite
NPRM	07/17/84	49	FR	29041
Final Action	04/00/85			

Small Entity: No

Agency Contact: Kay Terry, Director, Division of Review Policy, Department of Health and Human Services, Health Care Financing Administration, 2-K-3 Dogwood East Building, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-7910

RIN: 0938-AB24

242. MEDICARE AND MEDICAID: CORRECTIONS AND CONFORMING CHANGES

Legal Authority: 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405; 42 CFR 408; 42 CFR 409; 42 CFR 440; 42 CFR 474; 42 CFR 456; 42 CFR 488

Abstract: This document corrects errors and omissions in final rules published on December 15, 1982 and March 25, 1983. It also makes technical corrections and conforming changes in other regulations that deal with principles of reimbursement, beneficiary appeals, physician certification, and program integrity. The changes are needed primarily to conform certain rules to other regulations that have been amended and to reflect statutory and policy changes that have occurred since the rules were last published.

Timetable:

Action	Date	FR Cite
Final Action	08/00/85	The said

Small Entity: No

Agency Contact: Luisa V. Iglesias, Technical Assistant, Department of Health and Human Services, Health Care Financing Administration, BERC Regulations Staff, Rm. 4230 North Bldg., 300 Indp. Ave. SW, Washington, D.C. 20201, 202 245-0383

RIN: 0938-AB25

243. CHANGES TO THE LESSER OF COSTS OR CHARGES PROVISIONS

Legal Authority: 42 USC 1395f(b); 42 USC 1395f(a); PL 98-369, Sec 2308; PL 98-369, Sec 2321

CFR Citation: 42 CFR 405.455

Abstract: This regulation would eliminate application of the lesser of

costs or charges aggregation method for determining payment for services furnished under Part A or Part B of Medicare effective with cost reporting periods beginning on or after October 1, 1984 (section 2308(a) of P.L. 98-369). We would eliminate the accumulation and carryover of unreimbursed costs to subsequent cost reporting periods effective with cost reporting periods beginning on or after October 1, 1985. We would revise the nominal charge provisions for providers that furnish services either free of charge or at a nominal charge in accordance with section 2308(b) of P.L. 98-369. We would also revise the payment provisions for durable medical equipment furnished by home health agencies effective on or after July 18, 1984.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	THE REAL PROPERTY.

Small Entity: Yes

Agency Contact: William Goeller, Division Director, ORP, Department of Health and Human Services, Health Care Financing Administration, Room 1-F-5 East Low Rise, 6325 Security Boulevard, Baltimore, MD 21207, 301 597-1803

RIN: 0938-AB29

244. PROCEDURES FOR DETERMINING WHETHER PROVIDERS, PRACTITIONERS, OR OTHER SUPPLIERS OF SERVICES ARE LIABLE FOR CERTAIN NONCOVERED SERVICES

Legal Authority: 42 USC 1395hh; 42 USC 1395pp; 42 USC 1302; 42 USC 1395g; 42 USC 1395t; 42 USC 1395x; 42 USC 1395x; 42 USC 1395g; 31 USC 3711; 42 USC 1395f

CFR Citation: 42 CFR 405.195; 42 CFR 405.196; 42 CFR 405.332

Abstract: This proposal would revise the way HCFA applies the limitation of liability provision under section 1879 of the Social Security Act. It would implement section 145 of Pub. L. 97-248, that provides that a provider, practitioner or other supplier of services shall be deemed to have knowledge that payment cannot be made for noncovered services if the entity had previously been notified by the Secretary that a pattern of inappropriate utilization had occurred but has continued the practice after

having a reasonable opportunity to correct the inappropriate utilization. Also, we would eliminate criteria that, if met, make a provider of Part A services eligible for a presumption that it should not be held liable. The decision to make or deny payment for noncovered services would be made after an analysis of the circumstances without the general assumption that the provider did not know or could not be expected to know that furnished services were noncovered.

Timetable:

Action	Date		FR	Cite
NPRM	02/12/85	50	FR	05787
Final Action	00/00/00			

Small Entity: No

Agency Contact: Jack Wasserman, Chief, Medicare Procedural Policy Branch, Department of Health and Human Services, Health Care Financing Administration, 349 East High Rise Building, 6325 Security Boulevard, Baltimore, MD 21207, 301 597-3703

RIN: 0938-AB33

245. FORMS USED FOR CLAIMING PAYMENT

Legal Authority: 42 USC 1302; 42 USC 1395f; 42 USC 1395n; 42 USC 1395hh; 42 USC 1395tt

CFR Citation: 42 CFR 405.1662

Abstract: This rule would revise the Medicare regulations to include provisions pertaining to various forms used in requesting enrollment in and payment for services under the Medicare program. This rule also would provide an up-to-date listing and discussion of procedures for providers of services and other practitioners to obtain billing forms that meet Medicare requirements and those of other insurers.

Timetable:

Action	Date	FR Cite
NPRM	09/07/84	49 FR 35386
Final Action	08/00/85	
Small Entity:	No	

Current and Projected Rulemakings

Agency Contact: Daniel Baker, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, BPO, Div. of Methods & Systems Requirements, Room 2-A-1 ME Bldg., 6325 Security Boulevard, Baltimore, MD 21207, 301 594-1999

RIN: 0938-AB34

246. ADJUSTMENT OF FEDERAL SHARE FOR UNCASHED OR FOR CANCELLED MEDICAID CHECKS

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 201.5; 45 CFR 201.67; 42 CFR 430.0

Abstract: This proposal would require a State agency to refund to the Federal government the federal share of Medicaid checks that remain uncashed 180 days after issuance and would require that the federal share of cancelled (voided) Medicaid checks be refunded quarterly because there has not been an expenditure of funds in either case.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Part of the S

Small Entity: No

Agency Contact: David McNally, Director, Div. of State Agency Financial Mgt, Department of Health and Human Services, Health Care Financing Administration, Room 350 Meadows East Building, 6325 Security Boulevard, Baltimore, MD 21207, 301 597-1398

RIN: 0938-AB35

247. REVISIONS TO MEDICAID PAYMENT FOR INPATIENT HOSPITAL AND LONG-TERM CARE FACILITY SERVICES

Legal Authority: 42 USC 1302; 42 USC 1396a(a)(30); 42 USC 1396a(a)(13)

CFR Citation: 42 CFR 447.253; 42 CFR 447.272; 42 CFR 447.321

Abstract: This regulation would make several changes to the procedural requirements for States to obtain approval of their inpatient reimbursement rates. It is intended that these changes would promote increased economy in the administration of the Medicaid program while retaining State flexibility to the maximum extent possible.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: Tzvi Hefter, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Long Term Care Section, Room 1-A-1 ELR Bldg., 6325 Security Blvd., Baltimore, MD 21207, 301 597-1808

RIN: 0938-AB40

248. FFP FOR LTC FACILITIES AFTER TERMINATION OF PROVIDER AGREEMENT

Legal Authority: 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 442.16

Abstract: These rules would modify and clarify policy on Federal financial participation (FFP) in State Medicaid payments to a skilled nursing facility (SNF) or an intermediate care facility (ICF) after the facility's provider agreement has been terminated or has expired and not been renewed.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85	Pipal	HOUSE

Small Entity: No

Affected Sectors: 919 General Government, Not Elsewhere Classified

Government Levels Affected: State

Agency Contact: Gilda Martin, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Financial Policy Branch, Rm. 350 Meadows East, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1399

RIN: 0938-AB42

249. OFFICE OF MANAGEMENT AND BUDGET REQUEST FOR REVIEW OF REPORTING AND RECORDKEEPING REQUIREMENTS

Legal Authority: 42 USC 1302; 42 USC 1395x(p); 42 USC 1395x(s)(3)(11) and (12); 42 USC 1395aa; 42 USC 1395hh

CFR Citation: 42 CFR 405.1413(c); 42 CFR 405.1716(d); 42 CFR 405.1716(d); 42 CFR 405.1717(e); 42 CFR 405.1717(e); 42 CFR 405.1725(a); 42 CFR 405.1702(b),(d),(f)-(k); 42 CFR 405.1731(a),(c); 42 CFR 434.36; 42 CFR 434.55; 42 CFR 405.1733(a),(b); 42 CFR 434.27(a)

Abstract: This proposed rule sets forth recommendations made by the Office of Management and Budget for changes in several regulations containing collection of information requirements, and HCFA responses to those recommendations. The requirements affect the providers and suppliers of outpatient physical therapy and speech pathology services; physical therapists certified as independent practitioners; portable X-ray services; and Medicaid contracts with health maintenance organizations and prepaid health plans.

Timetable:

Action	Date	FR Cite
NIDDM	07/00/95	

Small Entity: No

Agency Contact: Stefan Miller, Laboratory and Ambulatory Branch Chief, Department of Health and Human Services, Health Care Financing Administration, 300 East High Rise Bldg., 6325 Security Blvd., Baltimore, Maryland 21207, 301 597-6394

RIN: 0938-AB46

250. DEFICIT REDUCTION ACT OF 1984; INFORMATION NOTICE ON MEDICARE AND MEDICAID AMENDMENTS

Legal Authority: PL 98-369 CFR Citation: Not applicable

Abstract: This notice describes briefly some of the provisions of the Deficit Reduction Act of 1984 (Pub.L. 98-369, enacted July 18, 1984) that affect eligibility, benefits, reimbursement and administration of the Medicare and Medicaid programs.

Timetable:

Action	Date	FR Cite
Notice	06/00/85	

Small Entity: No

Agency Contact: Matt M. Plonski, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Eligibility and Administration Branch, Room 132 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9710

RIN: 0938-AB47

251. HOSPITAL PROSPECTIVE PAYMENT RATES FOR FY 1986

Priority: Agency Determination

Legal Authority: 42 USC 1395ww CFR Citation: 42 CFR 405.401 to 482

Abstract: This proposed rule will solicit public comments on various revisions to the inpatient hospital prospective payment system. It will also include changes in the methods, amounts, and factors used to determine the prospective payment rates applicable to discharges occurring during FY 1986.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	A STATE OF THE PARTY OF THE PAR

Small Entity: Yes

Agency Contact: Charles Booth, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Reimbursement Policy, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9760

RIN: 0938-AB48

252. PAYMENT FOR CLINICAL DIAGNOSTIC LABORATORY SERVICES

Priority: Agency Determination

Legal Authority: PL 98-369, Sec 2303

CFR Citation: 42 CFR 405.516

Abstract: These regulations would implement provisions of Pub.L. 98-369 relating to payment and "assignment" for diagnostic laboratory tests.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: Bernard Patashnik, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medical Services Reimbursement, Room 1-A-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1334

RIN: 0938-AB50

253. MEDICAL REVIEW FOR SKILLED NURSING AND INTERMEDIATE CARE FACILITIES AND INDEPENDENT PROFESSIONAL REVIEW FOR INSTITUTIONS FOR MENTAL DISEASE

Legal Authority: PL 98-369, Sec 2368

CFR Citation: 42 CFR 456

Abstract: This regulation would implement provisions of the Medicare

and Medicaid Budget Reconciliation
Amendments of 1984 relating to State
plan requirements for medical review in
skilled nursing and intermediate care
facilities and independent professional
review in institutions for mental disease
under Medicaid. This regulation would
also correct a technical error to assure
that Christian Science sanitoria are
excluded from the revised review
requirements.

Timetable:

Timetable:		
Action	Date	FR Cite
NPRM	06/00/85	-
Small Entity:	Undetermined	

Agency Contact: Pat Harfst, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Institutional & Ambulatory Services, 2-E-3 DWE Bldg., 1848 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-9712

RIN: 0938-AB53

254. HMOS AND CMPS; DEFICIT REDUCTION ACT PROVISIONS

Legal Authority: 42 USC 1903(m)

CFR Citation: 42 CFR 434.26; 42 CFR 434.27

Abstract: These regulations would implement certain provisions of section 2364 of the Deficit Reduction Act of 1984 as those provisions affect HMOs and CMPs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	oll mehrin

Small Entity: No

Agency Contact: Robert E. Wren, Office Director, Department of Health and Human Services, Health Care Pinancing Administration, Office of Coverage Policy, Room 401 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9690

RIN: 0938-AB54

255. RECERTIFICATION OF NEED FOR INPATIENT CARE

Legal Authority: PL 98-369, Sec 2363

CFR Citation: 42 CFR 456

Abstract: These rules would implement section 2363 of Pub. L. 98-369 which modifies the requirements and timing for recertification of need for inpatient care in hospitals, skilled nursing facilities and intermediate care facilities under Medicaid.

Timetable:

Action	Date	FR	Cite
NPRM	08/00/85	3 11	
	ser out the series		

Small Entity: Undetermined

Agency Contact: Thomas E. Hoyer, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Institutional Services Branch, Room 409 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9446

RIN: 0938-AB55

256. HEALTH MAINTENANCE ORGANIZATIONS AND COMPETITIVE MEDICAL PLANS; ENROLLMENT PERIODS

Legal Authority: 42 USC 1395mm CFR Citation: 42 CFR 417

Abstract: These regulations woul 1 implement section 2350 of Pub. L. 98-369 by requiring that HMOs and CMPs hold coordinated open enrollment periods in geographic areas that encompass two or more organizations.

Timetable:

Action	Date	FR	Cite
NPRM	08/00/85		10
Small Entity:	Undetermined		

Agency Contact: Stanley Katz, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Medical Services Coverage Policy, Room 489 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-8561

RIN: 0938-AB57

257. HOSPICE "CORE" SERVICES; NURSING

Legal Authority: PL 98-369, Sec 2343

CFR Citation: 42 CFR 418.80; 42 CFR 418.83

Abstract: This regulation would implement provisions of PL 98-369, the Medicare and Medicaid Budget Reconciliation Amendments of 1984, relating to hospices contracting for "core services." PL 97-248, the Tax Equity and Fiscal Responsibility Act of 1982, authorized time limited Medicare Part A coverage for hospice services. The law specifies that a hospice must routinely provide the following "core

Current and Projected Rulemakings

services" directly: nursing care, medical social services, physician's services, and counseling services. This regulation would permit the Secretary to waive the nursing care "core services" requirement for hospices which are located in rural areas, which were in operation on or before January 1, 1983, and which have demonstrated a good faith effort to hire their own nurses.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: Thomas Hoyer, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Institutional Services Branch, Room 409 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9446

RIN: 0938-AB58

258. INDIRECT PAYMENT OF SUPPLEMENTARY MEDICAL INSURANCE

Legal Authority: PL 98-369, Sec 2339

CFR Citation: Not yet determined

Abstract: This proposed regulation would implement provisions of Pub.L. 98-369 that allow payment for services furnished under Part B of Medicare to be made to a health benefits plan. Under previous law, such payment could be made only to a beneficiary or to an entity providing services.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicare Eligibility, Room 448 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9077

RIN: 0938-AB59

259. HOSPITAL INSURANCE ENTITLEMENT AND SUPPLEMENTARY MEDICAL INSURANCE ENROLLMENT, ENTITLEMENT, AND PREMIUMS

Legal Authority: 26 USC 3121; 42 USC 415; 42 USC 417; 42 USC 426; 42 USC 433; 42 USC 602; 42 USC 606; 42 USC 614; 42

USC 1382; 42 USC 1395c; 42 USC 1395p; 42 USC 1395q; 42 USC 1395v; 42 USC 1395v; 42 USC 1395v; 42 USC 1395w; ...

CFR Citation: 42 CFR 405; 42 CFR 410; 42 CFR 408

Abstract: This regulation would revise the Medicare rules that deal with hospital insurance entitlement and with supplementary medical insurance (SMI) enrollment, entitlement and premiums, as required by amendments to the Social Security Act. It would also revise Medicaid rules that deal with State buy-in agreements, under which States secure SMI benefits for certain Medicaid-eligible individuals, by paying their SMI premiums.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicare Eligibility Policy, Room 448 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9077

RIN: 0938-AB60

260. PAYMENT FOR SERVICES OF PHYSICIANS IN TEACHING SETTINGS

Legal Authority: 42 USC 1395u; 42 USC 1395x

CFR Citation: 42 CFR 405.465; 42 CFR 405.466; 42 CFR 405.520; 42 CFR 405.521; 42 CFR 405.522

Abstract: These regulations would implement provisions of P.L. 96-499 and P.L. 98-369. This proposal sets forth the conditions under which physicians in teaching settings would be reimbursed on a reasonable cost basis or, alternatively, on a reasonable charge basis. It also describes the methods used to determine the customary charges for the services of those physicians.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	A London
Small Entity	t: Undetermined	

Agency Contact: Bernard Patashnik, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medical Services Reimbursement, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1334

RIN: 0938-AB61

261. TREATMENT OF SOCIAL SECURITY COST OF LIVING INCREASES FOR INDIVIDUALS WHO LOSE SSI ELIGIBILITY

Legal Authority: 42 USC 1302 CFR Citation: 42 CFR 435.135

Abstract: This proposal revises
Medicaid rules to provide that a State,
in determining categorically needy
financial eligibility for an individual
who would still be eligible for benefits
under SSI but for receipt of a section
215(i) cost of living increase after April
1977, must treat that individual as if he
or she were still receiving SSI benefits.
Section 215(i) cost of living increases
are made to persons who receive
monthly Social Security cash benefits.
(This regulation is being developed
pursuant to a court order.)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Roy Trudel, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility Policy, Room 416 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9128

RIN: 0938-AB62

262. MEDICARE/MEDICAID REVALUATION OF ASSETS

Legal Authority: PL 98-369, Sec 2314; 42 USC 1395x

CFR Citation: 42 CFR 405.414; 42 CFR 405.415; 42 CFR 405.429; 42 CFR 447.253; 42 CFR 447.272

Abstract: This regulation would implement section 2314 of Pub.L. 98-369. Section 2314 of P.L. 98-369 imposes new limitations on the valuation of assets acquired as the result of changes in ownership occurring on or after July 18, 1984. These changes would affect hospitals and skilled nursing facilities under the Medicare program and

hospitals, skilled nursing facilities, intermediate care facilities, and intermediate care facilities for the mentally retarded under the Medicaid program. These changes are intended to promote economy in the Medicare and Medicaid programs.

Timetable:

Action	Date	FR	Cite
NIDDM	07/00/95	175-19	7 707

Small Entity: Undetermined

Agency Contact: Bruce Oliver, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Division of Audit and Payment Policy, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-5892

RIN: 0938-AB64

263. ESRD NETWORK ORGANIZATIONAL, ADMINISTRATIVE, AND AREA DESIGNATION PROCEDURES

Legal Authority: 42 USC 625(g); 42 USC 1302; 42 USC 1395x; 42 USC 1395y(a); 42 USC 1395hh; 42 USC 1395kk; 42 USC 1395rr; 42 USC 426-1

CFR Citation: 42 CFR 405.2100 to 405.2171; 42 CFR 492.1 to 91

Abstract: This proposal would remove the requirement for rulemaking as the method of changing designations of ESRD network areas and allow us to implement a faster process for changing network area designations. The proposal would also transfer Medicare regulations covering the ESRD program from Part 405, Subpart U to a new Part 492 and change certain network organizational and administrative requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	ALCOHOLD .

Small Entity: Yes

Agency Contact: Patricia Harfst, Acting Director, Department of Health and Human Services, Health Care Financing Administration, Division of Inst. & Ambulatory Services, 2-E-3 Dogwood East Bldg., 1849 Gwynn Oak Ave., Baltimore, MD 21207, 301 594-9713

RIN: 0938-AB65

264. ● INFORMATION COLLECTION REQUIREMENTS FOR SUBPARTS L, M, AND Q

Legal Authority: 42 USC 1302; 42 USC 1395u; 42 USC 1395x; 42 USC 1395y; 42 USC 1395g; 42 USC 1395hh; 42 USC 1395x(s)(10) and (11); 42 USC 1395aa; 42 USC 1395x(p)

CFR Citation: 42 CFR 405.1221(e); 42 CFR 405.1221(f); 42 CFR 405.1221(g); 42 CFR 405.1223(b); 42 CFR 405.1229(a); 42 CFR 405.1315(f); 42 CFR 405.1316(f); 42 CFR 405.1720(b); 42 CFR 405.1721

Abstract: The purpose of this proposed rule is to set forth changes in several regulations containing information collection requirements, and to obtain public comments on the proposed changes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	15 kinse

Small Entity: No

Agency Contact: Stefan Miller, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Laboratory and Ambulatory Services Branch, Room 300 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-6394

RIN: 0938-AB68

265. ● MMIS: (1) DEFINITION OF "IMPROVEMENT" AND "MECHANIZED CLAIMS PROCESSING AND INFORMATION RETRIEVAL SYSTEM" AND (2) NOTICE OF THE MEDICAID ELIGIBILITY DETERMINATION AND INFORMATION ETC

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1396b

CFR Citation: 42 CFR 433.111

Abstract: This rule would change the definitions of "improvement" and of "mechanized claims processing and information retrieval systems" to clarify under what circumstances we will pay Federal financial participation at a percentage higher than 50 percent for a Medicaid Management Information System. It would also serve as a notice, announcing a new subsystem called the Medicaid Eligibility and Information Retrieval System for State Medicaid agencies to implement at their option.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	The state of the s

Small Entity: No

Additional Information: TITLE CONT: Retrieval System.

Agency Contact: William Grant,
Division Director, Department of Health
and Human Services, Health Care
Financing Administration, Division of
Methods & Systems Requirements, 2-A1 Meadows East, 6325 Security Blvd.,
Baltimore, MD 21207, 301 594-7847

RIN: 0938-AB69

266. CHANGES TO RETURN ON EQUITY CAPITAL, EXCEPTION FROM THE COST LIMITS FOR NEW HHAS, AND HHA HEALTH AND SAFETY REQUIREMENTS

Priority: Agency Determination

Legal Authority: 42 USC 1395x(v); 42 USC 1395w(g); 42 USC 1395x

CFR Citation: 42 CFR 405.429; 42 CFR 405.460; 42 CFR 405.1230

Abstract: This rule would propose to revise the allowance for a return on equity capital for all proprietary health care providers other than hospitals and skilled nursing facilities (SNFs). Changes to the allowance for outpatient hospital services and SNF services would also be made. It would also revise the exception to the home health agency (HHA) cost limits for newlyestablished HHAs. The rule would also clarify the coverage requirements of HHAs for outpatient physical therapy and outpatient speech pathology services depending on whether the services are furnished on its premises or offsite. The rule would also revise the health and safety requirements for those services that are furnished in a patient's place of residence.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	WALL STREET

Small Entity: Yes

Current and Projected Rulemakings

Agency Contact: William Goeller, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Audit and Payment Policy, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1803

RIN: 0938-AB70

267. O CLARIFICATION OF POLICY ON ADJUSTING THE HOSPITAL-SPECIFIC PORTION OF THE PROSPECTIVE PAYMENT RATE

Priority: Agency Determination

Legal Authority: 42 USC 1395ww

CFR Citation: 42 CFR 405.474

Abstract: This proposed rule would clarify Medicare's policy on adjusting the hospital-specific portion of the prospective payment rate for inpatient hospital services as the result of adjustments to a hospital's target amount for events occurring in the year following its base year. It would clarify that exemptions, exceptions, or adjustments granted under section 1886(b)(4) of the Act or 42 CFR 405.463(e)-(h) for periods following the base year have no effect on the hospital-specific portion of the prospective payment rate.

Timetable:

Date FR Cite Action NPRM 05/00/85

Small Entity: No

Agency Contact: Charles Booth, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Reimbursement Policy, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9760

RIN: 0938-AB71

268. PAYMENT ADJUSTMENTS FOR SOLE COMMUNITY HOSPITALS

Priority: Agency Determination

Legal Authority: 42 USC 1395ww(d)

CFR Citation: 42 CFR 405.474; 42 CFR 405.476

Abstract: This proposed rule would change Medicare prospective payment regulations for inpatient hospital services to allow for an adjustment of the hospital-specific portion of the prospective payment rate for sole community hospitals.

Timetable:

Action Date FR Cite

NPRM 05/00/85

Small Entity: Undetermined

Agency Contact: Charles Booth, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Reimbursement Policy, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9760

RIN: 0938-AB72

269. INCOME AND ELIGIBILITY VERIFICATION

Priority: Agency Determination

Legal Authority: 42 USC 1320b-7

CFR Citation: 42 CFR 431,300; 42 CFR 431.305; 42 CFR 431.306; 42 CFR 431.800; 42 CFR 431.804; 42 CFR 435.910; 42 CFR 435.912; 42 CFR 435.919; 42 CFR 435.920; 42 CFR 435.940: 42 CFR 435.945; 42 CFR 435.955; 42 CFR 435.960; 42 CFR 435.965

Abstract: This rule would require State Medicaid agencies to verify the social security numbers of their recipients and to exchange and use information from other Federal and State agencies to verify income and eligibility information on recipients.

Timetable:

Date FR Cite Action NPRM 04/00/85

Small Entity: No

Agency Contact: Joyce Somsak, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Quality Control Programs, Room 2071 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1354

RIN: 0938-AB73

270. 9 HHA COST LIMITS FOR COST REPORTING PERIODS BEGINNING ON OR AFTER JULY 1, 1985

Priority: Agency Determination

Legal Authority: 42 USC 1395x(v)

CFR Citation: 42 CFR 405.460

Abstract: This proposed notice would set forth a schedule of limits on home health agency (HHA) costs that may be reimbursed under the Medicare program. The schedule is an update of the limits to take into account more recent data and the effects of inflation

on HHA operating costs and would apply to HHA costs for entire cost reporting periods beginning on or after July 1, 1985. The notice also explains the basic methodology for computing the cost limits and proposed changes to the methodology.

Timetable:

Action Date FR Cite

Proposed Notice 03/00/85 Small Entity: Yes

Agency Contact: Carl Slutter, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Provider Payment Policy, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-7365

RIN: 0938-AB74

271. • SKILLED NURSING FACILITY **COST LIMITS (EFFECTIVE 7/1/84)** FOR HOSPITAL-BASED SNFS

Priority: Agency Determination

Legal Authority: 42 USC 1395x(v)

CFR Citation: 42 CFR 405.460

Abstract: This proposed notice would set forth a schedule of limits on skilled nursing facility (SNF) costs that may be reimbursed under the Medicare program. It would update the limits in accordance with statutory requirements, and would apply to hospital-based SNFs.

Timetable:

Action Date FR Cite

Proposed Notice 06/00/85

Small Entity: Yes

Agency Contact: Carl Slutter, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Provider Payment Policy, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-7365

RIN: 0938-AB75

272. • STANDARDS FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1396d(c); 42 USC 1396d(d)

CFR Citation: 42 CFR 435; 42 CFR 440; 42 CFR 442

Current and Projected Rulemakings

Abstract: This rule would revise the standards for intermediate care facilities for the mentally retarded and persons with related conditions. This proposed rule is designed to increase the focus on the provision of active treatment services for clients, clarify Federal requirements, and maintain essential client protections.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Agency Contact: Samuel Kidder, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Long Term Care Branch, Room 300 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-5909

RIN: 0938-AB76

273. • REDESIGNATION OF PROSPECTIVE PAYMENT RULES

Legal Authority: 42 USC 1395hh CFR Citation: 42 CFR 405.470 to 477

Abstract: This regulation redesignates the complex prospective payment system rules that are concentrated in eight sections as a new Part 412, to properly segregate and designate the several aspects of the policy.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	- Philippin

Small Entity: Not Applicable

Agency Contact: Luisa V. Iglesias, Technical Assistant to Director, Department of Health and Human Services, Health Care Financing Administration, Regulations Staff, Room 4230 HHS, 300 Independence Avenue, SW, Washington, DC 20201, 202 245-0383

RIN: 0938-AB77

274. • INPATIENT HOSPITAL DEDUCTIBLE (1986)

Priority: Agency Determination

Legal Authority: 42 USC 1395e(b)(2)

CFR Citation: Not applicable

Abstract: This notice provides for cost sharing amounts payable by the beneficiary for inpatient hospital services. It will inform the public of the revised rates.

Timetable:

Action	Date	FR Cite
Final Action	09/30/85	

Small Entity: Not Applicable

Agency Contact: Barbara Klees, Acting Chief, Department of Health and Human Services, Health Care Financing Administration, Hospital Insurance Branch, Room 1-C-11 OM, 6325 Security Blvd., Baltimore, MD 21207, 301 594-2780

RIN: 0938-AB78

275. ● MEDICARE ECONOMIC INDEX FOR PHYSICIANS' SERVICES BEGINNING 10/01/85

Priority: Agency Determination Legal Authority: 42 USC 1395u CFR Citation: Not applicable

Abstract: This notice announces the economic index used in the calculation of prevailing charges for physicians' services under Part B of Medicare.

Timetable:

Action	Date	* FR Cite
Final Action	09/30/85	

Small Entity: Not Applicable

Agency Contact: Barbara Klees, Acting Chief, Department of Health and Human Services, Health Care Financing Administration, Hospital Insurance Branch, Room 1-C-11, 6325 Security Blvd., Baltimore, MD 21207, 301 594-2780

RIN: 0938-AB79

276. ● PART B PREMIUM FOR 12-MONTH PERIOD BEGINNING 01/01/86

Priority: Agency Determination

Legal Authority: 42 USC 1395r(a)(1),(3) and (4); 42 USC 1395r(e)(1) and (2)

CFR Citation: Not applicable

Abstract: This notice announces the monthly actuarial rates for aged (age 65 and over) and disabled (under age 65) enrollees in the Medicare
Supplementary Medical Insurance (SMI) program for the 12 months beginning January 1, 1986. It also announces the monthly SMI premium rate to be paid by all enrollees during the 12 months beginning January 1, 1986. In addition, the notice announces the extension of

the Part B premium amount at 25 percent of program costs for the calendar years 1986 and 1987.

Timetable:

Action	Date	FR Cite
Final Action	09/30/85	SIL MENTS
Small Entity:	Not Applicable	

Agency Contact: Susan Kunkel, Supervisory Actuary, Department of Health and Human Services, Health Care Financing Administration, Room 1-C-11 OM, 6325 Security Blvd., Baltimore, MD 21207, 301 594-1049

RIN: 0938-AB80

277. PART A PREMIUM FOR 12-MONTH PERIOD BEGINNING 01/01/86

Legal Authority: 42 USC 1395i-2(d)(2)

CFR Citation: Not applicable

Abstract: This notice announces Medicare's monthly hospital insurance premium for the uninsured aged for the 12 months beginning January 1, 1986.

Timetable:

Action	Date	FR	Cite
Final Action	09/30/85	Prisa.	
Small Entity:	Not Applicable		

Agency Contact: Barbara Klees, Acting Chief, Hospital Insurance Branch, Department of Health and Human Services, Health Care Financing Administration, 1-C-11 Oak Meadows Bldg., 6325 Security Blvd., Baltimore, MD 21207, 301 594-2780

RIN: 0938-AB81

278. ● REVIEW OF INFORMATION COLLECTION REQUIREMENTS, SUBPARTS L, M, Q

Legal Authority: 42 USC 1302; 44 USC 3507

CFR Citation: 42 CFR 405

Abstract: As a result of reviews performed under the authority of the Paperwork Reduction Act of 1980, the Office of Management and Budget has directed HCFA to revise selected collection of information requirements in HCFA regulations. This notice informs the public of OMB's decision and states our intention to develop notices of proposed rulemaking. This notice is technical in nature and will not adversely impact on public cost and benefits.

Current and Projected Rulemakings

Timetable:

Action Date FR Cite

Final Action 03/00/85

Small Entity: No

Agency Contact: Frank Burns, Chief, Management Branch, Department of Health and Human Services, Health Care Financing Administration, Division of Management, Organization, Analysis and Planning, G-A-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-8651

RIN: 0938-AB82

279. • OMB CONTROL NUMBERS FOR COLLECTIONS OF INFORMATION CONTAINED IN HCFA REGULATIONS

Legal Authority: 42 USC 1302; 42 USC 1395

CFR Citation: 42 CFR 400; 42 CFR 416; 42 CFR 435

Abstract: This regulation implements the provisions of the Paperwork Reduction Act of 1980 and adds additional OMB control numbers to the current display of valid control numbers contained in HCFA regulations. This regulation is intended merely to add to the display in 42 CFR Chapter IV, Additional OMB Control Numbers for Approved Information Collection Requirements. It is technical in nature and its actions will have no potential cost or benefit effects.

Timetable:

Action Date FR Cite

Small Entity: No

Agency Contact: Matt Plonski, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Eligibility & Administration Branch, BERC Regulations Staff, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9710

RIN: 0938-AB83

280. ASSIGNMENT AND REASSIGNMENT OF HOME HEALTH AGENCIES TO DESIGNATED REGIONAL INTERMEDIARIES

Legal Authority: 42 USC 1395h

CFR Citation: Not applicable

Abstract: This notice would announce which fiscal intermediaries would be designated as regional intermediaries to

service all freestanding home health agencies.

Timetable:

Action Date FR Cite

Proposed Notice 04/00/85

Small Entity: No

Agency Contact: Toba Winston, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Contract Policy Branch, Room 334, Meadows East Bldg.. 6325 Security Blvd., Baltimore, MD 21207, 301 594-0471

RIN: 0938-AB84

281. 6 MEDICAID ELIGIBILITY--QUALITY CONTROL

Priority: Agency Determination

Legal Authority: 42 USC 1396b

CFR Citation: 42 CFR 431.800; 42 CFR 431.804

Abstract: These regulations would codify in the CFR the Federal requirements for implementing a Medicaid Quality Control System that are now contained in the State Medicaid Manual and would make administrative changes to enhance administration of the system.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/00/85

Small Entity: No

Agency Contact: Joyce Somsak, Director, Office of Quality Control Programs, Department of Health and Human Services, Health Care Financing Administration, Bureau of Quality Control Programs, 207-L ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1354

RIN: 0938-AB85

282. FREESTANDING SNF COST LIMITS FOR COST REPORTING PERIODS BEGINNING ON OR AFTER OCTOBER 1, 1985

Priority: Agency Determination

Legal Authority: 42 USC 1395x(v)

CFR Citation: 42 CFR 405.460

Abstract: This proposed notice would set forth a schedule of limits on freestanding skilled nursing facility (SNF) costs that may be reimbursed under the Medicare program. It would update the limits in accordance with statutory requirements.

Timetable:

Action Date FR Cite

Proposed Notice 07/00/85

Small Entity: Yes

Agency Contact: Carl Slutter, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Provider Payment Policy, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-7365

RIN: 0938-AB86

283. HOME AND COMMUNITY-BASED SERVICES WAIVERS EXPENDITURE CONTROLS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1396n(c)

CFR Citation: 42 CFR 441.300; 42 CFR 441.301; 42 CFR 441.302; 42 CFR 441.303; 42 CFR 441.305

Abstract: The proposed regulation would designate an appropriate level of care assessment instrument for use by waiver States and require that States obtain expert certification of any alternative instrument to be used. The proposal would also set specific limits on the number of waiver-eligible individuals and the cost of waiver services, and modify regulatory language to strengthen grounds for termination based on faulty estimates of cost, utilization, population, and bed capacity.

Timetable:

Action Date FR Cite
NPRM 01/00/86

Small Entity: No

Agency Contact: Robert Wren, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Coverage Policy, Room 401 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9691

RIN: 0938-AB87

284. MEDICAID: IDENTIFICATION OF THIRD PARTY RESOURCES

Legal Authority: 42 USC 1396a(25)

Priority: Agency Determination

CFR Citation: 42 CFR 433.138

Current and Projected Rulemakings

Abstract: This regulation would provide that States use all available means to identify and collect third party resources. It would provide for cross referral between claims processing and recovery components within the State agency.

Timetable:		
Action	Date	FR Cite
NPRM	08/00/85	-
Small Entity:	Undetermined	

Agency Contact: Gale Held, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Operational Initiatives, Rm. 367 ME, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9101

RIN: 0938-AB88

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Health Care Financing Administration (HCFA)

Completed Actions

COMPLETED RULEMAKINGS 285. INTEREST ASSESSMENT ON OVERPAYMENTS AND UNDERPAYMENTS TO PROVIDERS AND SUPPLIERS

Priority: Agency Determination

CFR Citation: 42 CFR 405.376; 42 CFR 405.419

Completed:

Reason	Date	FR	Cite
Final Action	09/14/84	49 FR	36097
Final Action	10/15/84		
Effective			

Small Entity: No

Agency Contact: Dan Metzman 301 594-8194

RIN: 0938-AA11

286. TREATMENT OF COST OF UNCOMPENSATED SERVICES FURNISHED IN FULFILLMENT OF A HILL-BURTON FREE CARE OBLIGATION

Priority: Agency Determination CFR Citation: 42 CFR 405.420

Completed:

Reason	Date	FR Cite
Withdrawn	01/00/85	With Science

Small Entity: No

Agency Contact: Paul Trimble 301 594-8640

RIN: 0938-AA28

287. PAYMENTS TO HMOS AND CMPS

CFR Citation: 42 CFR 405; 42 CFR 2001 to 2098; 42 CFR 417, (New)

Completed:

Reason	Date	FR Cite
Final Action	01/10/85	50 FR 1314
Final Action	02/01/85	

Small Entity: Yes

Agency Contact: Anthony Lovecchio 301 594-4010

RIN: 0938-AA43

288. RHC PROSPECTIVE REIMBURSEMENT

CFR Citation: 42 CFR 405.2401 to 405.2430; 42 CFR 447.371

Completed:

Reason	Date	FR	Cite
Withdrawn	01/00/85		
Small Entity:	Undetermined		

Agency Contact: Anthony Lovecchio 301 594-4010

RIN: 0938-AA44

289. MEDICAID MANAGEMENT INFORMATION SYSTEMS: SYSTEM REQUIREMENTS

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Final Action	02/01/85	50 FR 04800
Conall Entition	NI-	

Small Entity: No

Agency Contact: Dan Baker 301 594-

RIN: 0938-AA75

290. MISCELLANEOUS CONFORMING AMENDMENTS

CFR Citation: 42 CFR 405; 42 CFR 409; 42 CFR 430; 42 CFR 431; 42 CFR 433; 42 CFR 435; 42 CFR 441; 42 CFR 442

Completed:

Reason	Date	FR Cite
Withdrawn	01/00/85	
Small Entity:	No	

Agency Contact: Luisa Iglesias 202 245-0383

RIN: 0938-AB05

291. EARLY AND PERIODIC SCREENING, DIAGNOSIS, AND TREATMENT (EPSDT) PROGRAM

Priority: Agency Determination, Task Force

CFR Citation: 42 CFR 441.50; 42 CFR 441.51; 42 CFR 441.55; 42 CFR 441.56; 42 CFR 441.57; 42 CFR 441.58; 42 CFR 441.59; 42 CFR 441.60; 42 CFR 441.61; 42 CFR 441.62; 42 CFR 441.70; 42 CFR 441.71; 42 CFR 441.75; 42 CFR 441.80; 42 CFR 441.85

Completed:

Reason	Date		FR	Cite
Final Action	10/31/84	49	FR	43654
Final Action Effective	01/29/85			

Small Entity: No

Agency Contact: Robert Wren 301 594-

RIN: 0938-AB06

292. PERFORMANCE CRITERIA AND STATISTICAL STANDARDS FOR EVALUATING INTERMEDIARY PERFORMANCE DURING FISCAL YEAR 1984

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Withdrawn	01/00/85	

Small Entity: Not Applicable

Agency Contact: Newton Dikoff 301 594-8190

RIN: 0938-AB19

293. PART A PREMIUM FOR UNINSURED AGED FOR 12-MONTH PERIOD BEGINNING 01/01/85

CFR Citation: Not applicable

Completed Actions

Completed:				-31
Reason	Date		FR	Cite
Final Action	09/28/84 01/01/85	49	FR	38510
Effective				

Small Entity: Not Applicable

Agency Contact: Barbara Klees 301

594-2780

RIN: 0938-AB22

294. PART B PREMIUM FOR 12-MONTH PERIOD BEGINNING 01/01/85

CFR Citation: 00 CFR Not Applicable

Completed:

Reason	Date		FR	Cite
Final Action Final Action Effective	09/28/84 01/01/85	49	FR	38510

Small Entity: Not Applicable

Agency Contact: Carter Warfield 301

594-2893

RIN: 0938-AB23

295. INPATIENT HOSPITAL DEDUCTIBLE (1985)

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Final Action	09/28/84	49 FR 38513
Final Action Effective	01/01/85	

Small Entity: Not Applicable

Agency Contact: Barbara Klees 301

594-2780

RIN: 0938-AB30

296. REVISED RCE LIMITS - CY1984

CFR Citation: 42 CFR 405.482

Completed:

Reason	Date		FR	Cite	
Final Action	02/20/85	50	FR	07123	

Small Entity: No

Agency Contact: William Goeller 301 597-1803

RIN: 0938-AB32

297. REISSUANCE OF THE WAGE INDEX IN THE 1981 SCHEDULE OF LIMITS ON HOSPITAL PER DIEM INPATIENT GENERAL ROUTINE OPERATING COSTS

CFR Citation: 42 CFR 405.460

Completed:

Reason	Date	FR Cite
Final Action	11/26/84	49 FR 46495
Final Action Effective	12/26/84	

Small Entity: No

Agency Contact: Maureen McGrath 301 594-7373

RIN: 0938-AB38

298. MEDICARE RECOVERY AGAINST THIRD PARTIES

CFR Citation: 42 CFR 405, Subpart C

Completed:

Completed.		-9	
Reason	Date	FR	Cite
Withdrawn	12/07/84		
Small Entity:	Undetermined		

Agency Contact: Herbert M. Pollock 301 594-4978

RIN: 0938-AB49

299. CRITERIA AND STANDARDS FOR INTERMEDIARIES AND CARRIERS— FISCAL YEAR 1985

Priority: Agency Determination

CFR Citation: Not yet determined

Completed:

Reason	Date		FR	Cite
Final Action	09/28/84	49	FR	38516
Final Action	10/01/84			
Effective				

Small Entity: No

Agency Contact: Newton Dikoff 301 594-8191

RIN: 0938-AB51

300. PAYMENT ADJUSTMENTS FOR HOSPITAL WAGE INDEXES UNDER THE PROSPECTIVE PAYMENT SYSTEM

CFR Citation: 42 CFR 405.473

Completed:

Reason	Date	FR Cite
Incorporated into RIN 0938-AB48	01/00/85	

Small Entity: Yes

Agency Contact: Charles Booth 301 594-9760

RIN: 0938-AB52

301. HOSPITALS SERVING A
DISPROPORTIONATE NUMBER OF
LOW INCOME PATIENTS OR A
DISPROPORTIONATE NUMBER OF
PART A MEDICARE PATIENTS

CFR Citation: Not yet determined

Completed:

Completed			
Reason	Date	FR	Cite
Withdrawn	11/00/84	Jan 31	Marie 1

Small Entity: No

Agency Contact: Charles Booth 301 594-9760

RIN: 0938-AB63

302. PAYMENT TO HHAS AND HOSPICES FOLLOWING TERMINATION

CFR Citation: Not applicable

Completed:

Reason	Date	FR	Cite	
Incorporated into	11/00/94	-		

RIN 0938-AB11

Small Entity: No

Agency Contact: Gale Held 301 594-9101

RIN: 0938-AB67

[FR Doc. 85-8388 Filed 04-28-85; 8:45 am]

BILLING CODE 4150-04-T

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Monday April 29, 1985

Part IX

Department of Housing and Urban Development

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Subtitles A and B

[Docket No. N-85-1510]

Semiannual Agenda of Regulations

AGENCY: Department of Housing and Urban Development.

ACTION: Semiannual agenda, under Executive Order 12291 and the Regulatory Flexibility Act, of regulations expected to be issued and under review.

SUMMARY: In accordance with section 5 of Executive Order 12291, "Federal Regulation," the Department is publishing its Agenda of proposed regulations already issued or expected to be issued, and of currently effective rules that are under review. Also, under section 602 of the Regulatory Flexibility Act, the Department has prepared a regulatory flexibility agenda of regulations expected to be proposed or promulgated which are likely to have a significant economic impact on a substantial number of small entities. As permitted by Executive Order 12291 and the Regulatory Flexibility Act, the two agendas are combined for publication.

FOR FURTHER INFORMATION CONTACT:

Grady J. Norris, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10278, 451 7th Street, S.W., Washington, D.C. 20410, (202) 755-7055. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Executive Order 12291, "Federal Regulation," issued on February 17, 1981 (46 FR 13193), requires each agency to publish semiannually an agenda of regulations that the agency has issued or expects to issue and of currently effective regulations that are under agency review.

The Regulatory Flexibility Act, 5
U.S.C. 601-612, requires each agency to
publish semiannually a regulatory
flexibility agenda of rules expected to
be proposed or promulgated which are
likely to have a significant economic
impact on a substantial number of
"small entities," meaning small
businesses, small organizations, or small
governmental jurisdictions.

Executive Order 12291 and section 605 of the Regulatory Flexibility Act each permit incorporation of the agenda it requires with any other prescribed agenda. Accordingly, the agenda set out below combines the information required by the Executive Order and by the Regulatory Flexibility Act. In addition, the Agenda contains certain information not required by either the Executive Order or by the Act which the Department considers useful, both better to inform the public and to enhance the Department's own inventory control over its body of regulations.

For purposes of Executive Order 12291, "regulation" or "rule" is defined as "an agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the procedure or practice requirements of an agency,' subject to certain exceptions. The Agenda published below concentrates upon regulatory material contained, or expected to be contained, in the Code of Federal Regulations (CFR) (or incorporated therein by reference) following publication in the Federal Register. As appropriate, however, issuances in the nature of general statements of policy may be published in the Federal Register but not for codification in the CFR.

The Department also is subject to certain requirements involving congressional review of rulemaking actions, including publication of an agenda. Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight (the Senate Committee on Banking, Housing and Urban Affairs and the House Committee on Banking, Finance and Urban Affairs) a semiannual agenda of all rules or regulations which are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days of continuous session of Congress after transmittal of the agenda. If, within such period, either Committee notifies the Secretary that it intends to review any rule or regulation or portion thereof which appears on the agenda, the Secretary must submit to both

Committees a copy of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days of continuous session before it is published for comment. The Semiannual Agenda appearing hereinafter is the agenda transmitted to the Committees in compliance with the foregoing requirement.

The agenda items are divided first by program office. Within each program office, the agenda items are divided into three groups: (i) Current and projected rulemakings, (ii) reviews of existing regulations, and (iii) completed or withdrawn regulations and completed reviews. Within each grouping, rules are listed in chronological order by the Part number of the CFR affected. Where a rule affects multiple parts of the CFR, the rule is listed by the first affected Part number. Rules which are designated "priority" include all regulations designated for priority development or review by the Department, all regulations that are "major rules" under section 1(b) of Executive Order 12291, and all regulations designated for review by the Presidential Task Force on Regulatory Relief.

Under Executive Order 12291, a
"major rule" means "any regulation that
is likely to result in: (1) An annual effect
on the economy of \$100 million or more;
(2) a major increase in costs or prices for
consumers, individual industries,
Federal, State, or local government
agencies, or geographic regions; or (3)
significant adverse effects on
competition, employment, investment,
productivity, innovation, or on the
ability of United States-based
enterprises to compete with foreignbased enterprises in domestic or export
markets."

Items listed in this Agenda are from the following Offices within the Department: Office of the Secretary; Office of Housing; Office of Public and Indian Housing; Office of Community Planning and Development; Office of Fair Housing and Equal Opportunity; Office of Administration; and Office of the Inspector General.

DATED: February 27, 1985. John J. Knapp, General Counsel.

Office of the Secretary—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1 2 3 4 5 6 7	*24 CFR 55, (New) Procedure for Floodplain Management and the Protection of Wetlands. Implementation of Executive Orders 11988 and 11990 (S-7-84; FR-865). 24 CFR 17 Implementation of the Interest Provisions of the Debt Collection Act of 1982 (S-9-84; FR-2022). *24 CFR 17 Tax Refund Deduction Program (S-2-85). *24 CFR 20 Board of Contract Appeals Rules of Procedures (S-1-79; FR-1349). *24 CFR 24 Suspension and Debarment (S-2-79; FR-1676). *24 CFR 35 Departmental Policies, Responsibilities, and Procedures for Protection and Enhancement of Environ-	2501-AA23 2501-AA24 2501-AA28 2501-AA04 2501-AA05 2501-AA15
8 9 10 11	mental Quality (S-4-85) *24 CFR 56, (New) Policies for the Requirement to Maintain Flood Insurance: Implementation of Sections 102(a) and 202(a) of the Flood Disaster Protection Act (S-3-85) 24 CFR 58 Environmental Review Procedures - Rental Rehabilitation and Housing Development Grant Program (S-6-84; FR-1965) *24 CFR 81.41(b) Secondary Market Operations of the Federal National Mortgage Association (FNMA) (S-3-81)	2501-AA29 2501-AA25 2501-AA25 2501-AA10 2501-AA27

^{*}Indicates priority regulation.

Office of the Secretary—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
12	00 CFR Not yet determined Office of Small and Disadvantaged Business Utilization: General Functions and Role in the Department's Procurement Process (S-8-84; FR-1894)	2501-AA22

Office of the Secretary—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
13	00 CFR Not yet determined Removal of References to Superseded DOL Regulations (S-3-84; FR-1888)	2501-AA18 2501-AA00

^{*}Indicates priority regulation.

Office of Housing—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1101111001		
	00 CFR Not yet determined Troubled Projects Amendments (H-50-84)	2502-AC31
15	24 CFR Ch II HUD Inspections - No Duty of Care (H-1-85; FR-2025)	2502-AC92
16	*24 CFR 35 Lead Based Paint Poisoning Prevention (H-81-82; FR-1748)	2502-AA06
17	*24 CFR 35 Lead Based Paint Poisoning Prevention (175 September 24 CFR 200 Elimination of Minimum Property Standards (MPS) for One- and Two-Family Dwellings (H-74-82; FR-	
18	*24 CFR 200 Elimination of Minimum Property Standards (Wr 5) for Cite and Trooperty	2502-AA03
	1655)	and the second of the second
19	24 CFR 200.929 Use of Materials Bulletin No. 38i - HUD Building Product Standards and Certification Program for	2502-AA66
	the Grademarking of Lumber (H-104-82)	EUOL TUTO
20	the Grademarking of Lumber (1910-02) 24 CFR 200.935 Use of Materials Bulletin No. 86 - HUD Building Product Standards and Certification Program for	2502-AA68
		2302-MAGG
21	OLD COR 200 Support S Supplement to Minimum Property Standards for Solar Heating and Domestic Hot Water	0500 4400
50	Ctome (U.C.90: ED 1320)	2502-AA99
22	24 CFR 200.929 Use of Material Bulletin No. 78a, Plastic Supply Piping for Domestic Cold Water (H-33-79; FR-	
26	4.4.7.43	2502-AB05
-00	24 CFR 200.925 Applicability of Minimum Property Standards Manufactured Homes under Title II of the National	
23	Housing Act (H-82-82; FR-1578)	2502-AB24
· Paguro	*24 CFR 200 Minimum Property Standards for Care-Type Housing MPS (H-39-83; FR-1776)	2502-AB86
24	*24 CFR 200 Minimum Property Standards for Care-Type Housing 11 5 (1-26-82; FR-1588)	2502-AC13
25	*24 CFR 200 Restrictions on Housing Assistance to triengible Atlens (H-20-02, FH-1000)	

Office of Housing—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
26	*24 CFR 200 Use of Commitment Correspondents in Connection with FHA Mortgage Insurance (H-60-84;FR-1954)	2502-AC66
27	24 CFR 200.935 Use of Materials Bulletin (UM) No. 44d-HUD Building Product Standards and Certification Program	
20	for Carpet and Attached Cushion (H-85-84)	2502-AC71 2502-AC72
28 29	24 CFR 200.93 Multilatrity Participation Review Continues (H-75-64, FR-2006)	2502-AC72
30	24 CFR 200.935 Use of Materials Bulletin (UM) No. 52b - HUD Building Product Standards and Certification Program for Wood Flush Doors (H-83-84)	2502-AC78
31	24 CFR 200 Use of Materials Bulletin No. 48a - HUD Building Product Standards and Certification Program for	
22	Pressure Treated Lumber and Plywood (H-17-85) 24 CFR 200 Use of Materials Bulletin No. 71 - Polystyrene Foam Board (H-20-85)	2502-AC98 2502-AD00
32	24 CFR 200 Use of Materials Bulletin No. 40c - Grademarking of Plywood (H-21-85)	2502-AD01
34	24 CFR 200 Use of Materials Bulletin No. 88 - Mat Formed Particleboard (H-22-85)	2502-AD02
35	*24 CFR 201 Property Improvement and Manufactured Home Loan Program Deregulation Amendments (H-57-81;	
36	FR-1656)	2502-AA93
07	Buy-Downs (H-84-82; FR-1590)	2502-AA57
37	FR-1742)	2502-AA61
38	24 CFR 203.410 Issue Date of Debentures (H-51-81; FR-1501)	2502-AA91
39	24 CFR 203.22(b) Mutual Mortgage Insurance and Rehabilitation Loans Prepayment Privileges and Application of Late Charges (H-9-79; FR-1028)	2502-AB02
40	24 CFR 203 Mortgage Insurance for One-to-Four-Family ResidencesAdjustment for Damages or Neglect (H-19-	2502-AB03
41	79; FR-837) 24 CFR 203 Mortgagee Approval - Eligibility Requirements (H-64-78; FR-903)	2502-AB03 2502-AB12
42	*24 CFR 203 Temporary Mortgage Assistance Payments (TMAP), and Assignments to Housing and Urban	EGUZ-NUIZ
40	Development (H-29-81; FR-1415)	2502-AB79
43	Loans (H-47-83; FR-1801)	2502-AB89
44	*24 CFR 203.12 Mortgage Insurance Endorsement on a New or Existing Dwelling in a New Subdivision or Improved Area (H-13-84; FR-1867)	2502-AC04
45	24 CFR 203 Reinsurance Demonstration Program (H-46-84)	2502-AC11
46	24 CFR 203.42(a) Mutual Mortgage Insurance and Rehabilitation Loans; Elimination of Restrictions on Contiguous Properties Applicable to Investor Mortgagors (H-1-84; FR-1831)	2502-AC17
47	*24 CFR 203 Changes in Maximum Loan-to-Value Ratio, Single Family Housing (H-42-84; FR-1935)	2502-AC33
48	24 CFR 203 Extending Single Family One-Time Mortgage Insurance Premium Provision for Single-Family Mortgages to Funds Other Than Those Insured Under the Mutual Mortgage Insurance Fund (H-40-84; ETC	2502-AC35
49	*24 CFR 203 Single Family Mortgage Insurance on Hawaiian Home Lands (H-39-84; FR-1928)	2502-AC36
50	*24 CFR 200 Payment of Claims without Acquisition of Title (H-38-84; FR-1927)	
51	24 CFR 203 Single Family Mortgage Insurance - Indian Reservations (H-36-84; FR-1921)	2502-AC39
52	24 CFR 203 Insurance of Single Family Shared Appreciation Mortgages (H-33-84; FR-1917)	2502-AC42
53	*24 CFR 203 Insurance of Single Family Adjustable Rate Mortgages (H-32-84; FR-1916)	
54	*24 CFR 203 Insurance of Single Family Indexed Mortgages (H-31-84; FR-1915)	
55	24 CFR 203 Retention Period for Mortgagee Single Family Claim Records (H-81-84)	2502-AC50
56	24 CFR 203 Limit On Claim Cost (H-82-84)	2502-AC52 2502-AC54
57 58	24 CFR 203 Penalty for Lack of Documentation (H-80-84)	
59	*24 CFR 203 FHA Mortgage Insurance on Indian Land where the Tribe is the Mortgagor (H-8-85; FR-2059)	2502-AC81
60	*24 CFR 203 Conveyance of Occupied Properties to HUD (H-9-85; FR-2064)	2502-AC86
61	24 CFR 204 Coinsurance Program (H-28-80; FR-1094)	2502-AB01
62	24 CFR 205 Mortgage Insurance for Land Development (Title X); Provides Eligibility for Refinancing Transactions (H-41-93; FR-1779)	2502-AB98
63	24 CFR 205 Geographical Eligibility of Property (H-67-84; FR-1982)	2502-AC51
64	24 CFR 207 Multifamily Mortgage Insurance (H-96-82)	2502-AA63
65	24 CFR 207 Mortgage Insurance Programs under National Housing Act (H-48-81; FR-1525)	2502-AA90
66	24 CFR 207 Limitation on Prepayment for Bond Financed Projects (H-54-83; FR-1819)	2502-AC01
67	24 CFR 207.261 Multifamily Housing Mortgage Insurance - Assignment of Insured Mortgages (H-35-83; FR-1768)	2502-AC14
68	24 CFR 207.256 Change in Default Notice Reporting Period - Multifamily Insurance (H-4-84; FR-1842)	2502-AC18
69	24 CFR 207.4 Multifamily Mortgage Insurance Programs; Requirement of Increased Equity Limited Recourse or Special Escrow (H-15-84; FR-1871)	2502-AC19
70	*24 CFR 207 Deregulation of Rents (H-28-84; FR-1905)	2502-AC21
71	24 CFR 207 Insurance of Multifamily Graduated Payment Mortgages (H-16-84; FR-1872)	2502-AC27
72	24 CFR 207 Section 223(f) Insurance in Connection With Rental Rehabilitation Development Grant Program (H-52-84)	2502-AC29
73	24 CFR 207 Insurance of Multifamily Shared Application Mortgages (H-41-84; FR-1934)	2502-AC34

Office of Housing—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
51	*24 CFR 207 Insurance of Multifamily Partially Amortized Mortgages (H-34-84; FR-1918)	2502-AC41
74	COO(A Congrative (H-56-84)	2502-AC47
75	Decree of Mortgages of Milliamily Henral Housing (17-34-04, F17-1302)	2502-AC49
76	and the Common for the Durchase of Refinancing of Existing Multilathing housing Projects	0500 4074
77		2502-AC74
78	or order of Flood Incurence Requirements for Mortgages Insurance and Grant Program (17-74-04, 111-2007)	2502-AC76
79	a company of Perinancing Limitations (H-Z-65) FR-ZUZO	2502-AC89
80		FOOT LOOF
81	Mortgages Insurance Subordinated Secretary-held Mortgages (n-33-63, Fn-1750)	2502-AB97 2502-AA34
82	Displaced and Living in Substandard Housing (H-22-b), FH-1097)	2502-AA34 2502-AB87
83	24 CFR 215 Preferences for Persons Displaced and Entiry III Preferences for Persons Displaced And III Preferences for Persons Displaced	2502-11507
84	*24 CFR 215 Occupancy Policies in Assisted Projects for the Carry Income for the Rent Supplement and Section *24 CFR 215 Definition of Income Rents and Reexamination of Family Income for the Rent Supplement and Section	2502-AC05
	24 CFR 215 Definition of Income Herits and President address and P	
85	236 Programs (H-140-82, H-141-62, FR-1702) 24 CFR 215 State Agency Amendments (H-70-84; FR-1997) 24 CFR 219 Flexible Subsidy Program (H-48-82)	2502-AA53
86	24 CFR 219 Flexible Subsidy Program (H-48-82). 24 CFR 232 Mortgage Insurance for Board And Care Homes (H-55-84)	2502-AC48
87		
88		2502-AC85 2502-AC79
89	and and American Ownership Mortgage Insurance-1983 ACI AMERICINETIS (II-7 1-04, FIT-1999)	2502-AC93
90	and the Cootion 235 Program (H-3-85' FH-2037)	ESOE MODE
91	*24 CFR 241 Maximum Mortgage Amounts for Hospitals (H-72-84; FR-2004)	
92	*24 CFR 241 Maximum Mortgage Amounts for Hospitals (17/204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17 204, 17	2502-AD06
	Technical Revisions	2502-AC15
93	Description and Public Hospitals (H-b9-84, FM-1992)	2502-AC61
94	*24 CFR 242 Mortgage insurance Hequirements for Physical and Public 7-83; FR-1730. *24 CFR 245 Tenant Participation in Multifamily Housing Projects (H-20-83; FR-1730).	2502-AB66
95	*24 CFR 245 Tenant Participation in Multilarnity Housing Projects (H-29-84; FR- *24 CFR 245 Tenant ParticipationPrepayment or Termination of Insurance of Subsidized Projects (H-79-84; FR-	1
96		2502-AC57
97	and one continuously Concurrence for Purchase of Refinancing of Existing Multifailing Flousing Projects (1)	NOVEMBER OF THE PARTY OF
31		2502-AA92
98	Transfer from Monorofit to Profit Motivated Ownership for Multilatility Housing Projects with 1105	The second second
00	1000 11-13 Madagage (U 97 92: EQ-1771)	2502-AB93
99	the control of the Council Multifamily Projects Management and Disposition (F-03-70, FR-402)	LOOL FICO.
100	the order of Financial Information to Mortgage Purchasers (FI-70-04, FII-2014)	LOOL 1100
101	*24 CFR 390 Securitization of Adjustable Rate Mortgages (H-61-84; FR-1962)	2502-AB5
102	*24 CFR 390 Securitization of Adjustable Hate Montgages (FFR 390 Securitization of Ad	2502-AC8
103	24 CFR 813 Technical Amendments to Definition of Income (H-6-85; FR-2052)	
104	24 CFR 813 Technical Amendments to Definition of Income Resulting from Consultation with the Farmers Home Administration (H-4-85; FR-2042)	. 2502-AC9
	(H-4-85; FR-2042)	
105	*24 CFR 850 Housing Development Grant Program (H-20-04, TH-10-02) *24 CFR 880 Government Officials, Conflicts of Interest (H-127-02)	. 2502-AA1
106	*24 CFR 880 Government Officials, Conflicts of Interest (1722-82; FR-1703)	. 2502-AA1
107	and the Clarification of Contract Bont Adulatment After Cost Certification (P-77-04, FR-2013)	- LOOL 1100
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110	of orn and Contion & Housing Assistance Payments Ploutability of Cocton of Labourg	THE PARTY OF THE PARTY OF
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112	1 to Lord and Costion & Housing Assistance Payments Program-Existing riousing-Quality Standards-Lead based	The second second second
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114	and one of Elicibility of Evicting Structures and Moderate Henaphilation to Meet Needs of Northbook Transfer	AND THE PARTY OF T
	J (1) 40 04: ED 4649)	
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116	at one Management Pules and Comprehensive Housing and Community Development Americanients (11-04-	THE PERSON NAMED IN
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117	are car o and Leane for Housing for the Fidery of Handicapped (n-10-04, 111-10-04,	Look mee
118	The same state of the Elderly of Handicapped Interest Hate Adjustitions in 11-00, 11-2000 minutes	2002 1100
119	at one cost coston 202 Loans for Housing for the Elderly of Halldicapped Collinarity Representation	
120	and the second designation of the property with MUD-Insured of HUD-Held Mortgages (11-05-10)	LOOL . W.
121	24 CFR 886 Additional Assistance Program of Project Park 886 (H-59-84; FR-1950)	
	The same of the sa	2502-AC

Office of Housing-Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
123	*24 CFR 888 Section 8 Housing Assistance Payments Program Contract Rent Annual Adjustment Factors (Federal Register Notice of Publication) (H-57-84)	2502-AC4
124	24 CFR 880 Section 8 Housing Assistance Payments Programs; Promulgation of Fair Market Rent Schedules by Notice (H-73-84; FR-2005).	2502-AC5
125	24 CFR 888 Section 8 Housing Assistance Payments Program: Fair Market Rent Schedules for Existing Housing and Moderate Rehabilitation (H-86-84)	2502-AC6
126	24 CFR 888 Fair Market Rents for the Section 8 New Construction and Substantial Rehabilitation Programs (H-5-85: FR-2079)	2502-AC9
127	*24 CFR 892 Section 8-Litigation by PHAs to Recover Wrongfully Used Section 8 Funds (H-126-82; FR-1692)	2502-AA1
128	24 CFR 910, (New) Book Entry Securities of Public Housing Authorities (H-64-83; FR-1845).	2502-AB7
129	*24 CFR 1710 Technical Amendments to the Interstate Land Sales Registration Regulations (H-15-85, FR-2080)	2502-AC8
130	*24 CFR 1800 Allocation of Funds and Miscellaneous Changes for the Solar Energy and Energy Conservation Bank (S-1-85; FR-2051)	2502-AC8
131	*24 CFR 3280 Federal Manufactured Home Construction and Safety Standards (H-46-82; FR-1637)	
132	24 CFR 3280 Standards for Small Manufactured Homes, Manufactured Home Construction and Safety Standards	
133	*24 CFR 3280 Medium Density Fiberboard (MDF) (H-16-85)	
134	24 CFR 3280 Transportation, Durability, Testing - Manufactured Home Construction and Safety Standards	
135	24 CFR 3280 Hardboard Siding - Manufactured Homes Construction and Safety Standards (H-24-85)	
136	24 CFR 3280 Manufactured Home Construction and Safety Standards - Condensation and Ventilation (H-27-85)	
137	24 CFR 3280 Manufactured Home Construction and Safety Standards, Subparts B, D, E, G, H, I (H-30-85)	2502-AD1
138	*24 CFR 3280 Revision of Manufactured Home Construction and Safety Standards - Subpart F - Thermal Protection (H-31-85)	2502-AD1
139	24 CFR 3282 Manufactured Home Procedural and Enforcement Regulations, Subpart G - State Administrative Agencies (H-32-85)	2502-AD1
140	*24 CFR 3280 Revision of Manufactured Home Construction and Safety Standards - Subparts A, B, D, E, G, H, I (H-25-85)	2502-AD1
141	24 CFR 3282.454 Manufactured Home Procedural and Enforcement Regulations Monitoring Inspection Fee (H-30-83: FR-1767)	2502-AB4
142	24 CFR 3282.203 MFC Home Procedural and Enforcement Regulations to Clarify Procedures to be Followed by Design Approval and Production Inspection Primary Inspection Agencies (H-53-82; FR-1815)	2502-AC1
143	24 CFR 3282 Manufactured Housing Complaint Index (H-18-85)	2502-AC9
144	24 CFR 3282 Revision of Manufactured Home Procedural and Enforcement Regulations - Consumer Complaint	0500 400
145	Handling (H-26-85)	2502-AD0
146	24 CFR 3282 Manufactured Home Procedural and Enforcement Regulations; Primary Inspection Agency (PIA) Licensing (H-29-85)	2502-AD0
147	24 CFR 3282 Manufactured Home Procedural and Enforcement Regulations; Subpart L - Reporting Requirements (H-33-95).	2502-AD1
148	24 CFR 3500 Real Estate Settlement Procedures Act - Controlled Business Provisions and Miscellaneous	2502-AC
149	Changes (H-45-84; FR-1942) *00 CFR Not yet determined Manufactured Home Construction and Safety Standards (Voluntary Consensus Standards) (H-72-82; FR-1633)	2502-ACC

^{*}Indicates priority regulation.

Office of Housing-Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
150	24 CFR 886, Subpart C Section 8 Housing Assistance Program for Disposition of the HUD-Owned Projects (H-6-79; FR-829)	2502-AB42

Office of Housing—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
151 152 153 154 155 156 157 158	24 CFR 200.935 Use of Materials Bulletin No. 85 - HUD Building Product Standards and Certification Program for Poly (Vinyl Chloride) Windows (H-105-82; FR-1926). *24 CFR 200 Users Fee Schedule for the Technical Suitability of Products Program (H-56-83; FR-1827)	2502-AA67 2502-AB78 2502-AC26 2502-AB10 2502-AB92 2502-AB92 2502-AA43 2502-AC60
159 160	24 CFR 245 Tenant Participation for Items Requiring HUD Approval (H-89-84; FR-1997). 24 CFR 882.300 to 882.316 Section 8 Housing Assistance Payments Program - Existing Contract Administration (H-58-78; FR-659).	2502-AC58 2502-AB46
161 162 163	*24 CFR 232 Changes in HUD/FHA Maximum Interest Rate (H-12-85; FR-2054) *24 CFR 232 Change in HUD/FHA Maximum Interest Rate (H-14-85; FR-2070) *24 CFR 885.410(g) Loans for Housing for the Elderly or Handicapped; Fiscal Year 1985 Interest Rate (H-7-85; FR-2056)	2502-AD15 2502-AD16 2502-AC90

^{*}Indicates priority regulation.

Office of Community Planning and Development—Current and Projected Rulemakings

Se- quence Number	Title Title	Regulation Identifier Number
101	24 CFR 42 Uniform Relocation Assistance and Real Property Acquisition (CPD-15-83)	2506-AA46
164	*24 CFR 50 Departmental Policies, Responsibilities, and Procedures for Protection and Enhancement of Environ-	
165	montal Quality (CPD-29-78: FB-1054)	2506-AA10
166	24 CFR 51F Siting of HUD-Assisted Projects Near High Voltage Transmission Lines (CPD-3-85)	2506-AA61
167	24 CER 51E Exposure to Radon Gas in New and Existing Residential Structures (CPD-2-85)	2506-AA62
168	24 CFR 51G Siting of HUD-Assisted Projects Near High Pressure Gas Transmission Lines (CPD-1-85)	2506-AA63
169	*24 CFR 58 Environmental Review Procedures for the CDBG Program (CPD-21-81; FR-1027)	2506-AA05
170	*24 CER 510 Section 312 Rehabilitation Loan Program (CPD-9-84)	2506-AA52
171	*24 CER 511 Residential Rental Rehabilitation Program (CPD-7-84; FR-1901)	2506-AA55
172	*24 CFR 511.32 Performance Adjustments to Formula Allocations-Rental Rehabilitation Program (CPD-14-84); FR-	
112	2055)	2506-AA60
173	24 CFB 570 410 Special Projects Program (CPD-5-82; FR-1554)	2506-AA01
174	24 CFB 570 Small Cities CDBG Program (CPD-35-81; FR-1502)	2506-AA06
175	24 CFB 570 402 Technical Assistance: Discretionary Awards (CPD-6-79; FR-1115)	2506-AA30
176	24 CER 570 405 CDBG Secretary's Discretionary Fund: Insular Areas (CPD-6-83; FR-1822)	2506-AA32
177	*24 CEB 570 488 to 570 499 Community Development Block Grants: State's Program (CPD-7-83; FR-1877)	2506-AA38
178	*24 CER 570 Subpart G. Community Development Block Grants Urban Development Action Grants (CPD-14-83)	2506-AA40
179	*24 CFB 570 Community Development Block Grant (CPD-6-84; FR-1895)	2506-AA47
180	24 CFB 570 703 Section 108 Loan Guarantee Assistance Fees (CPD-10-84; FR-1974)	2506-AA59
181	24 CER 571 101 Indian CDBG Program Assured Funding Process (CPD-4-84)	2506-AA50
182	24 CFR 571.607 Indian CDGB Program - Conflict of Interest Provisions (CPD-5-84; FR-2016)	2506-AA51
183	24 CEP 571 202 CDBG Program for Indian Tribes and Alaskan Natives (CPD-11-84; FR-2000)	2506-AA56
184	24 CER 571 702 (b) (6) Indian Community Development Block Grant Program: Revision to Corrective and Hemedial	0500 4450
	Action (CPD-13-84)	2506-AA58
185	24 CFR 590 Urban Homesteading (CPD-41-81; FR-1624)	2506-AA20
186	*24 CFR 596 Enterprise Zones (CPD-11-83)	2506-AA45

^{*}Indicates priority regulation.

Office of Community Planning and Development-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
187	24 CFR 510 Rehabilitation Loan Program (CPD-9-82; FR-1128)	2506-AA54
188	24 CFR 570.513 Lump Sum Drawdown of CDBG Funds for Property Rehabilitation Financing (CPD-39-81; FR-1572)	2506-AA19
189	24 CFR 570 Urban Renewal Provisions (CPD-16-79)	2506-AA22
190	*24 CFR 570.906(b) Small Cities Program (CPD-12-83; FR-1825)	2506-AA43
191	24 CFR 570.513 Community Development Block Grants; Lump Sum Drawdowns for Property Rehabilitation Financing (CPD-2-84; FR-1854)	2506-AA48
192	*24 CFR 571 Indian CDBG Program (CPD-18-79; FR-1612)	2506-AA09
193	*24 CFR 571.302 Indian CDBG Program - Project Selection Process (CPD-5-83)	2506-AA33

^{*}Indicates priority regulation.

Office of Fair Housing and Equal Opportunity—Current and Projected Rulemakings

Se- quence lumber	Title Title	Regulatio Identifier Number
194	*24 CFR 8 Nondiscrimination Based on Handicap in Federally-Assisted Programs and Activities (FH&EO-4-84 FR-	
	770)	2529-AA2
195	*24 CFR 8 Nondiscrimination Based on Handicapped in Programs and Activities Conducted by HUD (FHEO-2-85)	2529-AA
196	24 CFR 105 Procedures for Enforcement of Complaints Against Discriminatory Housing Practices (FH&EO-1-82)	2529-AA
197	24 CFR 105 Procedure for Processing Complaints under section 804 of the Fair Housing Act (FH&EO-6-84 FR-	
400	2012)	2529-AA
198	24 CFR 107 Nondiscrimination and Equal Opportunity Housing Under Executive Order 11063 (FH&EO-2-82 FR-	
	2020)	2529-AA
199	24 CFR 100 Affirmative Fair Housing, Marketing Technical Amendments (FH&EO-2-83 FR-1670)	2529-AA
200	24 CFR 114 Fair Housing-Prohibitions Against Discrimination (FH&EO-5-78)	2529-AA
201	24 CFR 114 Fair Housing-Property Insurance Activities (FH&EO-10-78)	2529-AA
202	*24 CFR 120 Amendments of the Community Housing Resource Board Regulations (FH&EO-1-85 FR-2085)	2529-AA
203	24 CFR 125 Affirmative Administration of Federal Programs and Activities Relating to Housing and Urban	
	Development (FH&EO-11-78)	2529-AA
204	*24 CFR 144 Implementation of Section 109 of the Housing and Community Development Act of 1974 (FH&EO-13-	
	78; FR-1058)	2529-AA
205	24 CFR 146 Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial	
	Assistance from HUD (FH & EO-1-79; FR-1161)	2529-AA

^{*}Indicates priority regulation.

Office of Fair Housing and Equal Opportunity—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
206	24 CFR 135 Employment Training and Business Opportunities for Lower Income Persons in Connection with Assisted Projects (FH8EO-4-81)	2529-AA15

Office of Fair Housing and Equal Opportunity—Completed Actions

Se- quence Number		Title	Regulation Identifier Number
207	24 CFR 114	Fair Housing Prohibitions Against Discrimination-Financing Activities (FH&EO-2-78)	2529-AA07
208	24 CFR 114	Fair Housing-Prohibited Appraisal Practices (FH&EO-8-78)	2529-AA09
209	24 CFR 115	Recognition of Substantially Equivalent Laws (FH&E0-5-84 FR-1976)	2529-AA25
210	24 CFR 120	Community Housing Resource Board Grant Program (FH&EO-2-81 FR-1407)	2529-AA06

Office of Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
211 212	24 CFR 570 Federal Procurement of Cement Containing Fly Ash (ADM-1-84; FR-1938). 24 CFR 3 Organization, Function, and Delegations of Authority Subpart C - Secretary's Delegations of Authority to Heads of Offices (ADM-2-82).	2535-AA05 2535-AA01
213 214	*24 CFR 44 Cost Principles for Nonprofit Organizations (ADM-1-85; FR-2044) 24 CFR 965 Transfer of Authority to Settle Contract Disputes Concerning the Consolidated Supply Program (ADM-	2535-AA08 2535-AA07
215	2-85; FR-2087)	2535-AA06

^{&#}x27;Indicates priority regulation.

Office of the Inspector General—Current and Projected Rulemakings

Se- quence Number	Title To Talled to A Control of the	Regulation Identifier Number
216	*24 CFR 44 Implementation of the Single Audit Act of 1984	2508-AA05

^{*}Indicates priority regulation.

Office of the Inspector General—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
217	24 CFR 44 OMB Circular A-102, Uniform Requirements for Assistance to State and Local Government, Audit Requirements (Attachment P) Non-Federal Governmental Audit Requirements (IG-1-83; FR-1813)	2508-AA03

Office of Public and Indian Housing—Current and Projected Rulemakings

Se- quence Number	Title	
-		2577-AA07
218	*24 CFR 812 Increase in Single Person Occupancy Limits (P-48-84; FR-2063)	2577-AA27
219	24 CFR 965.303 Individual Metering of Utilities for Existing PHA-Owned Projects (P-36-83; FR1769)	and the second second second second second
220	24 CFR 904 Low-Income HousingHomeownership Opportunities Turnkey III Program (P-55-79; FR-563)	2577-AA19
221	24 CFR 904 Turnkey III Homeownership Opportunities Program (P-7-83; FR-1695)	2577-AA25
222	*24 CFR 905 Indian Preferences (P-51-83; FR-1808)	2577-AA26
223	24 CFR 905 Indian Housing (P-31-82)	2577-AA32
224	24 CFR 941 204 Public Housing Development; Prototype Costs (P-64-84; FR 1975)	2577-AA13
225	*24 CFR 960 Low-Income Public Housing-Lease Requirements, Evictions and Hearings (P-26-79; FR-1164)	2577-AA18
226	24 CFR 960 Tenant Participation in Management of Public and Indian Housing Projects (P-1-85; FR-2033)	2577-AA30
227	*24 CER 243 Pet Ownership in Assisted Rental Housing for the Elderly and Handicapped (P-43-84; FR-1936)	2577-AA05
228	24 CFR 969 Public Housing Program-Continued Operation of Projects as Lower-Income Housing After Completion	
220	of Debt Service (P-60-79: FR-1202)	2577-AA15
229	*24 CFR 970 Public Housing Program-Demolition of Buildings or Disposition of Real Property (P-23-84; FR-1892)	2577-AA02
230	*24 CFR 990 Modification to the Performance Funding System (P-2-84; FR-1834)	2577-AA00
231	24 CFR 990 Performance Funding System (PFS) Treasury Financial Communications System (TFCS) for Disburs-	
201	ing Operating Subsidy Payments (P-47-84)	2577-AA06
232	*24 CFR 990 Annual Contributions for Operating Subsidy - Performance Funding System (P-38-83; FR-1775)	2577-AA23
233	24 CFR 990 Annual Contributions for Operating Subsidy Performance Funding System-Energy Conservation	
203	Adjustments (P-26-83; FR-1747)	2577-AA24

^{*}Indicates priority regulation.

Office of Public and Indian Housing—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
234 235 236	00 CFR Not yet determined Emergency Shelter Program (H-49-84)	2577-AA08 2577-AA10
237	(P-76-84; FR-2011)*24 CFR 968 Public Housing Program - Comprehensive Improvement Assistance Program (P-58-84)	2577-AA12 2577-AA09
238 239	24 CFR 968 Comprehensive Improvement Assistance Program - Viability Standards (P-62-84; FR-1970)	2577-AA14 2577-AA17
240 241	24 CFR 905 Indian Public Housing Program (P-101-82) 24 CFR 965 Project Management; Modernization of Oil-Fired Heating Plants (P-11-82)	2577-AA21 2577-AA20

^{*}Indicates priority regulation.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of the Secretary (HUDSEC)

Current and Projected Rulemakings

1. PROCEDURE FOR FLOODPLAIN MANAGEMENT AND THE PROTECTION OF WETLANDS. IMPLEMENTATION OF EXECUTIVE ORDERS 11988 AND 11990 (S-7-84; FR-865)

Priority: Agency Determination

Legal Authority: EO 11988; EO 11990;

EO 12127; PL 91-190

CFR Citation: 24 CFR 55, (New)

Abstract: This regulation sets forth the policy, procedure and responsibilities of the Department of Housing and Urban Development to implement and enforce Executive Order 11988, Floodplain Management, and Executive Order 11990, the Protection of Wetlands. This regulation replaces a general statement of Departmental policy (44 FR 47623; August 14, 1979) implementing these Executive Orders pending the adoption of final procedures.

Timetable:

Small Entity: No

- Milesauror					ı
Action	Date		FR	Cite	
NPRM	08/09/79	44	FR	47006	
NPRM Comment Period Begin	08/09/79	44	FR	47006	
General Statement of Departmental Policy	08/14/79	44	FR	47623	
NPRM Comment Period End	11/10/79				
Proposed Rule and request for Public Comment	06/00/85				

Agency Contact: Walter Prybyla, Deputy Director, Department of Housing and Urban Development, Office of the Secretary, Environmental Management Division, 202 755-6611

RIN: 2501-AA23

2. IMPLEMENTATION OF THE INTEREST PROVISIONS OF THE DEBT COLLECTION ACT OF 1982 (S-9-84; FR-2022)

Legal Authority: 42 USC 3535 (d); 31 USC 3711; 31 USC 3717

CFR Citation: 24 CFR 17; 24 CFR 200; 24 CFR 201; 24 CFR 203; 24 CFR 207; 24 CFR 202; 24 CFR 220; 24 CFR 232; 24 CFR 241; 24 CFR 250; 24 CFR 255

Abstract: This rule implements increased changes for late payments made to the government by debtors. Regulatory changes include the imposition of interest at a minimum Annual rate of interest on the outstanding debt which is equal to the average investment rate of the Treasury tax and loan accounts as determined by the Secretary of the Treasury; assessment of penalty charges of up to six percent for payments over 90 days late; and charges for the administrative costs of processing the late payment. The Department must issue a demand letter to the debtor which indicates when the payment is due and the date used to calculate the interest and penalty charges.

Timetable:

Action	Date	FR Cite
nterim Final Rule	03/00/85	Settle on

Small Entity: No

Agency Contact: Samuel B. Rothman, Attorney-Advisor, Department of Housing and Urban Development, Office of the Secretary, Office of Program Enforcement, 202 755-7184

RIN: 2501-AA24

3. TAX REFUND DEDUCTION PROGRAM (S-2-85)

Priority: Agency Determination Legal Authority: PL 98-369 CFR Citation: 24 CFR 17

Abstract: Section 2653 of the Deficit Reduction Act of 1984 provides for deductions from income tax refunds due to persons who owe a past due debt to a Federal agency. This rule establishes procedures to provide certain due process safeguards to the

taxpayer-debtor.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/85	

Small Entity: No

HUD-HUDSEC

Current and Projected Rulemakings

Agency Contact: Shirley A. Evans, Director, Department of Housing and Urban Development, Office of Administration, Office of Finance and Accounting, 202 755-6310

RIN: 2501-AA28

4. BOARD OF CONTRACT APPEALS RULES OF PROCEDURES (S-1-79; FR-1349)

Legal Authority: 41 USC 601 CFR Citation: 24 CFR 20

Abstract: Would revise the rules of procedure of HUD Board of Contract Appeals to implement statutory changes made by the Contract Disputes Act of 1978 and uniform rules issued by the Office of Federal Procurement Policy.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	

Small Entity: No

Agency Contact: David T. Anderson, Chairman, Department of Housing and Urban Development, Office of the Secretary, Board of Contract Appeals, Room 2158, 202 755-0132

RIN: 2501-AA04

5. SUSPENSION AND DEBARMENT (S-2-79; FR-1676)

Priority: Agency Determination Legal Authority: 42 USC 3535(d) CFR Citation: 24 CFR 24

Abstract: Would amend 24 CFR Part 24 to conform with Policy Letter 82-1, "Policy Guidance Concerning Government-wide Debarment, Suspension and Ineligibility" issued by the Office of General Procurement Policy, dated June 24, 1982.

Additionally, it would clarify the criteria for imposing administrative sanctions on grantees and program participants other than procurement contractors, as well as to clarify the procedural safeguards afforded participants in suspension and debarment proceedings.

Timetable:

Action	Date	FR	Cite
NPRM	10/11/83	48 FR	46072
NPRM Comment	10/11/83	48 FR	46072

Action	Date	FR Cite
NPRM Comment Period End	12/12/83	The falls were
Final Action	03/00/85	

Small Entity: No

Agency Contact: Phillip L. Schulman, Asst Gen Coun for Insp Gen & Admn Proceedings, Department of Housing and Urban Development, Office of the Secretary, 202 755-5557

RIN: 2501-AA05

PROTECTION OF HUMAN SUBJECTS IN RESEARCH (S-6-83; FR-1807)

Legal Authority: Executive Order to be issued

CFR Citation: 24 CFR 46

Abstract: In response to a Presidential Commission, an Interagency Task Force on the Protection of Human Subjects in Research has proposed that all Federal agencies adopt a common policy and uniform regulations for the protection of human subjects in research.

HUD has agreed to adopt the policy and to issue a regulation based on a model previously promulgated by the Department of Health and Human Services on this subject, and as embodied in the planned Executive Order.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
	and the same of th	

Small Entity: No

Additional Information: Compliance costs for HUD's adoption of the model regulation will be minimal, because almost all research conducted by HUD falls within categories exempted from the requirements of the model regulation. The infrequent projects that may not be exempt (perhaps one every two years) have in the past been proposed by organizations already subject to the Department of Health and Human Services regulation, and thus would not have any incremental compliance costs for the organization, other than the actual project requirements.

Costs would be slight.

Affected Sectors: Profit and Non-profit Research Organizations.

Levels of Government Affected: only HUD itself.

The Executive Order will be published for public comment and then promulgated with changes, if any, resulting from the public comment. Once the order is promulgated, agencies adopting the policy verbatim may move directly to the publishing of a final rule without a public comment process. HUD expects to follow this procedure.

Agency Contact: Arthur S. Newburg, Senior Advisor for Research Management, Department of Housing and Urban Development, Office of the Secretary, Policy Development and Research, 202 755-8238

RIN: 2501-AA15

7. DEPARTMENTAL POLICIES, RESPONSIBILITIES, AND PROCEDURES FOR PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY (S-4-85)

Priority: Undetermined

Legal Authority: 42 USC 4321; PL 95-557

CFR Citation: 24 CFR 50

Abstract: This amendment to 24 CFR Part 50 will establish regulatory procedures for determining exemptions from environmental review. The existing rule will be updated to reflect current policy with respect to the environmental review of 203(b) subdivisions and subdivisions approved by other agencies. This amendment will also address the public comments received on the existing rule and address other clarifications that may seem necessary.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
NPRM Comment Period Begin	06/00/85	
NPRM Comment Period End	07/00/85	

Small Entity: No

Agency Contact: Fred D. Regetz, Environmental Specialist, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Community Planning & Dev., Office of Environment & Energy, Environmental Management Division, 202 755-6611

RIN: 2501-AA30

Current and Projected Rulemakings

8. POLICIES FOR THE
REQUIREMENT TO MAINTAIN FLOOD
INSURANCE: IMPLEMENTATION OF
SECTIONS 102(A) AND 202(A) OF THE
FLOOD DISASTER PROTECTION ACT
(S-3-85)

Priority: Agency Determination Legal Authority: PL 93-234 CFR Citation: 24 CFR 56, (New)

Abstract: This regulation specifies how HUD will conduct its programs so as to comply with Sections 102(a) and 202(a) of the Flood Disaster Protection Act of 1973 relating to the requirement to maintain flood insurance. The rule is designed to provide improved policy guidance in response to HUD Secretary's directive, OMB Circular No. A-123, and inquiries from HUD field offices and program users.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: Not Applicable

Agency Contact: Walter Prybyla, Dep. Director, Environmental Management Div., Department of Housing and Urban Development, Office of Community Planning and Development, Office of Community Planning and Development, 202 755-6611

RIN: 2501-AA29

9. ENVIRONMENTAL REVIEW
PROCEDURES - RENTAL
REHABILITATION AND HOUSING
DEVELOPMENT GRANT PROGRAM (S-6-84; FR-1965)

Legal Authority: 42 USC 1437o(i); 42 USC 5304(f)

CFR Citation: 24 CFR 58

Abstract: Implements Section 17(i) of the Housing and Urban-Rural Recovery Act of 1983 which makes the award and use of resources under the Housing Development Grant and Rental Rehabilitation Programs subject to the statutory provisions governing environmental review that apply to the Community Development Grant Programs. The rule also implements Section 17(i) by creating a special procedure for considering program effects on property that is included, or eligible to be included, on the National Register of Historic Places.

Timetable:

Action	Date	FR	Cite
Interim Final Rule	06/07/84 49	FR	23610
Final Action	09/00/85		

Small Entity: No

Additional Information: May be merged with FR-1027 (CPD-21-81) RIN-2506-AA05

Agency Contact: Charles E. Thomsen, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environmental and Energy, Environmental Management Division, 202 755-6611

RIN: 2501-AA25

10. SECONDARY MARKET
OPERATIONS OF THE FEDERAL
NATIONAL MORTGAGE ASSOCIATION
(FNMA) (S-3-81)

Priority: Agency Determination

Legal Authority: 12 USC 1723a; 42 USC 3535(d)

CFR Citation: 24 CFR 81.41(b); 24 CFR 81.45(b)

Abstract: This rule would 1) amend the definition of "FNMA security" at 24 CFR 81.41(b) to delete the exclusionary parenthetical and 2) repeal the provision in 24 CFR 81.45(b) which allows FNMA debentures in book-entry form only.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Walter T. Cassidy, Assistant General Counsel for Finance, Department of Housing and Urban Development, Office of the General Counsel, 202 755-7260

RIN: 2501-AA10

11. ALLOCATION AND USE OF ASSISTED HOUSING AUTHORITY (S-10-84; FR-1896)

Legal Authority: 42 USC 1439

CFR Citation: 24 CFR 791

Abstract: The rule revises HUD's regulations for the allocation of housing assistance funds to conform with statutory changes made by the Housing and Urban-Rural Recovery Act of 1983. It contains a more explicit description of the allocation formula; specifies that the formula is applicable only to funds the first time they are available for reservation; deletes specific requirements on allocating funds in accordance with approved Housing Assistance Plans; and modifies the requirements for local consultation in the allocation process.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	- 6

Small Entity: No

Additional Information: Includes: H-4-81, FR-1512, RIN-2502-AA73

Agency Contact: Robert J. Coyle, Housing Policy Analyst, Department of Housing and Urban Development, Office of the Secretary, Office of Policy Development, 202 426-0751

RIN: 2501-AA27

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of the Secretary (HUDSEC)

Existing Regulations Under Review

12. OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION: GENERAL FUNCTIONS AND ROLE IN THE DEPARTMENT'S PROCUREMENT PROCESS (S-8-84; FR-1894)

Legal Authority: 42 USC 3535(d)
CFR Citation: Not yet determined

Abstract: The Department is considering amending its regulations on the role of the Office of Small and Disadvantaged Business Utilization (OSDBU) in the procurement process.

The 1978 Amendments to the Small Business Act of 1958 identify responsibilities of the OSDBU to establish goals for the participation by small business concerns and small business concerns controlled by socially and economically disadvantaged individuals in HUD procurement.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00	- Ren	100
Small Entity	y: Undetermined		

Agency Contact: Casey Mann, II, Special Assistant, Department of Housing and Urban Development, Office of the Secretary, Office of Small & Disadvantaged Business, Utilization, 202 755-3630

RIN: 2501-AA22

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of the Secretary (HUDSEC)

Completed Actions

COMPLETED RULEMAKINGS

13. REMOVAL OF REFERENCES TO SUPERSEDED DOL REGULATIONS (S-3-84; FR-1888)

CFR Citation: Not yet determined

Completed:

Reason	Date	FR	Cite
Final Action	11/15/84	49 FR	45125

Small Entity: No

Agency Contact: Bernard Shriber 202 755-6606

RIN: 2501-AA18

14. IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN ADMINISTRATIVE PROCEEDINGS (S-3-82: FR-1547)

Priority: Agency Determination
CFR Citation: 24 CFR 14

Completed:

Reason	Date	FR Cite
Withdrawn	09/30/84	And the last

Small Entity: No

Agency Contact: Grant E. Mitchell 202 755-6550

RIN: 2501-AA00

[FR Doc. 85-6367 Filed 04-26-85; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Housing (OH)

Current and Projected Rulemakings

15. TROUBLED PROJECTS AMENDMENTS (H-50-84)

Priority: Undetermined
Legal Authority: PL 98-181
CFR Citation: Not yet determined

Abstract: Implements section 217 of the Housing and Urban Rural Recovery Act of 1983.

Timetable:

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Action	Date	FR Cite

Next Action Undetermined
Small Entity: Undetermined

Agency Contact: Charles Bartlett,

Assistant General Counsel, Department of Housing and Urban Development, Office of Housing, Multifamily Mortgage Insurance, 202 755-7090

RIN: 2502-AC31

16. ● HUD INSPECTIONS - NO DUTY OF CARE (H-1-85; FR-2025)

Legal Authority: 42 USC 3535(d) CFR Citation: 24 CFR Ch II

Abstract: Proposed regulation to protect HUD against claims brought under the Federal Tort Claims Act, which claim negligent HUD inspection of FHAinsured properties.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC92

17. LEAD BASED PAINT POISONING PREVENTION (H-81-82; FR-1748)

Priority: Agency Determination, Major

Legal Authority: 42 USC 4801

CFR Citation: 24 CFR 35

Abstract: Would develop regulations consistent with the Lead-Based Paint Poisoning Prevention Act. Alternatives to address the problem are being developed at this time. The potential cost is estimated to exceed \$100 million per year. This action would benefit children susceptible to lead-based paint poisoning and would avoid cost of medical treatment and reduce the

occurrence of mental retardation traced to lead-base paint.

Timetable:

Action	Date		FR	Cite
ANPRM	05/04/84	49	FR	19210
ANPRM Comment Period Begin	05/04/84	49	FR	19210
ANPRM Comment Period End	07/03/84			
Final Action	00/00/00			

Small Entity: Yes

Agency Contact: Grant E. Mitchell, Assistant General Counsel, Department of Housing and Urban Development, Office of the General Counsel, Office of General Counsel, Fiscal Management and Energy Division, 202 755-6550

RIN: 2502-AA06

18. ELIMINATION OF MINIMUM PROPERTY STANDARDS (MPS) FOR ONE- AND TWO-FAMILY DWELLINGS (H-74-82; FR-1655)

Priority: Task Force

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200

Abstract: Would revise eligibility criteria for single family housing by accepting applications for properties which comply with local codes rather than MPS 4900.1 whose health and safety provisions require a level of performance substantially equivalent to a nationally recognized model building code.

Timetable:

Action	Date		FR	Cite
NPRM	10/11/84	49	FR	39855
NPRM Comment Period Begin	10/11/84	49	FR	39855
NPRM Comment Period End	12/10/84			
Final Action	05/00/85			
Final Action Effective	06/00/85	n#		

Small Entity: No

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Construction, Standards, 202 755-5924

RIN: 2502-AA03

19. USE OF MATERIALS BULLETIN NO. 38I - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR THE GRADEMARKING OF LUMBER (H-104-82)

Legal Authority: 42 USC 3535(d); 12 USC 1715(b)

CFR Citation: 24 CFR 200,929

Abstract: Would promulgate HUD Use of Materials Bulletin No. 38i (UM 38i). UM 38i is a revision of existing UM which references appropriate consensus standards and contains procedures for accepting and listing agencies which grademark lumber, as well as the grademarking of lumber.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		

Small Entity: No

Agency Contact: Jerome Tobias, Structural Engineer, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, 202 755-5929

RIN: 2502-AA66

20. USE OF MATERIALS BULLETIN NO. 86 - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR EPDM ROOFING (H-106-82)

Legal Authority: 42 USC 3535(d); 12 USC 1715(b)

CFR Citation: 24 CFR 200.935

Abstract: Would promulgate HUD Use of Materials Bulletin No. 86 (UM 86). UM 86 accepts recently published product standards for EPDM roofing membrane. In addition, it would provide for a certification program for these products.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	The second

Small Entity: Yes

Agency Contact: Tsou-Liang Tang, Structural Engineer, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, 202 755-5929

RIN: 2502-AA68

21. SUPPLEMENT TO MINIMUM PROPERTY STANDARDS FOR SOLAR HEATING AND DOMESTIC HOT WATER SYSTEMS (H-6-80; FR-1320)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200, Subpart S

Abstract: Updates obsolete references in MPS 4930.2 and reflects current changes in solar heating.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/17/82	47 FR 35760
Interim Rule effective	12/08/82	
Final Action	00/00/00	

Small Entity: No

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, 202 755-5924

RIN: 2502-AA99

22. USE OF MATERIAL BULLETIN NO. 78A, PLASTIC SUPPLY PIPING FOR DOMESTIC COLD WATER (H-33-79; FR-1154)

Legal Authority: 42 USC 3535(d); 12 USC 1715(b)

CFR Citation: 24 CFR 200.929

Abstract: UM 78 originally outlined the requirements and conditions for HUD field office acceptance of a number of plastic piping materials for use in domestic water service, (from water main to house), and included references covering polybutylene piping (PB). UM 78 identified national standard references for plastic piping which is normally used in residential construction for domestic cold water service. This revision will update references to industry standards and combine UM 78 and UM 76, "CPCV and PB Plastic Hot and Cold Water Distribution."

Timetable:

Action	Date		FR	Cite
NPRM	09/03/80	45	FR	58374
NPRM	10/00/85			

Small Entity: No

Agency Contact: Donald R. Fairman, Chief, Department of Housing and Urban Development, Office of Housing, Technical Support Branch, 202 755-5718

RIN: 2502-AB05

23. APPLICABILITY OF MINIMUM PROPERTY STANDARDS MANUFACTURED HOMES UNDER TITLE II OF THE NATIONAL HOUSING ACT (H-82-82; FR-1578)

Legal Authority: 12 USC 1701

CFR Citation: 24 CFR 200.925; 24 CFR

Abstract: Would insure financing of properties with manufactured homes under Title II of the National Housing Act, as a means to broaden affordable home ownership opportunities. To qualify for such financing, the manufactured homes, foundations and sites must meet prescribed standards to insure adequate security for HUD-insured mortgages. By such action homeowners can expect reduced housing cost without sacrificing housing quality or durability.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/24/83	48 FR 7731
Interim Rule effective	04/06/83	
Final Action	01/00/86	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AB24

24. MINIMUM PROPERTY STANDARDS FOR CARE-TYPE HOUSING -- MPS (H-39-83; FR-1776)

Priority: Agency Determination Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200

Abstract: Would eliminate the current Minimum Property Standards (MPS) for Care-Type Housing and revise the current MPS for Multifamily Housing to include Care-Type Housing. By doing this, marketability and livability criteria would be deleted to the same extent as they were deleted from multifamily housing. This would also adopt by reference, nationally recognized model

building codes or State or local codes, if acceptable, to provide health and safety criteria.

Timetable:

Action	Date	FR Cite
NPRM	02/15/85	50 FR 6359
NPRM Comment Period Begin	02/15/85	
NPRM Comment Period End	04/16/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, 202 755-

RIN: 2502-AB86

25. RESTRICTIONS ON HOUSING ASSISTANCE TO INELIGIBLE ALIENS (H-26-82; FR-1588)

Priority: Agency Determination

Legal Authority: 42 USC 1436a; 42 USC 3535(d)

CFR Citation: 24 CFR 200; 24 CFR 215; 24 CFR 235; 24 CFR 236; 24 CFR 812; 24 CFR 912

Abstract: Amends Parts 200, 215, 235, 236, 812 and 912 to implement section 214 of the Housing and Community Development Act of 1980, as amended by section 329 of the Housing and Community Development Amendments of 1981. The Act prohibits the Secretary from making financial assistance under the United States Housing Act of 1937, sections 235 and 236 of the National Housing Development Act of 1965 available for the benefit of any alien who is not a lawful resident of the United States under certain provisions of the Immigration and Nationality Act.

Timetable:

Action	Date		FR	Cite
NPRM	05/03/82	47	FR	18914
NPRM Comment Period Begin	05/03/82	47	FR	18914
NPRM Comment Period End	07/03/82			
Final Rule published (never made effective)	10/04/82	47	FR	43674
Final Action	07/01/85			
Final Action Effective	10/01/85			

Small Entity: No

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, 202 426-3944

RIN: 2502-AC13

26. USE OF COMMITMENT CORRESPONDENTS IN CONNECTION WITH FHA MORTGAGE INSURANCE (H-60-84;FR-1954)

Priority: Agency Determination Legal Authority: 12 USC 1709(a)

CFR Citation: 24 CFR 200; 24 CFR 203

Abstract: This proposed rule would create a new category of approved program participants to be known as commitment correspondents in the FHA single family mortgage insurance programs. Commitment correspondents would be authorized, on behalf of approved mortgagees, to accept and process FHA loan applications, obtain commitments from HUD, and assign these commitments to approved mortgagees.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Continued:

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, 202 755-6720

RIN: 2502-AC66

27. USE OF MATERIALS BULLETIN (UM) NO. 44D-HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR CARPET AND ATTACHED CUSHION (H-85-84)

Legal Authority: 42 USC 3535(d); 12 USC 1715(b)

CFR Citation: 24 CFR 200.935; 24 CFR 200.944

Abstract: Would promulgate HUD Use of Materials Bulletin (UM) No. 44d, which is a revision of existing UM 44c, and accepts national industry consensus standards for manufacture, sampling, testing, and acceptance of carpet and carpet with attached cushion. In addition, it would provide for a certification and labeling program for carpet to be acceptable under HUD programs.

Timetable:

Action

Date FR Cite

NPRM

04/00/85

Small Entity: No

Agency Contact: Donald R. Fairman, Chief, Department of Housing and Urban Development, Office of Housing, Technical Support Branch, 202 755-5718

RIN: 2502-AC71

28. MULTIFAMILY PARTICIPATION REVIEW COMMITTEE (H-75-84; FR-2008)

Legal Authority: 42 USC 3535(d) CFR Citation: 24 CFR 200.93

Abstract: This final rule would amend the designated membership of the multifamily participation Review Committee to reflect the joint utilization of the committee by the Assistant Secretary for Housing-Pederal Commissioner and the Assistant Secretary for Public and Indian Housing. This change reflects the 1983 reorganization of the Department, which established the position of the Assistant Secretary for Public and Indian Housing.

Timetable:

Action

Date FR Cite

Final Action 03/00/85

Small Entity: No

Agency Contact: Jon Will Pitts, Director, Department of Housing and Urban Development, Office of Housing, Participation and Compliance Division, 202 755-6776

RIN: 2502-AC72

29. REVISION OF DIRECT ENDORSEMENT PROGRAM (H-84-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200.161

Abstract: Revision of Direct Endorsement Program to lower net worth requirement to make program usable for smaller lenders. This regulation would eliminate special requirements and let any approved mortgagee participate.

Timetable:

Action Date

Final Action Effective 03/00/85

FR Cite

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC75

30. USE OF MATERIALS BULLETIN (UM) NO. 52B - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR WOOD FLUSH DOORS (H-83-84)

Legal Authority: 42 USC 3535(d); 12 USC 1715(b)

CFR Citation: 24 CFR 200.935; 24 CFR 200.952

Abstract: Would promulgate HUD Use of Materials Bulletin (UM) No. 52b, which is a revision of an existing UM for Wood Flush Doors. UM52b references a revised industry consensus standard that covers the manufacture, testing, and a certification and labelling of such products. In addition, it establishes a certification and labelling program for doors to be acceptable under HUD program.

Timetable:

Action Date FR Cite
NPRM 05/00/85

Small Entity: No

Agency Contact: Donald R. Fairman, Chief, Department of Housing and Urban Development, Office of Housing, Technical Support Branch, 202 755-5718

RIN: 2502-AC78

31. • USE OF MATERIALS BULLETIN NO. 48A - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR PRESSURE TREATED LUMBER AND PLYWOOD (H-17-85)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200

Abstract: This bulletin would revise an existing bulletin covering pressure treated lumber and plywood for use above ground, at ground contact and for ground contact foundations.

Timetable:

Action Date FR Cite
NPRM 10/00/85
Small Entity: No

Agency Contact: Donald R. Fairman, Chief, Technical Support Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5718

RIN: 2502-AC98

32. ● USE OF MATERIALS BULLETIN NO. 71 - POLYSTYRENE FOAM BOARD (H-20-85)

Priority: Undetermined

Legal Authority: 12 USC 1735e

CFR Citation: 24 CFR 200

Abstract: This rule would establish standards for Polystyrene Foam Board approved for use in structures insured under the National Housing Act.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 08/00/85

Small Entity: Undetermined

Agency Contact: Donald Fairman, Chief, Technical Support Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5718

RIN: 2502-AD00

33. ● USE OF MATERIALS BULLETIN NO. 40C - GRADEMARKING OF PLYWOOD (H-21-85)

Priority: Undetermined

Legal Authority: 12 USC 1735e

CFR Citation: 24 CFR 200

Abstract: This rule would establish standards for Grademarking of Plywood approved for use in structures insured under the National Housing Act.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 08/00/85

Small Entity: Undetermined

Agency Contact: Donald Fairman, Chief, Technical Support Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 292 755-5718

RIN: 2502-AD01

34. © USE OF MATERIALS BULLETIN NO. 88 - MAT FORMED PARTICLEBOARD (H-22-85)

Priority: Undetermined

Legal Authority: 12 USC 1735e

CFR Citation: 24 CFR 200

Abstract: This rule would establish standards for mat formed particleboard approved for use in structures insured under the National Housing Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Undetermined

Agency Contact: Donald Fairman, Chief, Technical Support Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5718

RIN: 2502-AD02

35. PROPERTY IMPROVEMENT AND MANUFACTURED HOME LOAN PROGRAM DEREGULATION AMENDMENTS (H-57-81; FR-1656)

Priority: Agency Determination, Major

Legal Authority: 12 USC 1703 CFR Citation: 24 CFR 201

Abstract: Would amend and revise Part 201 in accordance with the Department's deregulation efforts. Would reduce the regulations by approximately twenty-five percent and clarify the remaining. The revisions also would include amendments that address findings of OIG audits of the programs.

Timetable:

Action	Date	FR Cite
NPRM	07/05/84	49 FR 27553
NPRM Comment Period Begin	07/05/84	
NPRM Comment Period End	08/20/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: Includes: H-90-82, H-91-82, H-92-82.

Agency Contact: Christopher Peterson, Director, Department of Housing and Urban Development, Office of Housing, Title I Insurance Division, 202 755-6880

RIN: 2502-AA93

36. SECOND MORTGAGES OR LIENS ON FHA-INSURED MORTGAGES— ESCROW ACCOUNTS ASSOCIATED WITH INTEREST BUY-DOWNS (H-84-82; FR-1590)

Legal Authority: 12 USC 1709; 12 USC

CFR Citation: 24 CFR 203.32; 24 CFR 213.520; 24 CFR 234.55; 24 CFR 235

Abstract: Would reverse current prohibition against the use of insured mortgages on properties with secondary mortgages or liens. These amendments also provide for the recapture of funds placed into escrow accounts to reduce the mortgagor's monthly payments to principal and interest in the early years of the mortgage. No alternatives are being considered. No potential costs have been identified. Potential benefits include greater homeownership opportunities for homebuyers, allowing sellers to recapture funds used to buy down interest rates and increased use of buy down which would allow more families to qualify for mortgages.

Timetable:

Action	Date	FR Cite
Action	Date	TH ONG
NPRM	04/10/84	49 FR 14113
NPRM Comment Period Begin	04/10/84	49 FR 14113
NPRM Comment Period End	06/10/84	MEGRINAL S
Final Action	05/00/85	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AA57

37. ELIGIBILITY OF MORTGAGES INVOLVING A DWELLING UNIT IN A COOPERATIVE HOUSING DEVELOPMENT (H-93-82; FR-1742)

Legal Authority: 12 USC 1709

CFR Citation: 24 CFR 203.43c; 24 CFR 203.437

Abstract: Would relax some restrictions which have unnecessarily inhibited activity under the program. The rule would delete the requirement that corporations waive the right of first refusal and it would eliminate the limitation of the mortgage term on an individual share to the term remaining on the blanket mortgage. The 1983 statute extends the availability of

mortgage insurance in existing conventionally financed cooperatives provided construction has been completed one year. The statute removed the requirement that the cooperative have an insured blanket mortgage.

Timetable:

Action	Date		FR	Cite
NPRM	10/15/84	49	FR	40188
NPRM Comment Period Begin	10/15/84	49	FR	40189
NPRM Comment Period End	12/14/84			
Final Action	05/00/85			

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AA61

38. ISSUE DATE OF DEBENTURES (H-51-81; FR-1501)

Legal Authority: 12 USC 1701 et seq National Housing Act, as amended

CFR Citation: 24 CFR 203.410

Abstract: Would change the method by which debenture interest is computed when a property is conveyed to the Secretary in exchange for insurance benefits.

Timetable:

Date	FR Cite
00/00/00	1
	ATTORNEY.

Small Entity: No

Agency Contact: Richard B. Buchheit, Director, Department of Housing and Urban Development, Office of Housing, Single Family Servicing Division, 202 755-6672

RIN: 2502-AA91

39. MUTUAL MORTGAGE INSURANCE AND REHABILITATION LOANS PREPAYMENT PRIVILEGES AND APPLICATION OF LATE CHARGES (H-9-79; FR-1028)

Legal Authority: 12 USC 1709; 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 203.22(b); 24 CFR 203.24(a); 24 CFR 203.558; 24 CFR 213.513; 24 CFR 213.515; 24 CFR 222.6; 24 CFR 234.37

Abstract: Would provide that insured single family mortgages will no longer require 30 days advance notice of prepayment or payment on interest payment date. Would also permit mortgagees to collect late charges within the purview of the security instruments.

Timetable:

Action	Date		FR	Cite
NPRM	05/18/84	49	FR	21079
NPRM Comment Period Begin	05/18/84	49	FR	21079
NPRM Comment Period End	06/18/84			
Final Action	03/00/85			
Final Action	04/00/85			

Small Entity: No

Agency Contact: Richard Buchheit, Director, Department of Housing and Urban Development, Office of Housing, Single Family Servicing Division, 202 755-6672

RIN: 2502-AB02

40. MORTGAGE INSURANCE FOR ONE-TO-FOUR-FAMILY RESIDENCES--ADJUSTMENT FOR DAMAGES OR NEGLECT (H-19-79; FR-837)

Legal Authority: 12 USC 1715b National Housing Act, as amended; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 203

Abstract: Allows conveyance or assignment of fire damaged property when the fire insurance policy has been terminated (or renewal refused) and the mortgagee has been unable to obtain adequate insurance to protect its investment.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/26/80	45 FR 56800
Interim Rule effective	09/22/80	The state of the s
Final Action	04/00/85	

Small Entity: No

Agency Contact: Richard Buchheit, Director, Department of Housing and Urban Development, Office of Housing, Single Family Servicing Division, 202 755-6672

RIN: 2502-AB03

41. MORTGAGEE APPROVAL -ELIGIBILITY REQUIREMENTS (H-64-78; FR-903)

Legal Authority: 12 USC 1709; 12 USC 1713; 12 USC 1715

CFR Citation: 24 CFR 203; 24 CFR 207; 24 CFR 211

Abstract: Amended Part 203 to simplify and reorganize mortgagee approval requirements. Amended financial reporting requirements for mortgagees and moved the requirements relating to the withdrawal of mortgagee approval to Part 25.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/30/80	45 FR 50560
Interim Rule effective	09/10/80	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Andrew Zirneklis, Mortgagee Review Board Officer, Department of Housing and Urban Development, Office of Housing, Office of Lender Activities and Land Sales, Registration, 202 755-6924

RIN: 2502-AB12

42. TEMPORARY MORTGAGE ASSISTANCE PAYMENTS (TMAP), AND ASSIGNMENTS TO HOUSING AND URBAN DEVELOPMENT (H-29-81; FR-1415)

Priority: Agency Determination

Legal Authority: 12 USC 1715b; 12 USC 1715u

CFR Citation: 24 CFR 203; 24 CFR 204

Abstract: Amendment to TMAP and Assignment Rule in consideration of District Court holdings against the Department which were based on a now expired settlement agreement.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	100
Final Action	04/00/85	
Effective		

Small Entity: No

Agency Contact: Richard B. Buchheit, Director, Single Family Servicing Division, Department of Housing and Urban Development, Office of Housing, 202 755-8680

RIN: 2502-AB79

43. VETERAN QUALIFICATIONS— ELIGIBILITY REQUIREMENTS FOR MUTUAL MORTGAGE INSURANCE AND REHABILITATION LOANS (H-47-83; FR-1801)

Legal Authority: 12 USC 1709; 12 USC 1715b; 12 USC 3535(d)

CFR Citation: 24 CFR 203.18

Abstract: Rule proposes to eliminate the requirement that a veteran submit a Certificate of Veteran Status from the Veterans Administration in order to establish eligibility for special loan terms for veterans. The proposed change would permit a veteran to certify that he or she qualifies as a veteran and would require the veteran to submit only a copy of his or her discharge papers. This change would expedite the processing of FHA mortgage insurance for veterans and eliminate the fee charged by the Veterans Administration for issuance of a Certificate of Veteran Status.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	N SAME

Small Entity: No

Agency Contact: Brian Chappelle, Acting, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AB89

44. MORTGAGE INSURANCE ENDORSEMENT ON A NEW OR EXISTING DWELLING IN A NEW SUBDIVISION OR IMPROVED AREA (H-13-84; FR-1867)

Priority: Agency Determination

Legal Authority: 12 USC 1709 Sec. 203 National Housing Act; 12 USC 1715b Sec. 211 National Housing Act; 42 USC 3535(d)

CFR Citation: 24 CFR 203.12

Abstract: This proposed rule would establish Sec. 203.12 in Title 24 of the Code of Federal Regulations setting forth an optional procedure for complying with HUD requirements for conditional and master conditional commitments and endorsement of a mortgage on one- to four-family dwellings located in an improved area. Current policies require that a new subdivision must be shown to satisfy HUD subdivision analysis requirements which cover both environmental and

underwriting factors, and other site development criteria.

Timetable:

Action	Date	FR Cite
NPRM	05/24/84	49 FR 21938
NPRM Comment Period Begin	05/24/84	49 FR 21938
NPRM Comment Period End	07/23/84	
Final Action	03/00/85	

Small Entity: Undetermined

Agency Contact: Alan Kappeler, Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing and, Mortgages Activities, 202 755-3046

RIN: 2502-AC04

45. REINSURANCE DEMONSTRATION PROGRAM (H-46-84)

Legal Authority: PL 98-181, Sec 428 The Housing & Urban-Rural Recov. Act of 1983

CFR Citation: 24 CFR 203

Abstract: This program would test feasibility of entering into reinsurance contracts with private mortgage insurance companies in order to reduce government risk and speed mortgage processing. Benefits would be improved processing at reduced costs for the government.

Action	Date	FR Cite
Timetable:		Day 13 I were
government.		

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC11

46. MUTUAL MORTGAGE INSURANCE AND REHABILITATION LOANS; ELIMINATION OF RESTRICTIONS ON CONTIGUOUS PROPERTIES APPLICABLE TO INVESTOR MORTGAGORS (H-1-84; FR-1831)

Legal Authority: 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 203.42(a)

Abstract: This proposed rule would amend 24 CFR 203.42(a). The current rule prohibits the insuring of a mortgage on property on which there is a dwelling to be rented by a mortgagor, if

the property is part of, or contiguous to, a subdivision or group of similar properties and if the mortgagor has a financial interest in eight or more of the contiguous properties. This rulemaking would modify this rental property mortgage restriction, thereby enabling investors to more freely apply for FHA mortgage insurance to purchase one-to-four family rental units.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Housing Division, 202 755-6720

RIN: 2502-AC17

47. CHANGES IN MAXIMUM LOAN-TO-VALUE RATIO, SINGLE FAMILY HOUSING (H-42-84; FR-1935)

Priority: Agency Determination

Legal Authority: PL 98-181; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 226; 24 CFR 234

Abstract: Regulation to permit a maximum loan-to-value ratio of 97 percent to owner-occupants purchasing one-to-four-family dwellings appraised at no more than \$50,000.

Timetable:

Action	Date		FR	Cite
NPRM	10/10/84	49	FR	39686
NPRM Comment Period Begin	10/10/84	49	FR	39686
NPRM Comment Period End	12/10/84			
Final Action	03/00/85			

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC33

48. EXTENDING SINGLE FAMILY ONE-TIME MORTGAGE INSURANCE PREMIUM PROVISION FOR SINGLE-FAMILY MORTGAGES TO FUNDS OTHER THAN THOSE INSURED UNDER THE MUTUAL MORTGAGE INSURANCE FUND (H-40-84; ETC

Legal Authority: 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 226; 24 CFR 227; 24 CFR 234

Abstract: Rule under consideration by the Department to extend the one-time mortgage insurance premium provision for single-family mortgages to funds other than the Mutual Mortgage Insurance Fund.

Timetable:

Action	Date	FR Cite		
NPRM	06/00/85			
NPRM Comment Period Begin	06/00/85			
NPRM Comment Period End	08/00/85			
Final Action	10/00/85			

Small Entity: Not Applicable

Additional Information: TITLE CONT: FR-1930).

Agency Contact: James B. Mitchell, Director, Department of Housing and Urban Development, Office of Housing, Financial Policy Division, 202 426-4325

RIN: 2502-AC35

49. SINGLE FAMILY MORTGAGE INSURANCE ON HAWAIIAN HOME LANDS (H-39-84; FR-1928)

Priority: Agency Determination

Legal Authority: PL 98-181; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Regulation to provide mortgage insurance for certain property located within Hawaiian homelands.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Office and

Small Entity: No

Agency Contact: Alan Kappeler, Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, 202 755-3046

RIN: 2502-AC36

50. PAYMENT OF CLAIMS WITHOUT ACQUISITION OF TITLE (H-38-84; FR-1927)

Priority: Agency Determination

Legal Authority: 12 USC 1710; PL 98-181

CFR Citation: 24 CFR 200; 24 CFR 203; 24 CFR 204; 24 CFR 220; 24 CFR 228

Abstract: Would authorize the Secretary to pay insurance claims without acquiring title to the property where (1) foreclosure sale produces price equal to property's fair market value (less appropriate adjustments for acceptable costs) and (2) insurance claim is assigned to the Secretary.

Timetable:

Action	Date	FR Cite
NPRM	01/10/85	50 FR 1233
NPRM Comment Period Begin	01/10/85	50 FR 1233
NPRM Comment Period End	03/11/85	
Final Action	05/00/85	

Small Entity: Undetermined

Agency Contact: Alan Kappeler, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, 202 755-3046

RIN: 2502-AC37

51. SINGLE FAMILY MORTGAGE INSURANCE - INDIAN RESERVATIONS (H-36-84; FR-1921)

Priority: Undetermined

Legal Authority: PL 98-181; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 234

Abstract: Regulation to provide mortgage insurance on Indian reservations.

Timetable:

Action	Date	FR Cite
NPRM	10/19/84	49 FR 41212
NPRM Comment Period Begin	02/18/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC39

52. INSURANCE OF SINGLE FAMILY SHARED APPRECIATION MORTGAGES (H-33-84; FR-1917)

Legal Authority: 42 USC 1715z

CFR Citation: 24 CFR 203; 24 CFR 234

Abstract: HUD proposes regulations governing the insurance of mortgages, the terms of which permit the lender to share in the net appreciated value of the mortgaged property at the time of its sale.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	man surviva

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC42

53. INSURANCE OF SINGLE FAMILY ADJUSTABLE RATE MORTGAGES (H-32-84; FR-1916)

Priority: Agency Determination

Legal Authority: 12 USC 1715z

CFR Citation: 24 CFR 203; 24 CFR 221; 24 CFR 234

Abstract: HUD will propose regulations governing the insuring of mortgages, the terms of which permit adjustments to a mortgagor's payments based on changes in an interest rate index.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/06/84	49 FR 23580
Interim Rule effective	07/30/84	
Comments due	08/06/84	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC43

54. INSURANCE OF SINGLE FAMILY INDEXED MORTGAGES (H-31-84; FR-1915)

Priority: Agency Determination Legal Authority: 12 USC 1715z-10 CFR Citation: 24 CFR 203; 24 CFR 234

Abstract: HUD will propose regulations governing the insuring of a mortgage, the terms of which permit for adjustments to the principal balance of the loan, and mortgagee payments based upon periodic changes in a price index.

Timetable:

Action	Date		FR	Cite
NPRM	06/04/84	49	FR	23063
NPRM Comment Period Begin	06/04/84	49	FR	23063
NPRM Comment Period End	08/03/84			
Final Action	10/00/85			

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC44

55. RETENTION PERIOD FOR MORTGAGEE SINGLE FAMILY CLAIM RECORDS (H-81-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Under the new Single Family Claims System, the mortgagee is not required to provide documentation to support the fiscal data reported or entered on the new claim form. Instead, the mortgagee will be randomly audited; at which time is mortgagee is expected to produce all the supporting receipts, payment ledger records, etc.

We plan to change the regulations to specify the retention period and file contents for records supporting single family claim payments and mortgage reviews.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	THE PARTY OF

Small Entity: Yes

Agency Contact: S.A. Evans, Director, Department of Housing and Urban Development, Office of Housing, Office of Finance and Accounting, 202 755-6310

RIN: 2502-AC50

56. LIMIT ON CLAIM COST (H-82-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Due to the costs of processing single family to both HUD and the mortgagee, we propose a regulation change which will set a limit of \$50 or less on 1) the amount of refund HUD will expect from the mortgagee, and 2) the amount of claim the mortgagee will file with HUD.

Timetable.

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: S. A. Evans, Director, Department of Housing and Urban Development, Office of Housing, Office of Finance and Accounting, 202 755-6310

RIN: 2502-AC52

57. PENALTY FOR LACK OF DOCUMENTATION (H-80-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: The new single family process provides for "random audits" of mortgagees' records which file S/F claims with HUD for insurance benefits. During the audit, the mortgagee will be required to provide specific supporting documentation. When the mortgagee cannot produce the required documentation, HUD will penalize the mortgagee for the amount not supported plus the current interest rate on that unsupported amount from the date of payment.

Action	Date	FR Cite
NPRM	03/00/85	The same

Small Entity: No

Agency Contact: S.A. Evans, Director, Department of Housing and Urban Development, Office of Housing, Office of Finance and Accounting, 202 755-

RIN: 2502-AC54

58. REFINANCING OF FHA SINGLE **FAMILY LOANS-TECHNICAL REVISIONS (H-66-84; FR-1979)**

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: The proposed rule would make various technical revisions to provisions in 24 CFR Part 203 relating to FHA insurance in connection with the refinancing of single family housing.

Timetable:

Action	Date	FR	Cite
NPRM	03/00/85		
Small Entity	r: No		

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, 202 755-6720

RIN: 2502-AC80

59. FHA MORTGAGE INSURANCE ON INDIAN LAND WHERE THE TRIBE IS THE MORTGAGOR (H-8-85; FR-2059)

Priority: Agency Determination

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Regulation to provide mortgage insurance on Indian reservations where there is a problem with marketability of title and where the tribe is mortgagor.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	Britanel Britan
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	09/00/85	
Final Action	01/00/86	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC81

60. CONVEYANCE OF OCCUPIED PROPERTIES TO HUD (H-9-85; FR-2064)

Priority: Agency Determination

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715I(d)(2)

CFR Citation: 24 CFR 203

Abstract: This proposed rule would amend the current rule on occupied conveyances of HUD-acquired properties. Included in this proposed rule are revised criteria for determining when HUD will accept conveyance of a one-to-four-family property by a mortgagee when there are tenants of a former mortgagor in occupancy.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	ARTINE IN

Small Entity: No

Agency Contact: Alan J. Kappeler, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Property Disposition, 202 755-5740

RIN: 2502-AC86

61. COINSURANCE PROGRAM (H-28-80; FR-1094)

Legal Authority: 12 USC 1701 CFR Citation: 24 CFR 204

Abstract: Would revise the single family coinsurance requirements to adopt a recently proposed rule and to incorporate certain public comments received in response to that proposal. This revision: (1) extends coverage to include mortgages on condominiums and non-occupant owner transactions; (2) replaces the stop-loss provision with a hold-harmless provision intended to protect the secondary market against failure of lenders to pass through insurance benefits paid by HUD; (3) clarifies and simplifies various requirements in light of several years' experience with the program; and (4) permits coinsuring mortgagees to obtain mortgage insurance to cover the risk of their 10 percent exposure. Includes H-59-81.

Timetable:

Action	Date	FR	Cite
NPRM Interim Final Rule	11/25/80 07/00/85	46 FR	78164

Small Entity: No

Additional Information: Includes: H-59-

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AB01

62. MORTGAGE INSURANCE FOR LAND DEVELOPMENT (TITLE X); PROVIDES ELIGIBILITY FOR REFINANCING TRANSACTIONS (H-41-83; FR-1779)

Legal Authority: 12 USC 1715n CFR Citation: 24 CFR 205

Abstract: This rule provides for the refinancing of existing mortgages insured under Title X of the National Housing Act.

Timetable:

Action	Date		FR	Cite
NPRM	06/12/84	49	FR	24147
NPRM Comment Period Begin	06/12/84	49	FR	24147
NPRM Comment Period End	08/13/84			
Final Action	03/00/85			

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AB98

63. GEOGRAPHICAL ELIGIBILITY OF PROPERTY (H-67-84; FR-1982)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 205; 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 232; 24 CFR 234; 24 CFR 242; 24 CFR 244; 24 CFR 250; 24 CFR 255

Abstract: This rule would make clear that property in certain U.S. Territories is eligible for HUD's insurance programs.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	V 0000
Final Action	05/00/85	
Effective		

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6500

RIN: 2502-AC51

64. MULTIFAMILY MORTGAGE INSURANCE (H-96-82)

Legal Authority: 12 USC 1713; 12 USC 1715d; 12 USC 1715k; 12 USC 1715z-10; 12 USC 1715z-6; 12 USC 1752-9; 12 USC 1715i; 12 USC 1715z-7

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 232; 24 CFR 241; 24 CFR 242; 24 CFR 244

Abstract: Would amend mortgage insurance regulations to require payment of fees for rehabilitation feasibility processing and for reprocessing of outstanding commitments after appropriate extensions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Concil Entit	No. 81-	

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AA63

65. MORTGAGE INSURANCE PROGRAMS UNDER NATIONAL HOUSING ACT (H-48-81; FR-1525)

Legal Authority: 12 USC 1713; 12 USC 1715

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 231; 24 CFR 232; 24 CFR 234; 24 CFR 242; 24 CFR 244

Abstract: Would amend Parts 207, 213, 220, 221, 231, 232, 234, 242 and 244 to allow up to a 20% increase in maximum project mortgage amounts to cover increased costs due to the installation of a solar energy system or residential energy conservation measures.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	or Piles
Small Entity:	No	

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AA90

66. LIMITATION ON PREPAYMENT FOR BOND FINANCED PROJECTS (H-54-83; FR-1819)

Priority: Undetermined

Legal Authority: 12 USC 1170

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 231; 24 CFR 232; 24 CFR 241

Abstract: This rule will make the cited sections consistent with Section 221 which already contains this provision. The prepayment limitation to the mortgage insurance regulations was added due to the increased use of tax-exempt bonds as a financing mechanism. Bond purchases typically demand a ten-year period during which the bonds cannot be called except in extraordinary circumstances such as an FHA insurance claim.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Joseph E. Malloy. Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC01

67. MULTIFAMILY HOUSING MORTGAGE INSURANCE -ASSIGNMENT OF INSURED MORTGAGES (H-35-83; FR-1768)

Legal Authority: 12 USC 1713; 43 USC 3535(d)

CFR Citation: 24 CFR 207.261

Abstract: The proposed rule would amend 24 CFR 207.261 to permit a mortgagee to sell or syndicate the entire or any portion of its beneficial interest in an insured multifamily mortgage or pool of multifamily mortgages without prior HUD consent if certain conditions are met. These conditions would maintain the rights, benefits, and obligations of all parties potentially

affected by an assignment of insured mortgages.

Timetable:

Action	Date		FR	Cite
NPRM	10/10/84	49	FR	39688
NPRM Comment Period Begin	10/10/84	49	FR	39688
NPRM Comment Period End	12/10/84			
Final Action	03/00/85			

Small Entity: No

Agency Contact: James T. Tahash, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AC14

68, CHANGE IN DEFAULT NOTICE REPORTING PERIOD - MULTIFAMILY INSURANCE (H-4-84; FR-1842)

Legal Authority: 42 USC 3535(d); 12 USC

CFR Citation: 24 CFR 207.256

Abstract: The Department proposes to amend its default notification regulation to move up the date upon which a mortgagee must notify HUD of a mortgagor's non-payment.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: James Tahash.

Department of Housing and Urban

Development, Office of Housing, Office
of Multifamily Housing Management,
202 426-3944

RIN: 2502-AC18

69. MULTIFAMILY MORTGAGE
INSURANCE PROGRAMS;
REQUIREMENT OF INCREASED
EQUITY LIMITED RECOURSE OR
SPECIAL ESCROW (H-15-84; FR-1871)

Priority: Undetermined

Legal Authority: 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 207.4; 24 CFR 207.19; 24 CFR 220.507; 24 CFR 220.508; 24 CFR 221.514; 24 CFR 221.515; 24 CFR 221.531; 24 CFR 221.532; 24 CFR 231.3; 24 CFR 231.4; 24 CFR 232.30; 24 CFR 232.32; 24 CFR 232.61

Abstract: HUD will propose to strengthen the commitment of profit

motivated and limited dividend multifamily mortgagors by limiting their mortgages to 85 percent of value or replacement cost, except in cases where the mortgagors agree either to accept limited personal liability for loan repayment or to establish an up-front, rent-up escrow. More specifically, a profit-motivated or limited distribution mortgagor would not be permitted to receive a mortgage in excess of 85 percent of value or replacement cost, unless it were to agree to either:

- 1. Provide an escrow, in the form of cash or letter of credit, of an amount equal to three percent of the mortgage. The escrow funds would have to remain available for project use until the project achieved sustaining occupancy and showed a positive cash flow, at which time one half of the escrow balance would be released; the remainder of the escrow funds would be released 120 days later, assuming that the positive cash flow condition had been maintained; or
- Assume personal liability for repayment of a percentage of the mortgage amount, determined in accordance with sliding scale.

Timetable:

Action	Date		FR	Cite
NPRM	09/20/84	49	FR	36871
NPRM Comment Period Begin	09/20/84	49	FR	36871
NPRM Comment Period End	11/19/84			
Final Action	08/00/85			

Small Entity: Undetermined

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC19

70. DEREGULATION OF RENTS (H-28-84; FR-1905)

Priority: Agency Determination

Legal Authority: PL 98-181

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221

Abstract: This proposed rule would implement a recent statutory amendment granting the Secretary discretion to regulate rents, among other things, in unsubsidized multifamily projects with mortgages

insured pursuant to section 207 of the National Housing Act after 11/30/83. Before this amendment, the statute mandated that the Secretary regulate rents in those projects. The rule also adds an alternative method of determining rents in projects insured before 11/30/83 under sections 207, 220 and 221.

Timetable:

Action	Date	FR	Cite
Final Action	05/00/85		V St

Small Entity: No

Agency Contact: James Tahash.
Director, Department of Housing and
Urban Development, Office of Housing,
Office of Multifamily Housing
Development, 202 426-3944

RIN: 2502-AC21

71. INSURANCE OF MULTIFAMILY GRADUATED PAYMENT MORTGAGES (H-16-84; FR-1872)

Priority: Undetermined

Legal Authority: 12 USC 1715z-10

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221; 24 CFR 231

Abstract: These Amendments would permit the Department to insure:

 Graduate payment mortgages - loans that provide for rates of amortization corresponding to anticipated interests in project income.

Timetable:

Action	Date	FR Cite
NPRM	10/19/84	49 FR 41068
NPRM Comment Period Begin	10/19/84	49 FR 41068
NPRM Comment Period End	12/18/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: These rules may be published separately.

Agency Contact: Joseph Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing Dev., 202 755-6223

RIN: 2502-AC27

72. SECTION 223(F) INSURANCE IN CONNECTION WITH RENTAL REHABILITATION DEVELOPMENT GRANT PROGRAM (H-52-84)

Priority: Undetermined

Current and Projected Rulemakings

Legal Authority: PL 98-181

CFR Citation: 24 CFR 207; 24 CFR 255

Abstract: Regulation will provide for more liberal maximum per unit repair limits and secondary financing terms for structures to be insured pursuant to Section 223(f) of the National Housing Act. Mortgage financing repair and rehabilitation may be either fully insured or coinsured.

Timetable:

Action	Date	FR Cite
NIDOM	06/00/85	10 10 10 10 10 10 10 10 10 10 10 10 10 1

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Development, 202 755-6500

RIN: 2502-AC29

73. INSURANCE OF MULTIFAMILY SHARED APPLICATION MORTGAGES (H-41-84; FR-1934)

Legal Authority: 42 USC 1715z

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221; 24 CFR 231

Abstract: Regulation will govern the insuring of mortgages, the terms of which permit the lender to share in the net appreciated value of the mortgaged project at the time of its sale.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Agency Contact: Joseph E. Malloy. Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC34

74. INSURANCE OF MULTIFAMILY PARTIALLY AMORTIZED MORTGAGES (H-34-84; FR-1918)

Priority: Agency Determination

Legal Authority: 42 USC 1715z

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221; 24 CFR 231

Abstract: Regulations governing the Department's insuring of mortgages, the terms of which do not require full amortization of the loan over the mortgage term.

Timetable:

Action	Date		FR	Cite
NPRM	10/30/84	49	FR	43561
NPRM Comment Period Begin	10/30/84	49	FR	43561
NPRM Comment Period End	12/31/84			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC41

75. SECTION 223(F) COOPERATIVES (H-56-84)

Priority: Undetermined

Legal Authority: 12 USC 1715n

CFR Citation: 24 CFR 207.32a; 24 CFR

255

Abstract: This rule would provide mortgage insurance for rental housing projects to be converted to cooperatives and to refinance existing cooperatives.

Timetable:

Action	Date	FR	Cite
NPRM	03/00/85		UF. 35 %
Small	Entity: Undetermined		

Agency Contact: Joseph Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC47

76. LIMITATION ON PREPAYMENT OF MORTGAGES OR MULTIFAMILY RENTAL HOUSING (H-54-84; FR-1952)

Priority: Undetermined

Legal Authority: PL 98-181

CFR Citation: 24 CFR 207; 24 CFR 221; 24 CFR 215; 24 CFR 886

Abstract: Rule will restrict prepayment of multifamily project mortgages whenever Secretary has prepayment approval responsibilities. Prepayment will not be approved unless project is no longer needed for lower income housing, tenants have been given notice

and opportunity to comment, and a relocation assistance plan has been put in place. Where Secretary is not responsible for approving prepayment and therefore cannot restrict it, priority will be given for additional section 8 and troubled project assistance in order to discourage prepayment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	THE PARTY NAMED IN

Small Entity: No

Agency Contact: James Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning, Office of Multifamily Housing Management, 202 755-3944

RIN: 2502-AC49

77. COINSURANCE FOR THE PURCHASE OR REFINANCING OF EXISTING MULTIFAMILY HOUSING PROJECTS - TECHNICAL REVISIONS (H-63-84; FR-1973)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 207; 24 CFR 255

Abstract: This interim rule revises Parts 207 and 255 of the CFR in order to implement Section 303 of the Housing and Urban-Rural Recovery Act of 1983. Section 303 authorizes special FHA coinsurance benefits for multifamily housing projects which are assisted under the new Rental Rehabilitation Grant Program also authorized in the 1983 Act.

Timetable:

Action	Date	INI	FR	Cite
Interim Final Rule	07/05/84	49	FR	27489
Final Action	03/00/85			

Small Entity: No

Additional Information: Includes: H-65-83

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing, 202 755-5720

RIN: 2502-AC74

78. FLOOD INSURANCE REQUIREMENTS FOR MORTGAGES INSURANCE AND GRANT PROGRAM (H-74-84; FR-2007)

Legal Authority: 42 USC 4012(a); 42 USC 4106(a)

CFR Citation: 24 CFR 56; 24 CFR 207; 24 CFR 232; 24 CFR 234; 24 CFR 238; 24 CFR 241; 24 CFR 242; 24 CFR 244; 24 CFR 250; 24 CFR 511; 24 CFR 570; 24 CFR 884; 24 CFR 904; 24 CFR 905

Abstract: This rule would implement HUD's responsibilities under the Flood Disaster Protection Act of 1973. It would add a new Part 56 to specify HUD's responsibilities to require that flood insurance be obtained for eligible properties. This part would then be cross-referenced in the rules governing programs involving mortgage insurance and housing assistance grants.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Walter Prybyla, Deputy Director, Environmental Mgt. Div., Department of Housing and Urban Development, Office of Housing, 202 755-6611

RIN: 2502-AC76

79. ● REMOVAL OF REFINANCING LIMITATIONS (H-2-85; FR-2028)

Legal Authority: 12 USC 1715k; 12 USC 1715l; 12 USC 3535(d)

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 231; 24 CFR 232; 24 CFR 234; 24 CFR 242; 24 CFR 244

Abstract: This rule would revise certain financing limitations imposed on the rehabilitation of property where the mortgage covering such property is to be insured under one of the programs set out in Title II of the National Housing Act.

Timetable:

Action	Date	FR Cite
Final Action	05/00/85	
Constitution		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, 202 755-5720

RIN: 2502-AC89

80. PARTIAL PAYMENT OF CLAIMS (H-88-84)

Priority: Undetermined

Legal Authority: 12 USC 1715z(e)

CFR Citation: 24 CFR 208

Abstract: This rule pertains to the payment of insurance claims of defaulted multifamily project mortgages to comply with Section 213(e) of the Housing and Community Development Act of 1980.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AC62

81. COOPERATIVE HOUSING MORTGAGE INSURANCE SUBORDINATED SECRETARY-HELD MORTGAGES (H-33-83; FR-1756)

Priority: Agency Determination

Legal Authority: 12 USC 1713; 12 USC

CFR Citation: 24 CFR 207; 24 CFR 213

Abstract: The proposed rule will permit unsubsidized multifamily rental housing projects with Secretary-held mortgages to be converted to cooperatives by subordinating the Secretary-held mortgage to a new first mortgage. The proposal would benefit tenants by giving them the opportunity for cooperative homeownership at a lower cost. The government would benefit by sharing half of the equity appreciation received by the project owner in selling the project to a Cooperative.

Timetable:

Date	FR Cite
06/00/85	NAME OF TAXABLE

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AB97

82. PREFERENCES FOR PERSONS DISPLACED AND LIVING IN SUBSTANDARD HOUSING (H-22-80; FR-1597)

Priority: Agency Determination

Legal Authority: 12 USC 1701s; 42 USC 1437d; 42 USC 1437f

CFR Citation: 24 CFR 215; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 886; 24 CFR 904; 24 CFR 905; 24 CFR 960

Abstract: Would establish preferences in the Section 8 and Rent Supplement programs for those "living in substandard housing", and for those who are "involuntarily displaced". Would also establish the new statutory preference for those paying more than 50 percent of their income for rent.

Timetable:

Action	Date		FR	Cite
NPRM	09/26/84	49	FR	37787
NPRM Comment Period Begin	09/26/84	49	FR	37787
NPRM Comment Period End	11/26/84			
Final Action	07/00/85			

Small Entity: No

Agency Contact: Margaret Milner, Program Analyst, Department of Housing and Urban Development, Office of Housing, Office of Policy Development, 202 755-6454

RIN: 2502-AA34

83. OCCUPANCY POLICIES IN ASSISTED PROJECTS FOR THE ELDERLY (H-59-83; FR-1829)

Legal Authority: 42 USC 1437d; 12 USC 1715z-1; 12 USC 1701q; 12 USC 1701s

CFR Citation: 24 CFR 215; 24 CFR 221; 24 CFR 236; 24 CFR 813; 24 CFR 860; 24 CFR 880; 24 CFR 881; 24 CFR 885; 24 CFR 889

Abstract: Proposed rule to provide for shared occupancy of units and to establish priorities for allocation of efficiency and one-bedroom units.

Current and Projected Rulemakings

Timetable:

Action	Date	FR	Cite
NPRM	12/07/84	49 FR	48005
NPRM Comment Period Begin	12/07/84	49 FR	48006
NPRM Comment Period End	02/05/85		
Final Action	04/00/85		
Final Action Effective	05/00/85		

Small Entity: No

Additional Information: Includes: FR-1804 (RIN-2502-AB72)

Agency Contact: James T. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AB87

84. DEFINITION OF INCOME RENTS AND REEXAMINATION OF FAMILY INCOME FOR THE RENT SUPPLEMENT AND SECTION 236 PROGRAMS (H-140-82, H-141-82; FR-1702)

Priority: Agency Determination

Legal Authority: 12 USC 1701s; 12 USC 1715b; 12 USC 1715z-1; 42 USC 3535(d)

CFR Citation: 24 CFR 215; 24 CFR 236

Abstract: This rule will implement recent statutory changes affecting the definition of income for purposes of eligibility and rent determination as well as rent requirements and reexamination of income under the Rent Supplement and Section 236 Programs. It adopts definitions and procedures similar to those adopted for the Section 8 and Public and Indian Housing Programs under related statutory amendments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/23/84 4	9 FR 29580
Interim Rule	10/01/84 4	9 FR 29580
Final Action	05/01/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, 262 426-3944

RIN: 2502-AC05

85. STATE AGENCY AMENDMENTS (H-70-84; FR-1997)

Legal Authority: 12 USC 1715z-16(b)(3); 12 USC 1715z-16(c)

CFR Citation: 24 CFR 215; 24 CFR 221; 24 CFR 236; 24 CFR 245

Abstract: This rule would make the Department's regulations on prohibited lease terms applicable to projects owned by state housing agencies.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Harding.

Small Entity: No

Agency Contact: James Tahash, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3970

RIN: 2502-AC73

86. FLEXIBLE SUBSIDY PROGRAM (H-48-82)

Legal Authority: 12 USC 1715j; PL 95-551 CFR Citation: 24 CFR 219

Abstract: Would establish a flexible subsidy loan program for certain limited dividend projects for the correction of physical and cash flow deficiencies. Interim rule in preparation. (Was listed incorrectly on previous agenda as H-14-80.) Includes: H-64-82. Interim rule published May 21, 1979 (44 FR 29632), effective June 19, 1979.

Timetable:

Action	Date	FR	Cite
Previous Interim Rule	05/21/79	44 FR	29632
Previous Interim	06/19/79	44 FR	29632
Final Action	00/00/00		

Small Entity: No

Additional Information: Includes: H-64-82.

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Flousing Management, 202 426-3944

RIN: 2502-AA53

87. MORTGAGE INSURANCE FOR BOARD AND CARE HOMES (H-55-84)

Priority: Undetermined

Legal Authority: 12 USC 1715w National Housing Act; PL 98-181

CFR Citation: 24 CFR 232

Abstract: Adds "board and care homes" as facilities eligible for NHA Mortgage insurance under section 232.

Timetable:

Action	Date	FR Cite
NPRM.	01/22/85	50 FR 2830
NPRM Comment Period Begin	01/22/85	
NPRM Comment Period End	03/25/85	
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC48

88. INTEREST RATES FOR FIRE SAFETY EQUIPMENT IN NURSING HOMES TO BE SET BY FR NOTICE (H-10-85; FR-2065)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 232

Abstract: This final rule would interpret Section 104(b) of the Housing and Community Development Technical Amendments of 1984, to authorize the Department's publishing of interest rates for fire safety equipment in nursing homes to be set by Federal Register Notice.

Timetable:

Action	- Date	FR Cite
Final Action	05/00/85	W BEST
Small Entity	· No	

Small Entity: No

Agency Contact: Michael Phillips, Attorney-Advisor, Department of Housing and Urban Development, Office of the Secretary, 202 755-7055

RIN: 2502-AC85

89. CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE-1983 ACT AMENDMENTS (H-71-84; FR-1999)

Legal Authority: 12 USC 1715y

CFR Citation: 24 CFR 234

Abstract: This rule will revise the requirements for condominium mortgage insurance.

Current and Projected Rulemakings

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/84	Tenental Inches
Final Action	03/00/85	

Small Entity: No

Additional Information: Includes: FR-

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6270

RIN: 2502-AC79

90. ● AMENDMENTS TO THE SECTION 235 PROGRAM (H-3-85; FR-2037)

Legal Authority: PL 98-181, Sec 226; 42 USC 3535(d)

CFR Citation: 24 CFR 235

Abstract: A regulation to codify program changes in the section 235 program required by section 226 of the Housing and Urban-Rural Recovery Act of 1983 and the 1984 Supplemental Appropriations Act (Pub. L. 98-396). The regulation may include other changes to existing regulations as well as those specifically required by the cited legislation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	CHEST STORY
NPRM Comment Period Begin	06/00/85	
NPRM Comment Period End	08/00/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Brian Chappelle, Acting Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC93

91. MAXIMUM MORTGAGE AMOUNTS FOR HOSPITALS (H-72-84; FR-2004)

Priority: Agency Determination Legal Authority: 12 USC 1715z-7

CFR Citation: 24 CFR 241; 24 CFR 242

Abstract: Proposed rule to require greater equity contribution for insurance of mortgages related to projects that have estimated replacement costs greater than \$75 million.

Timetable:

Action	Date		FR	Cite
NPRM	10/12/84	49	FR	40044
NPRM Comment Period Begin	10/12/84	49	FR	40044
NPRM Comment Period End	11/12/84			
Final Action	06/00/85			

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Insured Multifamily Housing Development, 202 755-6500

RIN: 2502-AC64

92. © SECTION 22(D) COINSURANCE FOR NEW CONSTRUCTION OR SUBSTANTIAL REHABILITATION OF HOUSING PROJECTS - TECHNICAL REVISIONS

Priority: Undetermined

Legal Authority: 12 USC 1701

CFR Citation: 24 CFR 241

Abstract: This rule would make various nonsubstantive technical changes and corrections to Part 241 regarding the administration of the coinsurance program for New Construction and Substantial Rehabilitation of housing projects.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	City Contract
Final Action	07/00/85	
Effective		

Small Entity: No

Agency Contact: Vaughn L. Sanders, Chief, Coinsurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 426-7113

RIN: 2502-AD06

93. REFINANCING OF HOSPITAL MORTGAGES (H-50-83; FR-1806)

Legal Authority: 12 USC 1715z-7; 12 USC 1715n; 42 USC 3535(d)

CFR Citation: 24 CFR 242

Abstract: Hospitals have been eligible for mortgage insurance under Section 242 of the National Housing Act since 1968. If appropriate regulations are published, hospitals previously insured under Section 242 could refinance their mortgages up to the original amount of the mortgage provided there was no increase in the debt service. This provision would be of particular assistance to hospitals which were insured at a high interest rate and could reduce their debt service by refinancing at a lower rate.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	A STATE OF THE STA

Small Entity: No

Additional Information: Includes: H-68-

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC15

94. MORTGAGE INSURANCE REQUIREMENTS FOR PRIVATE AND PUBLIC HOSPITALS (H-69-84, FR-1992)

Priority: Agency Determination Legal Authority: 12 USC 1715z-7

CFR Citation: 24 CFR 242

Abstract: Proposed rule prescribes requirements governing insurance of mortgages for public hospitals, and includes new eligibility provisions for tax supported hospitals.

Timetable:

Action	Date	FI	R Cite
NPRM	10/12/84	49 FF	40047
NPRM Comment Period Begin	10/12/84	49 FF	40047
NPRM Comment Period End	12/11/84		
Final Action	06/00/85		

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Insured Multifamily Housing Development, 202 755-6500

RIN: 2502-AC61

95. TENANT PARTICIPATION IN MULTIFAMILY HOUSING PROJECTS (H-20-83; FR-1730)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-1b CFR Citation: 24 CFR 245

Abstract: Amendment would add requirements providing an opportunity for tenants in certain types of multifamily housing projects to comment on requests by a project owner for HUD approval of any of the following owner action: (1) conversion from project-paid utilities to tenant-paid utilities; (2) conversion of residential units to commercial space, cooperative housing or condominiums; (3) a partial release of mortgage security; and (4) major capital additions to a project. The requirements for tenant participation in project rent increases. as provided in existing 24 CFR 245, would be continued with certain changes and with exemptions for rent utility costs. The amendments implement section 202(b)(1) of the Housing and Community Development Amendments of 1978, as amended in 1981.

Timetable:

Timotable:		
Action	Date	FR Cite
NPRM	12/20/83	48 FR 56232
NPRM Comment Period Begin	12/20/83	48 FR 56232
NPRM Comment Period End	02/21/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AB66

96. TENANT PARTICIPATION--PREPAYMENT OR TERMINATION OF INSURANCE OF SUBSIDIZED PROJECTS (H-79-84; FR-2015)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-15

CFR Citation: 24 CFR 245

Abstract: Would implement Section 250(a) of the National Housing Act to provide tenant participation in requests for HUD approval to prepay a mortgage. The rule would also implement Section 250(b) and (c) to provide a priority for additional assistance under Section 8 of the United States Housing Act of 1937 and Section 201 of the Housing and

Community Development Amendment of 1978 to tenants and applications to become tenants of a project. This assistance would be provided with respect to Section 236, rent supplement and Section 202 projects where the owner has the right to prepay the mortgage without HUD approval. Such assistance would be provided if funds are available and if HUD determines that the assistance is necessary to prevent prepayment of the mortgage.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing, 202 426-3970

RIN: 2502-AC57

97. SECTION 223(F) COINSURANCE FOR PURCHASE OR REFINANCING OF EXISTING MULTIFAMILY HOUSING PROJECTS (H-53-81; FR-1391)

Priority: Agency Determination Legal Authority: 12 USC 1701

CFR Citation: 24 CFR 255

Abstract: Would broaden lender eligibility to include mortgage bankers, provide for a GNMA guaranteed securities program, change the premium sharing formula, permit lenders to reinsure their risk exposure, and make miscellaneous technical corrections. Final rule will incorporate public comments and program experience with respect to the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/25/83	48 FR 23386
Interim Rule effective	06/28/83	
Final Action	05/00/85	

Small Entity: No

Additional Information: Includes: H-29-84; FR-1908; H-51-84.

Agency Contact: Vaughn L. Sanders, Chief, Coinsurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 426-7113

RIN: 2502-AA92

98. TRANSFER FROM NONPROFIT TO PROFIT MOTIVATED OWNERSHIP FOR MULTIFAMILY HOUSING PROJECTS WITH HUD-INSURED OR HUD-HELD MORTGAGES (H-37-83; FR-1771)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 265.13

Abstract: Rule would remove the provision which prohibits a nonprofit owner transferring a project to a profit-motivated owner from receiving any remuneration in excess of the nominal consideration necessary to effect the transfer. The rule would permit the selling nonprofit owner to retain the amount of purchase proceeds, if any, which exceeds the greater of 10 percent of the unpaid principal balance of the mortgage loan or the costs of restoring the project to sound physical and financial condition.

Timetable:

FR Cite	Action	1
-	NPRM	1
	NPRM	1

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AB93

99. HUD-OWNED MULTIFAMILY PROJECTS-MANAGEMENT AND DISPOSITION (H-69-78; FR-432)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-1b; 12 USC 1701z-11; 12 USC 1701z-12; 12 USC 1713; 12 USC 1715b

CFR Citation: 24 CFR 290; 24 CFR 882

Abstract: Would conform current regulation more closely to Section 203 of the Housing and Community Development Act of 1978, as amended; decrease reliance on project-based Section 8 subsidies as a means of

Current and Projected Rulemakings

maintaining availability of units for low- and moderate-income persons; and conform the rental structure in HUD-owned properties to statutory changes in rents charged under subsidy programs.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	10/01/79	44	FR	56608
NPRM	10/18/84	49	FR	40888
NPRM Comment Period Begin	10/18/84	49	FR	40888
NPRM Comment Period End	12/17/84			
Final Action	06/00/85			

Small Entity: No

Additional Information: Includes: FR-1645 (H-3-83), RIN-2502-AB62.

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AC68

100. DISCLOSURE OF FINANCIAL INFORMATION TO MORTGAGE PURCHASERS (H-78-64; FR-2014)

Priority: Agency Determination

Legal Authority: 42 USC 3535(i)(3); 12 USC 1713(k),(l)

CFR Citation: 24 CFR 15

Abstract: This rule would permit the department to disclose profit and loss information to potential purchasers of HUD-held mortgages to facilitate mortgage sales. It is necessary to overcome the presumption against disclosure derived from the Trade Secrets Act, 18 USC 1905.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Audrey Hinton, Chief, Department of Housing and Urban Development, Office of Housing, Mortgage Sales Branch, 202 755-9280

RIN: 2502-AC65

101. SECURITIZATION OF ADJUSTABLE RATE MORTGAGES (H-61-84; FR-1962)

Priority: Agency Determination

Legal Authority: 12 USC 17219g; 12 USC 1723(a)

CFR Citation: 24 CFR 390

Abstract: This rule would amend 24 CFR Part 390 to enable GNMA to guarantee securities based on mortgages that do not contain fixed rate, level payment provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23586
NPRM Comment Period Begin	06/06/84	49 FR 23586
NPRM Comment Period End	08/06/84	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Cheryl Patton, Department of Housing and Urban Development, Office of Housing, Office of Mortgage Finance, 202 755-5593

RIN: 2502-AC70

102. EVICTIONS FROM CERTAIN SUBSIDIZED AND HUD-OWNED PROJECTS (H-5-83; FR-1661)

Priority: Agency Determination

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 450

Abstract: Clarifies the Department's intent that evictions of tenants from certain subsidized and HUD-held projects be effected solely by judicial action. This rule requires the landlord to advise the tenant in a termination notice, that the tenant is entitled to a court proceeding at which he or she may present a defense to the eviction. The landlord is prohibited from resorting to "self-help" evictions or any non-judicial process even where such actions are authorized by state or local law. This rule is procedural only and does not alter in any way the grounds for which the landlord may terminate a tenancy.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/83	48 FR 22913
Interim Rule effective	07/12/83	
Final Action	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AB59

103. ● TECHNICAL AMENDMENTS TO DEFINITION OF INCOME (H-6-85; FR-2052)

Legal Authority: PL 98-479, Sec 102(b)(2); 42 USC 1437a; 42 USC 3535(d); 12 USC 1701s; 12 USC 1715z-1

CFR Citation: 24 CFR 813; 24 CFR 913; 24 CFR 960; 24 CFR 215; 24 CFR 236

Abstract: This final rule would add the deduction from income for handicapped assistance expenses mandated by the Housing and Community Development Technical Amendments of 1984, amending the U.S. Housing Act of 1937. In addition to amending the rules governing the programs administered under the 1937 Act, this rule would make similar changes in the rules governing the Rent Supplement program and the Section 236 program.

Timetable:

Action	Date	FR Cite
Final Action Final Action Effective	04/00/85 05/00/85	Constitution of the Consti

Small Entity: No

Agency Contact: Sally Watts, Attorney-Advisor, Department of Housing and Urban Development, Office of the General Counsel, Office of General Counsel, 202 755-7084

RIN: 2502-AC82

104. • REVISION TO DEFINITION OF INCOME RESULTING FROM CONSULTATION WITH THE FARMERS HOME ADMINISTRATION (H-4-85; FR-2042)

Legal Authority: 42 USC 1437c; 42 USC 1471; 42 USC 3535(d)

CFR Citation: 24 CFR 813; 24 CFR 913

Abstract: This final rule would amend the definition of income for the Section 8 Housing Assistance Payments program and the Public Housing program to permit the deduction of depreciation in determining business income but requiring any withdrawal of capital to be included in income. This rule would essentially restore the status

quo for both HUD and Farmers Home Administration programs existing before the adoption of 24 CFR Parts 813 and 913 in May 1984. This change would also make the definition conform more closely to standard accounting practice.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	
Final Action Effective	05/00/85	

Small Entity: Undetermined

Additional Information: Contact for Public and Indian Housing: Edward Whipple (202) 426-0744

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, 202 426-3970

RIN: 2502-AC91

105. HOUSING DEVELOPMENT GRANT PROGRAM (H-26-84; FR-1902)

Priority: Agency Determination, Major

Legal Authority: PL 98-181, Sec 301; PL 98-181, Sec 302; PL 98-181, Sec 303

CFR Citation: 24 CFR 850

Abstract: Implements the Housing Development Grant Program established by Section 301 of the Housing and Urban-Rural Recovery Act of 1983. Under this Program, the Secretary is authorized to make grants to cities and urban counties and to States acting on behalf of units of general local government to support new construction or substantial rehabilitation of residential rental housing. At least 20 percent of the units in a project assisted under this Program must be leased to, or made available for occupancy by, lower income families for a period of 20 years. The rent for these units cannot exceed 30 percent of the adjusted income of a family at 50 percent of area median income. Assisted projects must be located within eligible areas, special purpose areas or neighborhood preservation areas.

Timetable:

Initetable.		
Action	Date	FR Cite
Interim Final Rule	06/14/84	49 FR 24634
Interim Rule effective	08/07/84	
Final Action	10/00/85	

Small Entity: Undetermined

Agency Contact: Lawrence Goldberger, Director, Department of Housing and Urban Development, Office of Housing, Development Grant Division, 202 755-6142

RIN: 2502-AC23

106. GOVERNMENT OFFICIALS, CONFLICTS OF INTEREST (H-127-82)

Priority: Agency Determination

Legal Authority: PL 97-35

CFR Citation: 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 886; 24 CFR 888; 24 CFR 889

Abstract: Would prevent possible conflicts of interest on the part of Federal, State and local government officials with regard to participation in projects assisted under Section 8.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Wayning!

Small Entity: No

Agency Contact: John J. Knapp, Department of Housing and Urban Development, Office of the General Counsel, 202 755-7244

RIN: 2502-AA13

107. SECTION 8-LIMIT ON CONTRACT RENT INCREASES (H-132-82; FR-1703)

Priority: Agency Determination

Legal Authority: 42 USC 1437c(b); 42 USC 1437f

CFR Citation: 24 CFR 880; 24 CFR 881; 24 CFR 883; 24 CFR 884; 24 CFR 886; 24 CFR 888

Abstract: Would limit Section 8 contract rent increases for new construction and substantial rehabilitation projects to operating increases incurred for comparable units in the market area.

Timetable:

Action	Date		FR	Cite
NPRM	11/23/83	48	FR	52936
NPRM Comment Period Begin	11/23/83	48	FR	52936
NPRM Comment Period End	01/23/84			
Final Action	08/00/85			2000
Small Entity: No				

Agency Contact: James J. Tahash, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AA18

108. CLARIFICATION OF CONTRACT RENT ADJUSTMENT AFTER COST CERTIFICATION (H-77-84; FR-2013)

Legal Authority: 42 USC 1437c(b); 42 USC 3535(d)

CFR Citation: 24 CFR 880.405; 24 CFR 881.405

Abstract: This final rule would clarify that net income earned during the construction period be used only to reduce allowed construction costs or to fund a replacement reserve but not to reduce allowable contract rents.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	
Final Action Effective	03/00/85	

Small Entity: Undetermined

Agency Contact: Linda Cheatham, Director, Department of Housing and Urban Development, Office of Housing, Technical Support Division, 202 426-0035

RIN: 2502-AC69

109. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM -MODERATE REHABILITATION (H-38-81; FR-1527)

Legal Authority: PL 97-35; 42 USC 3535(d)

CFR Citation: 24 CFR 882

Abstract: Simplifies and reduces program requirements for local PHAs and participating owners, provides greater local flexibility and implements provision of the HCD Amendments of 1981.

Timetable:

Date	FR Cite
11/09/79	44 FR 65061
12/10/79	THE ST
08/09/82	47 FR 34376
09/28/82	47 FR 34376
06/00/85	
	11/09/79 12/10/79 08/09/82 09/28/82

Small Entity: No

Agency Contact: Louise Kleffner, Director, Moderate Rehabilition Branch, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Existing Housing Division, 202 755-6887

RIN: 2502-AA86

110. TARGETING OF SECTION 8
CERTIFICATES OF FAMILY
PARTICIPATION (H-22-83; FR-1736)

Legal Authority: 42 USC 1347f CFR Citation: 24 CFR 882

Abstract: Amends 24 CFR Part 882 to eliminate restrictions on targeting Section 8 Certificates of Family Participation under certain circumstances. The rule permits HUD to provide Section 8 Certificates of Family Participation to families residing in (1) a property to be rehabilitated under the Rental Rehabilitation Program, (2) a HUD-owned multifamily project that HUD determines to sell or vacate, (3) a multifamily project with a HUD-held mortgage purchased at foreclosure by a party other than HUD, or (4) a unit covered by a project-based Housing Assistance Payments contract when the owner elects not to renew the contract for an additional term.

Timetable:

Action	Date	1	FR	Cite
Interim Final	09/09/84	49	FR	31858
Final Action	06/00/85			

Small Entity: No

Agency Contact: Gerald J. Benoit, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, 202 755-5720

RIN: 2502-AB47

111. SECTION 8 HOUSING
ASSISTANCE PAYMENTS PROGRAMS
PORTABILITY OF SECTION 8
EXISTING HOUSING CERTIFICATES
(H-46-83; FR-1800)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 882

Abstract: This rule provides for a system of permitting national mobility of certificate holders and participants in the Section 8 Existing Housing Program. This would enable families to move from the jurisdiction of one PHA to

another and would supplement the mobility mechanisms that are already in place.

Timetable:

Action	Date	FR Cite
NPRM	10/19/84	49 FR 41072
NPRM Comment Period Begin	10/19/84	49 FR 41072
NPRM Comment Period End	12/18/84	
Final Action	05/01/85	

Small Entity: Undetermined

Agency Contact: Madeline Hastings, Director, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Existing Housing Division, 202 755-6887

RIN: 2502-AB88

112. SINGLE ROOM OCCUPANCY HOUSING (H-25-84; FR-1898)

Priority: Undetermined

Legal Authority: PL 98-181, Sec 210

CFR Citation: 24 CFR 882

Abstract: Regulation will authorize Section 8 assistance in connection with single room occupant dwelling units.

Timetable:

Action	Date	FR	Cite
NPRM	10/00/85		13 50
Small Entit	v. No		

Small Entity: No

Agency Contact: Madeline Hastings, Director, Existing Housing Division, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, 202 755-6887

RIN: 2502-AC25

113. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM-EXISTING HOUSING-QUALITY STANDARDS-LEAD BASED PAINT (H-2-83; FR-1528)

Priority: Agency Determination

Legal Authority: 42 USC 1437f

CFR Citation: 24 CFR 882

Abstract: This rule would limit the applicability of HUD's Lead Based Paint regulation for units leased under the Section 8 Existing Housing and Moderate Rehabilitation Programs to those units built before 1950 and in which assisted families with children under age seven choose to live.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Department of Housing and Urban Development, Office of Housing, Existing Housing Division, 202 755-5720

RIN: 2502-AC55

114. ELIGIBILITY OF EXISTING STRUCTURES AND MODERATE REHABILITATION TO MEET NEEDS OF NON-ELDERLY HANDICAPPED (H-40-81; FR-1543)

Priority: Agency Determination

Legal Authority: 12 USC 1701g; PL 96-

399

CFR Citation: 24 CFR 885

Abstract: Would make eligible for financing under Section 202 loan program the acquisition, with or without moderate rehabilitation, of housing and related facilities for the non-elderly handicapped.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/16/82	47 FR 51565
Interim Rule effective	11/16/82	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Robert W. Wilden, Director, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Assisted Elderly Division, 202 426-8730

RIN: 2502-AA29

115. HOUSING FOR THE ELDERLY OR HANDICAPPED (H-99-82; FR-1463)

Legal Authority: 12 USC 1701q CFR Citation: 24 CFR 885

Abstract: Review of 24 CFR 885 with a view toward simplification of the program.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00		1960

Small Entity: No

Agency Contact: Robert W. Wilden, Director, Assisted Housing Division, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, 202 426-8730

RIN: 2502-AB28

116. MANAGEMENT RULES AND COMPREHENSIVE HOUSING AND COMMUNITY DEVELOPMENT AMENDMENTS (H-34-83; FR-1761)

Priority: Undetermined

Legal Authority: 12 USC 1701q; 42 USC 3535(d)

CFR Citation: 24 CFR 885

Abstract: Review HUD's current regulations on loans for housing for the elderly or handicapped. The proposed regulation will reflect statutory amendments and eliminate duplicative regulatory provisions.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00		

Small Entity: Undetermined

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AC03

117. SECTION 202 - LOANS FOR HOUSING FOR THE ELDERLY OR HANDICAPPED (H-10-84; FR-1899)

Priority: Agency Determination

Legal Authority: 12 USC 1701q; PL 98-

CFR Citation: 24 CFR 885

Abstract: This rule would establish requirements on prepayment of Section 202 direct loan mortgages and incorporate amendments to programs made by the Housing and Urban-Rural Recovery Act of 1983 and the Technical Amendments Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	A STORY
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	06/00/85	
Final Action	07/00/85	

Action	Date	FR Cite
Final Action Effective	08/00/85	- water

Small Entity: Undetermined

Additional Information: Includes: FR-1857

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AC53

118. • LOANS FOR THE ELDERLY OR HANDICAPPED; INTEREST RATE ADJUSTMENTS (H-11-85; FR-2066)

Priority: Undetermined

Legal Authority: 12 USC 1701g; 42 USC 3535g

CFR Citation: 24 CFR 885.410(a)

Abstract: This rule would amend 24 CFR 885.410(g) which governs the establishment of the interest rate for direct loans for housing for the elderly or handicapped under section 202 of the Housing Act of 1959. Under the proposed rule, the Secretary would set the interest rate for these loans at or below a prescribed rate ceiling and would announce the interest rate by a Federal Register Notice.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Robert Wilden, Director, Department of Housing and Urban Development, Office of Housing, Assisted Elderly and Handicapped Housing, Division, 202 426-8730

RIN: 2502-AC84

119. ● SECTION 202 LOANS FOR HOUSING FOR THE ELDERLY OR HANDICAPPED- COMMUNITY REPRESENTATION ON BORROWER'S BOARD (H-46-78)

Priority: Undetermined

Legal Authority: PL 95-557, Sec 205(d)

CFR Citation: 24 CFR 885

Abstract: This rule would require that the membership of the governing board of private nonprofit corporations or nonprofit consumer cooperatives who wish to obtain Section 202 loans for housing for the elderly or handicapped be selected in a manner to assure significant representation of the views of the community in which a project is to be located.

Timetable:

Action	Date	FR Cite
NPRM	02/13/80	45 FR 9748
NPRM Comment Period Begin	02/13/80	45 FR 9748
NPRM Comment Period End	04/14/80	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Joseph F. Gelletich, Assistant General Counsel, Department of Housing and Urban Development, Office of the General Counsel, Office of General Counsel, Assisted Housing Division, 202 755-5470

RIN: 2502-AC99

120. ADDITIONAL ASSISTANCE PROGRAM FOR PROJECTS WITH HUD-INSURED OR HUD-HELD MORTGAGES (H-89-78)

Priority: Major

Legal Authority: 42 USC 1437

CFR Citation: 24 CFR 886

Abstract: Amended 24 CFR 886, Subpart A to remove the requirement that HUD annually inspect 100% of the units under HUD-insured or HUD-held mortgages and to call for inspections based on a reasonable sample. This brings this requirement in line with other programs which permit inspections on a sample basis.

Timetable:

Action	Date	-	R	Cite
Interim Final Rule	12/26/78	43 F	R	60157
Interim Rule effective	12/26/78			
Final Action	00/00/00			

Small Entity: No

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, 202 426-3944

RIN: 2502-AA41

121. MISCELLANEOUS REVISIONS TO PART 886 (H-59-84; FR-1950)

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 886

Abstract: This rule would make various amendments to Part 886-Section 8
Housing Assistance Payments
Programs-Special Allotments. The changes include (1) modification of the termination of tenancy procedures of Sections 886.128 and 886.328, (2) the deletion of cost certification requirements at Sections 886.333 (c) and (d); and (3) other miscellaneous amendments.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Active SSIZE

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Multifamily Property Disposition Division, 202 426-3944

RIN: 2502-AC59

122. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS: FAIR MARKET RENT SCHEDULES FOR EXISTING HOUSING AND MODERATE REHABILITATION (H-2784; FR-1904)

Priority: Undetermined

Legal Authority: 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 888

Abstract: This rule announces revised Fair Market Rents (FMRs) scheduled at 24 CFR 888 to issue the 1984 annual revision of the FMRs for the Section 8 Existing Housing and Moderate Rehabilitation Programs, including space rentals by owners of manufactured homes.

Timetable:

A CONTRACTOR OF THE PARTY OF TH		
Action	Date	FR Cite
Interim Final Rule	07/05/84	49 FR 27658
Interim Rule effective	10/01/84	49 FR 27658
Final Action	03/00/85	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Existing and Assisted Housing, Existing Housing Division, 202 755-5720

RIN: 2502-AC22

123. SECTION 8 HOUSING
ASSISTANCE PAYMENTS PROGRAM
CONTRACT RENT ANNUAL
ADJUSTMENT FACTORS (FEDERAL
REGISTER NOTICE OF PUBLICATION)
(H-57-84)

Priority: Agency Determination

Legal Authority: 42 USC 1437

CFR Citation: 24 CFR 888

Abstract: To be used to adjust rents under the Section 8 Housing Assistance Payments Program.

Timetable:

Action	Date	FR Cite
Final Action	11/01/85	MIT PROPERTY.

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Existing Housing Division, 292 755-5720

RIN: 2502-AC46

124. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS; PROMULGATION OF FAIR MARKET RENT SCHEDULES BY NOTICE (H-73-84; FR-2005)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 885; 24 CFR 886

Abstract: This rule codifies the methodology for establishing the FMRs and announces a new procedure of promulgating the FMRs for the various Section 8 Housing Assistance Payments Programs by Notice. Proposed FMRs would be published with a minimum of a 30-day comment period, with final FMRs effective upon publication.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	THE RESERVE
Small Entity:	No	Layer and

Agency Contact: Susan Schruth, Attorney Advisor, Department of Housing and Urban Development, Office of Housing, Office of General Counsel, 202 755-7055

RIN: 2502-AC56

125. SECTION 8 HOUSING
ASSISTANCE PAYMENTS PROGRAM:
FAIR MARKET RENT SCHEDULES
FOR EXISTING HOUSING AND
MODERATE REHABILITATION (H-8684)

Priority: Undetermined

Legal Authority: 42 USC 1437f; 42 USC

3535(d)

CFR Citation: 24 CFR 888

Abstract: This document is to amend the Fair Market Rents (FMRs) Schedules at 24 CFR 888 to issue the 1985 annual revision of the FMRs for the Section 8 Existing Housing and the Moderate Rehabilitation Programs, to include space rentals by owners of manufactured homes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/85	ON THE

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Existing and Assisted Housing, Existing Housing Division, 202 755-5720

RIN: 2502-AC67

126. ● FAIR MARKET RENTS FOR THE SECTION 8 NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION PROGRAMS (H-5-85; FR-2079)

Legal Authority: 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 888

Abstract: An interim rule announcing the FY 85 Fair Market Rents for the Section 8 New Construction and Substantial Rehabilitation Programs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	del C
Final Action	05/00/85	
Final Action Effective	05/00/85	

Current and Projected Rulemakings

Small Entity: No

Agency Contact: Edward M.
Wimiarski, Chief Appraiser, Valuation
Branch, Department of Housing and
Urban Development, Office of Housing,
Office of Multifamily Housing
Development, 202 755-5743

RIN: 2502-AC94

127. SECTION 8-LITIGATION BY PHAS TO RECOVER WRONGFULLY USED SECTION 8 FUNDS (H-126-82; FR-1692)

Priority: Agency Determination

Legal Authority: PL 97-35, Sec 326(d)(1)

CFR Citation: 24 CFR 892

Abstract: Would permit PHAs to retain, out of judgments obtained by them in recovering amounts wrongfully paid as a result of fraud and abuse in the Section 8 program, an amount equal to the greater of 1) legal expenses incurred in obtaining the judgment or 2) 50 percent of the amount actually collected on the judgments.

Timetable:

Action	Date	FR Cite
NPRM	02/23/83	48 FR 7590
NPRM Comment Period Begin	02/23/83	
NPRM Comment Period End	04/25/83	
Final Action	03/00/85	
Final Action Effective	05/00/85	

Small Entity: No

Agency Contact: Gershon M. Ratner, Associate General Counsel, Department of Housing and Urban Development, Office of Housing, Office of Litigation, 202 755-1300

RIN: 2502-AA12

128. BOOK ENTRY SECURITIES OF PUBLIC HOUSING AUTHORITIES (H-64-83; FR-1845)

Priority: Undetermined

Legal Authority: 42 USC 1737h(c); 42 USC 1737i(a); 42 USC 3535d

CFR Citation: 24 CFR 910, (New)

Abstract: This rule would permit local housing authorities to issue tax- exempt notes and bonds in book-entry form through the Federal Reserve Banks. Book-entry securities may be issued and marketed more efficiently than securities in certificate form.

Timetable:	- Year	NO THE O
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Robert H. Menke, Department of Housing and Urban Development, Office of Housing, Office of Financial Management, 202 755-1591

RIN: 2502-AB75

129. ● TECHNICAL AMENDMENTS TO THE INTERSTATE LAND SALES REGISTRATION REGULATIONS (H-15-85; FR-2080)

Priority: Agency Determination Legal Authority: 15 USC 1718

CFR Citation: 24 CFR 1710; 24 CFR 1720

Abstract: This final rule would correct certain provisions of the Interstate Land Sales Registration Regulations and final guidelines that implement the Interstate Land Sales Full Disclosure Act.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	5 F T B B

Small Entity: No

Agency Contact: John L. Brady, Director, Department of Housing and Urban Development, Office of Housing, Interstate Land Sales Registration Division, 202 755-0502

RIN: 2502-AC83

130. • ALLOCATION OF FUNDS AND MISCELLANEOUS CHANGES FOR THE SOLAR ENERGY AND ENERGY CONSERVATION BANK (S-1-85; FR-2051)

Priority: Agency Determination Legal Authority: 12 USC 3601 CFR Citation: 24 CFR 1800

Abstract: The regulation would implement Section 104(d)(2) of the Housing and Community Development Technical Amendments of 1984, which requires revision of the existing regulation governing allocation of funds for the Solar Energy and Energy Conservation Bank. Other miscellaneous changes to 24 CFR Part 1800, principally minor or of a technical nature would be made at the same time to improve the functioning of the Bank program.

Timetable:

Action Date FR Cite

NPRM 03/00/85

Small Entity: No

Agency Contact: Dr. Richard Francis, Manager, Department of Housing and Urban Development, Office of Housing, Solar Energy and Energy Conservation Bank, 202 755-7166

RIN: 2502-AC88

131. FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (H-46-82; FR-1637)

Priority: Agency Determination

Legal Authority: 42 USC 5401 to 5427

CFR Citation: 24 CFR 3280

Abstract: This rule would amend HUD's Manufactured Home Construction and Safety Standards to improve the energy efficiency of manufactured homes.

Timetable:

Action	Date		FR	Cite
ANPRM Revision- Manufactured Home	06/07/79	44	FR	32711
Construction & Safety Stds				
NPRM	08/16/83	48	FR	37136
NPRM Comment Period Begin	08/16/83			
NPRM Comment period	10/26/83	48	FR	49520
extended indefinitely				
NPRM Comment Period End	00/00/00			

Small Entity: No

Final Action

Additional Information: Includes: H-71-82

00/00/00

Public Compliance Cost: Initial Cost: \$10,000,000; Yearly Recurring Cost: \$10,000,000; Base Year for Dollar Estimates:

Government Levels Affected: State, Federal

Analysis: Preliminary RIA 08/16/83 (48 FR 37152)

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5798

RIN: 2502-AA01

132. STANDARDS FOR SMALL MANUFACTURED HOMES, MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS

Priority: Undetermined

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280

Abstract: Manufactured homes between 320 and 400 square feet have been exempted from the Manufactured Home Construction and Safety Standards. This rule will propose special standards for these structures.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 05/00/86

Small Entity: Undetermined

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5924

RIN: 2502-AC95

133. • MEDIUM DENSITY FIBERBOARD (MDF) (H-16-85)

Priority: Agency Determination

Legal Authority: 42 USC 5403 CFR Citation: 24 CFR 3280

Abstract: This rule would set forth regulations regarding the use of Medium Density Fiberboard (MDF) and other wood products containing formaldehyde to be used in doors and cabinetry installed in manufactured homes.

Timetable:

Action Date FR Cite

NPRM 06/00/85

Small Entity: Undetermined

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5924

RIN: 2502-AC96

134. TRANSPORTATION,
DURABILITY, TESTING MANUFACTURED HOME
CONSTRUCTION AND SAFETY
STANDARDS

Priority: Undetermined

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280

Abstract: This rule will amend the standards applicable to manufactured homes to assure that they withstand the adverse effects of transportation shock and vibration.

Timetable:

Action Date FR Cite
Final Action 02/00/86

Small Entity: Undetermined

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5924

RIN: 2502-AD03

135. ● HARDBOARD SIDING -MANUFACTURED HOMES CONSTRUCTION AND SAFETY STANDARDS (H-24-85)

Priority: Undetermined

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280

Abstract: A rule will be developed which will deal with the specific problems associated with the use of hardboard siding as the exterior weather resistant siding on manufactured homes. The primary problem is deterioration of the siding resulting from infiltration of water.

Timetable:

Action Date FR Cite

NPRM 08/00/85

Small Entity: Undetermined

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5924

RIN: 2502-AD04

136. © MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS - CONDENSATION AND VENTILATION (H-27-85)

Priority: Undetermined

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280

Abstract: This rule would revise existing regulations and propose new regulations concerning condensation, ventilation and air infiltration in manufactured homes.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 07/00/85

Small Entity: Undetermined

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5924

RIN: 2502-AD07

137. ● MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS, SUBPARTS B, D, E, G, H, I (H-30-85)

Priority: Undetermined

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280

Abstract: The final rule will amend those portions of the Manufactured Home Construction Standards which deal with windows, structural adhesives, materials, coolers, heaters, doors, utility connections, gas and oil equipment, plumbing, venting systems and electrical systems. Basically, the standards will be updated and revised to more closely reflect current state of the art and industry practice.

Timetable:

Action'	Date	FR Cite
Final Action	12/00/85	

Small Entity: Undetermined

Current and Projected Rulemakings

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5924

RIN: 2502-AD10

138. • REVISION OF MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS - SUBPART F - THERMAL PROTECTION (H-31-85)

Priority: Agency Determination Legal Authority: 42 USC 5403 CFR Citation: 24 CFR 3280

Abstract: This action will consider revision of the thermal protection provisions of the Manufactured Home Construction and Safety Standards.

Timetable:

Action	Date	FR	Cite
NPRM	08/16/83	48 FR	37136
Final Action	00/00/00		

Small Entity: Undetermined

Agency Contact: G. Robert Fuller, Chief, Standards Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Homes and, Regulatory Functions, 202 755-5924

RIN: 2502-AD11

139. ● MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS, SUBPART G - STATE ADMINISTRATIVE AGENCIES (H-32-85)

Priority: Undetermined

Legal Authority: 42 USC 5424

CFR Citation: 24 CFR 3282

Abstract: This rule would revise the procedures to be followed, and requirements to be met, by States wishing to participate as State Administrative Agencies in the enforcement of Federal standards for manufactured homes.

Timetable:

Action Date FR Cite	tion [Date	FR	Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Tobias Gottesman, Chief, Compliance Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Homes and, Regulatory Functions, 202 755-6584

RIN: 2502-AD12

140. ● REVISION OF MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS - SUBPARTS A, B, D, E, G, H, I (H-25-85)

Priority: Agency Determination Legal Authority: 42 USC 5403 CFR Citation: 24 CFR 3280

Abstract: This rule would revise the Manufactured Home Construction and Safety Standards to update the general provisions, the planning considerations, the plumbing systems, the heating and cooling systems, and the electrical systems.

Timetable:

Action	Date		Cite	
NPRM	08/16/83	48	FR	37136
Final Action	12/00/85			

Small Entity: Undetermined

Agency Contact: G. Robert Fuller, Chief, Compliance Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-5924

RIN: 2502-AD14

141. MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS MONITORING INSPECTION FEE (H-30-83; FR-1767)

Legal Authority: 42 USC 5419; 42 USC 3535(d)

CFR Citation: 24 CFR 3282.454

Abstract: Would apply the manufactured home monitoring inspection fee to each manufactured home section rather than to each home.

Timetable:

Action	Date	FR Cite
NPRM	08/23/84	49 FR 33456
NPRM Comment Period Begin	08/23/84	49 FR 33456

Action	Date	FR Cite
NPRM Comment Period End	10/22/84	AND THE REAL PROPERTY.
Final Action	04/00/85	

Small Entity: No

Agency Contact: Tobias A. Gottesman, Branch Chief, Department of Housing and Urban Development, Office of Housing, Compliance Branch, 202 755-6584

RIN: 2502-AB48

142. MFC HOME PROCEDURAL AND ENFORCEMENT REGULATIONS TO CLARIFY PROCEDURES TO BE FOLLOWED BY DESIGN APPROVAL AND PRODUCTION INSPECTION PRIMARY INSPECTION AGENCIES (H-53-82; FR-1815)

Legal Authority: 42 USC 5424

CFR Citation: 24 CFR 3282.203; 24 CFR 3282.359; 24 CFR 3282.360; 24 CFR 3282.361; 24 CFR 3282.362

Abstract: The proposed regulation would (1) allow DAPIAs to prepare designs and quality assurance manuals in conjunction with manufacturers; (2) delete the prohibition against DAPIAs approving their own designs and quality assurance manuals; (3) allow DAPIAs to prepare designs and quality assurance manuals and changes to them in conjunction with manufacturers. The rule would also eliminate requirement that IPIAS keep a permanent record of data plates and would clarify other portions of the regulations.

Timetable:

Action	Date	675	FR	Cite
NPRM	08/13/84	49	FR	32219
NPRM Comment Period Begin	08/13/84	49	FR	32219
NPRM Comment Period End	10/12/84			
Final Action	03/01/86			

Small Entity: No

Additional Information: Includes: H-

Agency Contact: Tobias A. Gottesman. Branch Chief, Department of Housing and Urban Development, Office of Housing, Compliance Branch, 202 755-6584

RIN: 2502-AC16

Current and Projected Rulemakings

143. MANUFACTURED HOUSING COMPLAINT INDEX (H-18-85)

Priority: Undetermined

Legal Authority: 42 USC 5401 to 5426

CFR Citation: 24 CFR 3282

Abstract: This rule would provide guidelines to identify manufacturers who may have failed to comply with particular Standards and identify areas of the Federal Standards which may need revision.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Tobias A. Gottesman, Chief, Compliance Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-6584

RIN: 2502-AC97

144. © REVISION OF MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS - CONSUMER COMPLAINT HANDLING (H-26-85)

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3282

Abstract: This rule would simplify and revise the Manufactured Home Consumer Complaint Handling Regulations.

Timetable:

Action Date FR Cite
NPRM 12/00/85

Small Entity: Undetermined

Agency Contact: Tobias Gottesman, Chief, Compliance Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-6584

RIN: 2502-AD05

145. MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS; PRIMARY INSPECTION AGENCY (PIA) RATING (H-28-85)

Priority: Undetermined

Legal Authority: 42 USC 5424 CFR Citation: 24 CFR 3282 Abstract: The present system of evaluating Primary Inspection Agencies (PIAs) has the potential to be subjective and arbitrary. The rule will propose the establishment of a clear and objective rating system.

Timetable:

Action Date FR Cite
NPRM 10/00/85

Small Entity: Undetermined

Agency Contact: Tobias Gottesman, Chief, Compliance Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 202 755-6584

RIN: 2502-AD08

146. MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS; PRIMARY INSPECTION AGENCY (PIA) LICENSING (H-29-85)

Priority: Undetermined

Legal Authority: 42 USC 5424

CFR Citation: 24 CFR 3282

Abstract: The proposed rule will revise the present system, which licenses Primary Inspection Agencies for an indefinite term, by issuing licenses for a fixed term. This would ensure that all PIAs maintain the standards of performance which allowed them to obtain initial approval by HUD, thereby taking the competitive advantage away from those PIAs which let theirstandards slip once approved.

Timetable:

Action Date FR Cite
NPRM 10/00/85
Small Entity: Undetermined

Agency Contact: Tobias Gottesman, Chief, Compliance Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Housing and, Regulatory Functions, 262 755-6584

RIN: 2502-AD09

147. @ MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS; SUBPART L -REPORTING REQUIREMENTS (H-33-85)

Priority: Undetermined

Legal Authority: 42 USC 5424

CFR Citation: 24 CFR 3282

Abstract: This regulation will revise the reporting requirements applicable to State Administrative Agencies. The objective of this rule is to reduce the number of reports required while increasing the usefulness of the reports which are submitted.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 08/00/85

Small Entity: Undetermined

Agency Contact: Tobias Gottesman, Chief, Compliance Branch, Department of Housing and Urban Development, Office of Housing, Office of Manufactured Homes and, Regulatory Functions, 202 755-6584

RIN: 2502-AD13

148. REAL ESTATE SETTLEMENT PROCEDURES ACT -- CONTROLLED BUSINESS PROVISIONS AND MISCELLANEOUS CHANGES (H-45-84; FR-1942)

Priority: Undetermined

Legal Authority: 12 USC 2601 to 2617

CFR Citation: 24 CFR 3500

Abstract: The rule will implement statutory amendments established by Section 461 of the Housing and Urban Rural Recovery Act of 1983 (Pub.L.98-181). The amendments address a problem identified as "controlled business" and the manner in which Section 8 of the Real Estate Settlement Procedures Act (12 USC 2607), the kickback prohibition of RESPA is to be applied to such arrangements. No alternatives are being considered because of the statutory mandate. The potential costs cannot be accurately projected but are believed to be incidental. The rule will also contain other miscellaneous changes to clarify and update the existing rule.

Timetable:

Action Date FR Cite - NPRM 04/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Brian Chappelle, Acting Director, Single Family Development Division, (202) 755-6720.

Current and Projected Rulemakings

Agency Contact: Grant E. Mitchell, Assistant General Counsel, Department of Housing and Urban Development, Office of Housing, Office of General Counsel, Fiscal Management and Energy Division, 202 755-6550

RIN: 2502-AC09

149. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (VOLUNTARY CONSENSUS STANDARDS) (H-72-82; FR-1633)

Priority: Major

Legal Authority: 42 USC 401

CFR Citation: Not yet determined

Abstract: This is a request for responses to develop and maintain voluntary consensus standards for residential manufactured homes. In an effort to adhere to OMB Circular A-119, "Federal Participation in the Development and Use of Voluntary Standards", the Department is interested in working with voluntary standards bodies in developing and adopting voluntary standards for use as the Federal Manufactured Home Construction and Safety Standards. The request for response would identify those private organizations qualified and interested in developing and maintaining standards which can meet the intent of the Act. Responses to ANPRM are now being considered.

Timetable:				
Action	Date	1.10	FR	Cite
ANPRM	07/07/82	47	FR	29605
ANPRM Comment Period Begin	07/07/82			
ANPRM Comment Period End	07/31/82		100	
200 00/20 020 0 200	The Atlanta of the London			

Next Action Undetermined

Small Entity: No

Agency Contact: James McCollom, Director, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Construction, Standards Division, 202

766-5210

RIN: 2502-AA02

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Housing (OH)

Existing Regulations Under Review

150. SECTION 8 HOUSING ASSISTANCE PROGRAM FOR DISPOSITION OF THE HUD-OWNED PROJECTS (H-6-79; FR-823)

Legal Authority: 42 USC 1437; PL 96-153; PL 96-399

CFR Citation: 24 CFR 886, Subpart C

Abstract: Provides for the use of Section 8 housing assistance in the disposition of HUD-owned projects. Final rule preparation awaits decision on the future use of Section 8 relating to Property Disposition. Includes: H-7-79. Interim rule published December 6, 1979 (44 FR 70362), effective December 26, 1979.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/06/79	44 FR 70362
Interim Rule effective	12/26/79	

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Marvin T. Hilman, Director, Department of Housing and Urban Development, Office of Housing, Multifamily Sales Division, 202 755-7343

RIN: 2502-AB42

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Housing (OH)

Completed Actions

COMPLETED RULEMAKINGS

151. USE OF MATERIALS BULLETIN NO. 85 - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR POLY (VINYL CHLORIDE) WINDOWS (H-105-82; FR-1926)

CFR Citation: 24 CFR 200.935; 24 CFR 200.941

Completed:

Effective

 Reason
 Date
 FR Cite

 Final Action
 08/09/84
 49 FR 31853

 Final Action
 10/04/84

Small Entity: No

Agency Contact: Leslie Breden 202 755-5929

RIN: 2502-AA67

152. USERS FEE SCHEDULE FOR THE TECHNICAL SUITABILITY OF PRODUCTS PROGRAM (H-56-83; FR-1827)

Priority: Agency Determination CFR Citation: 24 CFR 200

Completed:

Reason Date FR Cite
Final Action 10/04/84 49 FR 31854

Small Entity: No

Agency Contact: Donald R. Fairman 202 755-5718

RIN: 2502-AB78

153. MORTGAGE INSURANCE ELIGIBILITY, PROCEDURES AND PROCESSING (H-19-84; FR-1887)

CFR Citation: 24 CFR 200

Completed:

Reason Date FR Cite
Withdrawn from 01/00/85
Agenda

Small Entity: No

Agency Contact: Jon Will Pitts 202 755-6779

RIN: 2502-AC26

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Completed Actions

154. MORTGAGE INSURANCE -OCCUPANCY OF PROPERTY (H-1-78; FR-968)

CFR Citation: 24 CFR 203.670; 24 CFR 203.671; 24 CFR 203.672; 24 CFR 203.673; 24 CFR 203.674; 24 CFR 203.675; 24 CFR 203.676; 24 CFR 203.677; 24 CFR 203.678; 24 CFR 203.680; 24 CFR 203.681; 24 CFR 203.682; 24 CFR 203.683

Completed:

Reason	Date	FR Cite
To be included in RIN 2502- AC86	11/14/84	

Small Entity: No

Agency Contact: Alan Kappeler 202 755-3046

RIN: 2502-AB10

155. SECTION 223(A) AMENDMENTS (H-65-83)

CFR Citation: 24 CFR 207; 24 CFR 255

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-	02/00/85	nella y
AC74		

Small Entity: Undetermined

Agency Contact: April LeClair 202 755-7113

RIN: 2502-AB92

156. SHARED HOUSING AND REVISED OCCUPANCY POLICIES IN THE SECTION 8 AND PUBLIC HOUSING PROGRAMS (H-49-83; FR-1804)

Priority: Agency Determination

CFR Citation: 24 CFR 813; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 913; 24 CFR 960

Completed:

Reason	Date	FR Cite
To be included in RIN 2502- AB87	01/00/85	

Small Entity: No

Agency Contact: Margaret Milner 202 755-6454

RIN: 2502-AB72

157. CONDOMINIUM PROJECTS -MUTUAL MORTGAGE INSURANCE AND INSURED LOANS (H-5-82; FR-1388)

CFP Citation: 24 CFR 234.26

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-	01/00/85	or tenders and
AC70		

Small Entity: No

Agency Contact: Brian Chappelle 202 755-6720

RIN: 2502-AA43

158. INCREASE IN MAXIMUM INSURABLE AMOUNT OF CONDOMINIUM UNIT OWNED BY A NONOCCUPANT (H-90-84; FR-2030)

CFR Citation: 24 CFR 234.27

Completed:

2/04/84	49	FR	47388
3/29/85	49	FR	47388

Small Entity: No

Agency Contact: Brian Chappelle 202 755-6720

RIN: 2502-AC60

159. TENANT PARTICIPATION FOR ITEMS REQUIRING HUD APPROVAL (H-89-84; FR-1997)

Priority: Undetermined CFR Citation: 24 CFR 245

Completed:

Date	FR Cite
11/14/84	ligitaria de la constitución de

Small Entity: No

Agency Contact: James J. Tahash 202 426-3970

RIN: 2502-AC58

160. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM -EXISTING CONTRACT ADMINISTRATION (H-58-78; FR-659)

Priority: Undetermined

CFR Citation: 24 CFR 882.300 to 882.316

Completed:

Reason Date FR Cite
Withdrawn from 02/00/85
Agenda

Small Entity: No

Agency Contact: Gerald J. Benoit 202 755-5720

RIN: 2502-AB48

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

161. © CHANGES IN HUD/FHA MAXIMUM INTEREST RATE (H-12-85; FR-2054)

Priority: Agency Determination

Legal Authority: 12 USC 1715b; 12 USC 1715w(i); 12 USC 1715z(i); 42 USC 3535d

CFR Citation: 24 CFR 232: 24 CFR 235

Abstract: This rule lowers from 13.50 percent to 13.00 percent the maximum interest rate for the HUD/FHA Section 235 home mortgage insurance program and the Section 232 loans to finance the purchase and installation of fire safety equipment.

Timetable:

Action	Date		FR	Cite
Final Action	10/30/84	49	FR	43545

Small Entity: No

Agency Contact: John N. Dickie, Department of Housing and Urban Development, Office of Housing, Office of Financial Management, 202 755-7270

RIN: 2502-AD15

162. © CHANGE IN HUD/FHA MAXIMUM INTEREST RATE (H-14-85; FR-2070)

Priority: Agency Determination

Legal Authority: 12 USC 1715b; 12 USC 1715w(i); 12 USC 1715z(i); 42 USC 3535d

CFR Citation: 24 CFR 232; 24 CFR 235

Abstract: This rule lowers from 13.00 percent to 12.50 percent the maximum interest rate for the HUD/FHA Section 235 home mortgage insurance program and the Section 232 loans to finance the purchase and installation of fire safety equipment.

Timetable:

Action	Date	FR Cite
Final Action	11/30/84	49 FR 46991

Small Entity: No

Agency Contact: John N. Dickie, Department of Housing and Urban Development, Office of Housing, Office of Financial Management, 202 755-7270

RIN: 2502-AD16

Completed Actions

163. ● LOANS FOR HOUSING FOR THE ELDERLY OR HANDICAPPED; FISCAL YEAR 1985 INTEREST RATE (H-7-85; FR-2056)

Priority: Undetermined

Legal Authority: 12 USC 1701q; 42 USC

3535(d)

CFR Citation: 24 CFR 885.410(g)

Abstract: This rule establishes the interest rate direct loans made during Fiscal Year 1985 for housing for the elderly or handicapped. The rule implements provisions of the Housing

and Urban Development - Independent Agencies Appropriations Act, 1985 (Pub. L. 98-371). That Act provides that the interest rate for section 202 Loans made during Fiscal Year 1985 may not exceed 9.25 percent per annum (including an allowance for administrative costs and probable losses).

Timetable:

Action	Date	FR Cite
Final Action	01/22/85	50 FR 2781
Final Action Effective	03/04/85	50 FR 2781

Small Entity: No

Agency Contact: Robert W. Wilden, Director, Department of Housing and Urban Development, Office of Housing, Assisted Elderly and Handicapped, Housing Division, 202 426-8730

RIN: 2502-AC90

[FR Doc. 85-6367 Filed 04-26-85; 8:45 am]

BILLING CODE 4210-01-T

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Community Planning and Development (CPD)

Current and Projected Rulemakings

164. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION (CPD-15-83)

Priority: Undetermined

Legal Authority: 42 USC 4601 et seq CFR Citation: 24 CFR 42; 24 CFR 43

Abstract: Would revise HUD rules to conform to government-wide Uniform Act regulations developed by the Uniform Act Interagency Regulatory Review Working Group formed by OMB. The rule would establish Uniform policies and procedures for all Federal agencies responsible for implementing the Uniform Act. DOT at the request of OMB published the proposed government-wide rule. (DOT will issue a final rule that HUD will publish as the proposed HUD rule.)

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	
Small Entit	y: Not Applicable	

Additional Information: Includes CPD-4-81 (RIN-2506-AA14).

Agency Contact: Melvin J. Geffner, Deputy Director, Relocation and Real Estate, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Rehabilitation, 202 755-

RIN: 2506-AA46

165. DEPARTMENTAL POLICIES, RESPONSIBILITIES, AND PROCEDURES FOR PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY (CPD-29-78; FR-1054)

Priority: Agency Determination

Legal Authority: 42 USC 4321; PL 95-557

CFR Citation: 24 CFR 50

Abstract: This final rule will replace an interim rule published on December 15, 1982 (47 FR 56266). The rule provides policies and procedures for HUD consideration of environmental factors in decision-making under HUD programs (except the Community Development Block Grant Program). The rule implements the National Environmental Policy Act (NEPA) and several specific environmental laws and authorities. The rule reflects a number of elements of the December 1982 interim rule to reduce the regulatory burden and procedural details resulting from two years of field experience. Changes have also been made to reflect field office reorganization and requirements mandated by the passage of the Housing and Urban-Rural Recovery Act of 1983.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/15/82	47 FR 56266
Interim Rule effective	03/10/83	
Final Action	04/00/85	

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Charles E. Thomsen, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, Environmental Management Division, 202 755-6611

RIN: 2506-AA10

166. SITING OF HUD-ASSISTED PROJECTS NEAR HIGH VOLTAGE TRANSMISSION LINES (CPD-3-85)

Priority: Undetermined

Legal Authority: 42 USC 1441; 42 USC 3535; 42 USC 1441(a)

CFR Citation: 24 CFR 51F

Abstract: The proposed ANPRM will seek public input to the decision on whether or not to proceed with the development of siting standards related to overhead high voltage transmission lines as part of HUD's environmental criteria and standards contained in 24 CFR Part 51. Particular attention will be given to research, experimental findings and studies that indicate exposure to electric fields (and electromagnetic fields) may have adverse health effects.

The proposal will look at current state and local standards, the potential effect of electric fields on human health and safety and consider establishing standards which will influence the siting of housing and other HUD-assisted projects in the vicinity of high voltage transmission lines.

Current and Projected Rulemakings

Timetable:
Action Date FR Cite

ANPRM 07/00/85

Small Entity: No

Agency Contact: Antoinette G. Sebastian, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, Environmental Planning Division, 202 755-7225

RIN: 2506-AA61

167. EXPOSURE TO RADON GAS IN NEW AND EXISTING RESIDENTIAL STRUCTURES (CPD-2-85)

Priority: Undetermined

Legal Authority: 42 USC 1441; 42 USC 3535; 42 USC 1441(a)

CFR Citation: 24 CFR 51E

Abstract: The proposed ANPRM will seek public input to the decision on whether or not to proceed with the development of standards for the concentration of indoor concentration of radon gas in HUD- assisted housing under 24 CFR Part 51. Radon gas is an inert gas resulting from the decay of radioactive materials that exist within the earth, in uranium mill tailings, on reclaimed phosphate land, in granite rock, and even in drinking water. Radon emits Alpha particles which are carcinogenic, and represents a particular hazard to humans once it enters into and is confined inside a building. The EPA has determined that an acceptable indoor concentration of radon should not exceed 0.02 working levels (WL) which is based on studies of workers exposed to concentration of radon. HUD has funded studies which identified techniques for reducing the infiltration of radon gas in existing residences and has been active in seeking techniques to prohibit infiltration of radon gas in new residential construction. Such mitigation techniques would be considered as part of the rule making.

Timetable:

Action Date FR Cite
ANPRM 06/00/85

Small Entity: No

Agency Contact: James L. Christopulos, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, Environmental Planning Division, 202 755-7225

RIN: 2506-AA62

168. SITING OF HUD-ASSISTED PROJECTS NEAR HIGH PRESSURE GAS TRANSMISSION LINES (CPD-1-85)

Priority: Undetermined

Legal Authority: 42 USC 1441; 42 USC 3535; 42 USC 1441(a)

CFR Citation: 24 CFR 51G

Abstract: The proposed ANPRM will seek public input to the decision on whether or not to proceed with the development of siting standards related to high pressure gas transmission lines as part of HUD's environmental criteria and standards contained in 24 CFR Part 51. Particular attention will be given to potential hazards from high pressure gas transmission lines.

There has been a considerable loss of life and property from explosions and fires caused by eruptions of high pressure gas transmission lines. The proposal will look at current standards, the potential effect of high pressure gas transmission lines on residences and other places of assembly, and particularly at the potential development of safety standards in terms of acceptable separation distances.

Timetable:

 Action
 Date
 FR Cite

 ANPRM
 08/00/85

Small Entity: No

Agency Contact: James L. Christopulos, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, Environmental Planning Division, 202 755-7225

RIN: 2506-AA63

169. ENVIRONMENTAL REVIEW PROCEDURES FOR THE CDBG PROGRAM (CPD-21-81; FR-1027)

Priority: Agency Determination

Legal Authority: 42 USC 5301; PL 97-35; 42 USC 4321; 42 USC 1437

CFR Citation: 24 CFR 58

Abstract: The final rule provides policies and procedures by which assisted communities and participating states discharge Federal environmental review responsibilities. The final rule also streamlines and reduces the environmental requirements. Such actions include: (1) an expanded listing of block grant activities and projects exempt or categorically excluded from the NEPA requirements; (2) the definitive list of related statutes and authorities that must be observed by grant recipients for the release of block grant funds as required by the HUD legislation; and (3) the further provisions needed to conform with and implement innovative measures of the HUD Amendments of 1981 such as the new state-administered block grant program for small cities and the assumption of the environmental oversight responsibilities by such states.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/12/82	47 FR 15750
Interim Rule effective	05/19/82	
Final Action	09/00/85	

Small Entity: No

Additional Information: Includes: CPD-23-81; CPD-27-78. May be merged with FR-1965 (S-6-84), RIN-2501-AA25.

Agency Contact: Charles E. Thomsen, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, Environmental Management Division, 202 755-6611

RIN: 2506-AA05

170. SECTION 312 REHABILITATION LOAN PROGRAM (CPD-9-84)

Priority: Agency Determination

Legal Authority: 42 USC 1452b Housing Act of 1964

CFR Citation: 24 CFR 510

Abstract: This regulation would implement for the first time an application fee for processing loan applications to cover administrative costs of the program. It would also provide for the imposition of an annual risk charge to be added to the interest

Current and Projected Rulemakings

rate to compensate for losses in the program.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: William Hanson,
Department of Housing and Urban
Development, Office of Community
Planning and Development, Office of
Urban Loan Rehabilitation, Office of
Community Planning & Development,
202 755-6336

RIN: 2506-AA52

171. RESIDENTIAL RENTAL REHABILITATION PROGRAM (CPD-7-84; FR-1901)

Priority: Major

Legal Authority: 42 USC 1437o; 42 USC

3535(d)

CFR Citation: 24 CFR 511

Abstract: This rule implements the Rental Rehabilitation Program authorized by section 17 of the U.S. Housing Act of 1937. The regulation (1) sets out a variety of program and other requirements to be met by grantees, State recipients and others that use or benefit from rental rehabilitation grants amounts, (2) enumerates the requirements for participating in the Rental Rehabilitation Program, (3) sets forth the formula by which allocations of rental rehabilitation grant amounts will be made to eligible grantees, (4) explains the rental housing assistance available for tenants, (5) enumerates administrative requirements for the Program, and (6) explains how HUD will review program performance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/20/84	49 FR 16936
Interim Rule effective	05/24/84	
Comments due	06/19/84	
Final Action	09/00/85	

Small Entity: No

Additional Information: Includes: CPD-17-82; CPD-8-84; FR-1912 Agency Contact: Robert I. Dodge III, Director, Office of Urban Rehabilitation, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-5685

RIN: 2506-AA55

172. PERFORMANCE ADJUSTMENTS TO FORMULA ALLOCATIONS-RENTAL REHABILITATION PROGRAM (CPD-14-84); FR-2055)

Priority: Agency Determination

Legal Authority: PL 98-181 CFR Citation: 24 CFR 511.32

Abstract: This rule sets forth the performance adjustment standards for the new Rental Rehabilitation Program. Beginning with Fiscal Year 1986, the Secretary of Hud may adjust the allocation for a city, urban county, consortia, or State administering a rental rehabilitation program by up to 15 percent above or below the amount of its annual allocation based on an annual review of performance in carrying out the performance adjustment standards established in this rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	-04/00/85	

Small Entity: Undetermined

Agency Contact: Craig Nickerson, Director, Rental Rehabilitation Division, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-5970

RIN: 2506-AA60

173. SPECIAL PROJECTS PROGRAM (CPD-5-82; FR-1554)

Legal Authority: 42 USC 5301

CFR Citation: 24 CFR 570.410

Abstract: This interim rule established a new Community Development Special Projects Program for states and units of general local government. This rule describes policy and procedures for HUD to award Special Projects Assistance. Interim rule effective August 11, 1982.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/12/82	47 FR 30053

Action	Date	FR Cite
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: No.

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State

Agency Contact: Yvette Aidara,
Program Analyst, Department of
Housing and Urban Development,
Office of Community Planning and
Development, Office of Program Policy
Development, Policy Development
Division, 202 755-8909

RIN: 2506-AA01

174. SMALL CITIES CDBG PROGRAM (CPD-35-81; FR-1502)

Legal Authority: 42 USC 5301; 42 USC 3535(d)

CFR Citation: 24 CFR 570

Abstract: The revisions will implement the statutory changes made by the 1983 Amendments. Specifically, this includes definitions of low and moderate income benefit, 51% test for benefit to low and moderate income persons, added local citizens participation requirements and coverage of program income. This rule will also address the public comments received on the interim rule published August 16, 1982.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	08/16/82	47	FR	35674
Interim Rule effective	08/16/82			
NPRM	08/00/85			

Small Entity: No

Additional Information: Includes: CPD-3-80; CPD-12-82. Additional Agency Contact: Bryant Monroe, (202) 755-6322.

Agency Contact: Helen Duncan,
Department of Housing and Urban
Development, Office of Community
Planning and Development, Office of
Block Grant Assistance, State and
Small Cities Division, 202 755-6322

RIN: 2506-AA06

175. TECHNICAL ASSISTANCE: DISCRETIONARY AWARDS (CPD-6-79; FR-1115)

Legal Authority: PL 93-383 Title I, HUD Act of 1974, as amended

CFR Citation: 24 CFR 570,402

Abstract: Would amend 24 CFR 570.402 to update and clarify the priorities for Technical Assistance funding and to clarify application and review procedures for awards.

Timetable:

Action	Date	FR	Cite
NPRM	06/16/80 4	FR	40954
Final Action	09/00/85		

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1985

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Jerome Friedman, Director, Policy Division, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, 202 755-8909

RIN: 2506-AA30

176. CDBG SECRETARY'S DISCRETIONARY FUND: INSULAR AREAS (CPD-6-83; FR-1822)

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 570.405; 24 CFR 570.430

Abstract: This rule revises the regulation governing the Community Development Block Grant (CDBG) program for the Insular Areas. It eliminates inconsistencies with the current statute and streamlines and simplifies program administration.

Timetable:

Action	Date		FR	Cite
NPRM	08/07/84	49	FR	31446
NPRM Comment Period Begin	08/07/84	49	FR	31446
NPRM Comment Period End	10/09/84			
Interim Final Rule	08/00/85			

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1982

Affected Sectors: None

Government Levels Affected: Local

Agency Contact: Hazel P. Braxton,
Program Analyst, Department of
Housing and Urban Development,
Office of Community Planning and
Development, Office of Program Policy
Development, Secretary's Fund
Division, 202 755-6092

RIN: 2506-AA32

177. COMMUNITY DEVELOPMENT BLOCK GRANTS: STATE'S PROGRAM (CPD-7-83: FR-1877)

Priority: Agency Determination

Legal Authority: 42 USC 5301; PL 98-181

CFR Citation: 24 CFR 570.488 to 570.499

Abstract: This revision would implement the 1983 amendments. This includes: definitions of low and moderate income persons, requirements for meeting the three national objectives, the 51% test for low and moderate income benefit, added local and state public participation, coverage of program income, performance reporting and record keeping, and consequences of states dropping program administration after FY 85.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Agency Contact: Richard J. Kennedy, Asst. Dir. State Small Cities Div., Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, State and Small Cities Division, 202 755-6322

RIN: 2506-AA38

178. COMMUNITY DEVELOPMENT BLOCK GRANTS URBAN DEVELOPMENT ACTION GRANTS (CPD-14-83)

Priority: Agency Determination

Legal Authority: 42 USC 5301 et seq

CFR Citation: 24 CFR 570, Subpart G

Abstract: The proposed regulations will correct a number of inaccuracies of a technical nature. These include Davis-Bacon Act Relationship to Indian tribes, and various corrections to eligibility matters including use of new census data. The alternative was a set of technical amendments which the Office of General Counsel advised against. The cost of this regulation should be negligible while the benefits are significant in terms of providing corrections and updated information of a technical nature to applicants and recipients. The regulation will also incorporate changes made by the Housing and Urban Rural Recovery Act of 1983.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: No

Agency Contact: Michael McMahon, Director, Department of Housing and Urban Development, Office of Community Planning and Development, Program Policy and Support Division, 202 755-8227

RIN: 2506-AA40

179. COMMUNITY DEVELOPMENT BLOCK GRANT (CPD-6-84; FR-1895)

Priority: Agency Determination

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 570

Abstract: As a result of the 1983 and 1984 amendments to the Housing and Community Development Act of 1974 as amended, this proposed rule would set forth new requirements governing the administration of Community Development Block Grant funds under subpart A (General Provisions), C (Eligible Activities), D (Entitlement Grants), F (Small Cities Programs), K (Other Applicable Laws), M (Loan Guarantees), J (Grant Administration), and O (Program Management).

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	49 FR 43852
NPRM Comment Period Begin	10/31/84	49 FR 43852
NPRM Comment Period End	12/31/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: Includes: FR-1825, FR-1852, FR-1854; FR-1572

Current and Projected Rulemakings

Government Levels Affected: Local, Federal

Agency Contact: James R. Broughman, Director, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, Entitlement Cities Division, 202 755-9267

RIN: 2506-AA47

180. SECTION 108 LOAN GUARANTEE ASSISTANCE FEES (CPD-10-84; FR-1974)

Legal Authority: 42 USC 5308; 42 USC 3535(d); 42 USC 3535(j)

CFR Citation: 24 CFR 570.703

Abstract: The rule would require the Assistant Secretary for Community Planning and Development to establish a fee to help defray administrative costs of processing and servicing section 108 loan guarantees.

Timetable:

Action	Date	FR Cite
NPRM	10/10/84	49 FR 39693
NPRM Comment Period Begin	10/10/84	49 FR 39693
NPRM Comment Period End	12/10/84	
Notice of Fee	03/00/85	
Final Action	03/00/85	

Small Entity: No

Government Levels Affected: Local

Agency Contact: Paul Webster,
Director, Department of Housing and
Urban Development, Office of
Community Planning and Development,
Financial Management Division, 202
755-1871

RIN: 2506-AA59

181. INDIAN CDBG PROGRAM ASSURED FUNDING PROCESS (CPD-4-84)

Priority: Undetermined

Legal Authority: 42 USC 5301 et seq Housing and Urban Development Act of 1974

CFR Citation: 24 CFR 571.101

Abstract: Would provide assured funding to Tribes with populations exceeding 5,000 through noncompetitive distribution. This would enable the large Tribes to plan for their community development needs more consistently and would eliminate the competitive advantage they may have over small Tribes.

Timetable:

Action	Date	FR Cite
ANPRM	01/00/85	
ANPRM Comment Period Begin	01/00/85	
ANPRM Comment Period End	03/00/85	

Small Entity: No

Agency Contact: Leroy P. Gonnella, Director, Secretary's Fund Division, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, 202 755-6092

RIN: 2506-AA50

182. INDIAN CDGB PROGRAM -CONFLICT OF INTEREST PROVISIONS (CPD-5-84; FR-2016)

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 571.607

Abstract: This rule will simplify the procedures for requesting waivers of conflict of interest provisions required by the Indian CDBG Program. It will provide authority to Field Offices to grant exceptions to conflict of interest requirements if certain conditions are present.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Small Emil
NEDW	03/00/05	

Small Entity: No

Agency Contact: Leroy P. Gonnella, Director, Secretary's Fund Division, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, 202 755-6092

RIN: 2506-AA51

183. CDBG PROGRAM FOR INDIAN TRIBES AND ALASKAN NATIVES (CPD-11-84; FR-2000)

Legal Authority: 42 USC 5701-30

CFR Citation: 24 CFR 571.302

Abstract: This rule would incorporate new policies and procedures that would simplify and add flexibility to the rating and ranking process for applicants in the CDBG program for Indian Tribes and Alaskan Native villages.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/85	D. Marine

Small Entity: No

Agency Contact: Leroy Gonnella, Director, Secretary's Fund Division, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, 202 755-6092

RIN: 2506-AA56

184. INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: REVISION TO CORRECTIVE AND REMEDIAL ACTION (CPD-13-84)

Priority: Undetermined

Legal Authority: 42 USC 5301 et seq; 42 USC 3535 (d)

CFR Citation: 24 CFR 571.702 (b) (6); 24 CFR 571.302(a)(2)(ii)(c)

Abstract: This rule amends the corrective and remedial actions to be taken against grant recipients who fail to perform properly. One of the actions to be taken is to require recipients to reimburse their program account of Letter of Credit in any amounts improperly expended. This amendment allows the recipient to make such reimbursement through an in-kind contribution if sufficient cash is not available. It also provides as a threshold the ability to disqualify an applicant for two years should HUD forgive previously disallowed costs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Tenson

Small Entity: No

Agency Contact: Leroy P. Gonnella, Director, Secretary's Fund Division, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-6092

RIN: 2506-AA58

185. URBAN HOMESTEADING (CPD-41-81; FR-1624)

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

Current and Projected Rulemakings

CFR Citation: 24 CFR 590

Abstract: Rule would reduce to the extent consistent with statutory objective, requirements applicable to localities participating in the Urban Homesteading Program. The changes reflect the Department's deregulation goals under Executive Order 12291. Changes include: the elimination of references to Section 312 and addition of the requirements of the Urban-Rural Recovery Act of 1983, except for the authorized multifamily Urban Homesteading Demonstration and the Locally Owned Property Demonstration.

Timetable:

Action	Date		FR	Cite
NPRM	07/05/84	49	FR	27572
NPRM Comment Period Begin	07/05/84	49	FR	27572
NPRM Comment Period End	09/04/84			
Final Action	03/00/85			

Small Entity: No

Additional Information: includes FR-1237

Agency Contact: Richard R. Burk, Director, Urban Homesteading, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Rehabilitation, 202 755-5324

RIN: 2506-AA20

186. ENTERPRISE ZONES (CPD-11-83)

Priority: Agency Determination

Legal Authority: Proposed Enterprise Zone Employmt & Developmt Tax Act of 1983

CFR Citation: 24 CFR 596

Abstract: Provides procedures for nomination of geographic areas by States and Local governments for designation as an enterprise zone by Secretary of HUD. Program intended to stimulate the creation of new jobs, particularly for disadvantaged workers and long-term unemployed individuals, and to promote re-evaluation of distressed areas through tax incentives and actions to reduce regulatory requirements to encourage free enterprise by the private sector within the zones.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/85	

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Michael T. Savage, CPD Enterprise Zone Coordinator, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-6300

RIN: 2506-AA45

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Community Planning and Development (CPD)

Completed Actions

COMPLETED RULEMAKINGS 187. REHABILITATION LOAN PROGRAM (CPD-9-82; FR-1128)

CFR Citation: 24 CFR 510

Completed:

Reason	Date	FR Cite
Withdrawn fro	m 02/00/85	

Constitution b

Small Entity: No

Agency Contact: William Hanson 202

755-5954

RIN: 2506-AA54

188. LUMP SUM DRAWDOWN OF CDBG FUNDS FOR PROPERTY REHABILITATION FINANCING (CPD-39-81; FR-1572)

CFR Citation: 24 CFR 570.513

Completed:

Reason	Date	FR	Cite	
VARIATION .	 201220			

Withdrawn from 01/00/85 Agenda Small Entity: No

Agency Contact: Linda Pellish 202 755-

5970

RIN: 2506-AA19

189. URBAN RENEWAL PROVISIONS (CPD-16-79)

CFR Citation: 24 CFR 570

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	01/00/85	SERIE N
Small Entity: N	No	

Agency Contact: Thomas H. Terrell 202 755-6330

RIN: 2506-AA22

190. SMALL CITIES PROGRAM (CPD-12-83; FR-1825)

Priority: Agency Determination CFR Citation: 24 CFR 570.906(b)

Completed:

Reason	Date	FR Cite
To be included in RIN 2506- AA47	01/00/85	

Small Entity: Undetermined

Agency Contact: Helen Duncan 202 755-6322

RIN: 2506-AA43

191. COMMUNITY DEVELOPMENT BLOCK GRANTS; LUMP SUM DRAWDOWNS FOR PROPERTY REHABILITATION FINANCING (CPD-2-84; FR-1854)

CFR Citation: 24 CFR 570.513

Completed:

Date	FR Cite
01/00/85	
	DIA STATE

Small Entity: No

Agency Contact: Justin Logsdon 202 755-5370

RIN: 2506-AA48

192. INDIAN CDBG PROGRAM (CPD-18-79; FR-1612)

Priority: Agency Determination
CFR Citation: 24 CFR 571

Completed:

Reason	Date		FR	Cite	
Final Action	09/07/84	49	FR	35367	

Small Entity: No

Completed Actions

Agency Contact: Marcia A. B. Brown 202 755-6092

RIN: 2506-AA09

193. INDIAN CDBG PROGRAM -PROJECT SELECTION PROCESS (CPD-5-83)

Priority: Agency Determination

CFR Citation: 24 CFR 571.302

Completed:

Reason Date FR Cite 01/00/85

Duplicates RIN 2506-AA56

Small Entity: Not Applicable

Agency Contact: Marcia A. B. Brown 202 755-6092

RIN: 2506-AA33

[FR Doc. 85-6367 Filed 04-26-85; 8:45 nm]

BILLING CODE 4210-01-T

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Fair Housing and Equal Opportunity (FHEO)

Current and Projected Rulemakings

194. NONDISCRIMINATION BASED ON HANDICAP IN FEDERALLY-ASSISTED PROGRAMS AND ACTIVITIES (FH&EO-4-84; FR-770)

Priority: Agency Determination

Legal Authority: 29 USC 794; 29 USC

706

CFR Citation: 24 CFR 8

Abstract: Would add a new 24 CFR 8 Part to set forth procedures and policies to assure nondiscrimination based on handicap in programs and activities receiving Federal financial assistance.

Timetable:

Action	Date	FR Cite
ACTION	Date	rn cite
NPRM	04/19/78	43 FR 16652
Interim Final Rule	05/06/83	48 FR 29638
Interim Rule published	05/18/83	48 FR 22470
Interim Rule published	06/15/83	48 FR 27528
Proposed Rule published	06/15/83	48 FR 27529
Final Action	00/00/00	

Small Entity: No

Agency Contact: David Enzel, Attorney, Department of Housing and Urban Development, Office of the Secretary, 202 755-6207

RIN: 2529-AA26

195. NONDISCRIMINATION BASED ON HANDICAPPED IN PROGRAMS AND ACTIVITIES CONDUCTED BY **HUD (FHEO-2-85)**

Priority: Agency Determination Legal Authority: 29 USC 794 CFR Citation: 24 CFR 8

Abstract: The Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978 extended the nondiscrimination mandate of Section 504 of the Rehabilitation Act of 1973 to programs or activities conducted by the Executive agencies. This rule would implement the mandate by tailoring regulations to the particular programs and activities conducted by HUD.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	
Small Entit	v. Undetermined	

Agency Contact: David Enzel, Attorney Advisor, Department of Housing and Urban Development, Office of the General Counsel, Office of General Counsel, 202 755-6207

RIN: 2529-AA28

196. PROCEDURES FOR **ENFORCEMENT OF COMPLAINTS** AGAINST DISCRIMINATORY HOUSING PRACTICES (FH&EO-1-82)

Legal Authority: 42 USC 3601 to 3619

CFR Citation: 24 CFR 105

Abstract: This regulation sets forth procedures carrying out the Department's responsibilities with respect to complaints filed under Section 810 of Title VIII of the Civil Rights Act of 1968, as amended.

Timetable:

Action	Date	FR Cite
House	Date	I'll Cite

Next Action Undetermined Small Entity: No

Agency Contact: Katrina Ross. Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Off of Fair Hsng Enforc and Sec 3 Compliance, 202 755-5673

RIN: 2529-AA03

197. PROCEDURE FOR PROCESSING **COMPLAINTS UNDER SECTION 804** OF THE FAIR HOUSING ACT (FH&EO-6-84; FR-2012)

Legal Authority: 42 USC 3535 (d): 42 USC 3601 to 3619

CFR Citation: 24 CFR 105

Abstract: This rule would amend 24 CFR Part 105 which governs the procedure for processing complaints under section 810 of the Fair Housing Act. The proposed rule would reorganize the provisions of Part 105 and would add more specific descriptions of the procedures used to investigate fair housing complaints to make a determination to resolve matters raised in complaints and to try to eliminate and correct alleged discriminatory housing practices by one or more means.

Timetable:

Action	Date		FR	Cite
NPRM	10/16/84	49	FR	40528
NPRM Comment Period Begin	10/16/84	49	FR	40528
NPRM Comment Period End	12/17/84			
Final Action	05/00/85			

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: Charles M. Farbstein, Assistant General Counsel, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Equal Opportunity, 202 755-6207

RIN: 2529-AA24

198. NONDISCRIMINATION AND EQUAL OPPORTUNITY HOUSING UNDER EXECUTIVE ORDER 11063 (FH&EO-2-82; FR-2020)

Legal Authority: EO 11063 CFR Citation: 24 CFR 107

Abstract: This regulation established compliance and enforcement procedures utilized by the Department in implementing its responsibilities under E.O. 11063. This regulation will be amended to include coverage of sex and religious discrimination in accordance with Executive Order 12259 issued December 31, 1980.

Timetable:

Action	Date	FR Cite
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Final Action 03/00/85

Small Entity: No

Agency Contact: Katrina Ross,
Director, Fair Housing Enforcement
Division, Department of Housing and
Urban Development, Office of Fair
Housing and Equal Opportunity, Off of
Fair Hsng Enforc and Sec 3
Compliance, 202 755-5673

RIN: 2529-AA12

199. AFFIRMATIVE FAIR HOUSING, MARKETING TECHNICAL AMENDMENTS (FH&EO-2-83; FR-1670)

Legal Authority: 42 USC 3601; 42 USC 3535(d); EO 11063

CFR Citation: 24 CFR 100; 24 CFR 108; 24 CFR 200

Abstract: The amendment will clarify when the certificate of intent not to market housing is submitted and that the notice of intent to begin marketing is part of an owner's responsibility under the Affirmative Fair Housing Marketing Plan (and has been approved by OMB under the Paperwork Reduction Act). It will also require that owners of FHA-insured, unsubsidized projects submit annually data on the race, ethnicity and gender of household head.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Peter Kaplan, Director, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Program Standards and Evaluation, 202 755-7727

RIN: 2529-AA17

200. FAIR HOUSING-PROHIBITIONS AGAINST DISCRIMINATION (FH&EO-5-78)

Legal Authority: 42 USC 3601 CFR Citation: 24 CFR 114

Abstract: Would add Subparts A to F detailing HUD's general standards to be utilized by HUD in its investigation and conciliation of complaints filed pursuant to the Federal Fair Housing Statute.

Timetable:

Action	Date	ED	Cite
Action	Date	FR.	Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Fair Housing Enforcement, 202 755-5673

RIN: 2529-AA08

201. FAIR HOUSING-PROPERTY INSURANCE ACTIVITIES (FH&EO-10-78)

Legal Authority: 42 USC 3601 CFR Citation: 24 CFR 114

Abstract: Would add a new Subpart H detailing HUD's general standards to be utilized by HUD concerning property insurance practices which could constitute discriminatory activities.

Timetable:

Action	Date	FR Cite
ANPRM	02/25/80	45 FR 12265

Next Action Undetermined

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Mousing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Fair Housing Enforcement, 202 755-

RIN: 2529-AA10

202. ● AMENDMENTS OF THE COMMUNITY HOUSING RESOURCE BOARD REGULATIONS (FH&EO-1-85; FR-2085)

Priority: Agency Determination Legal Authority: 42 USC 3601 CFR Citation: 24 CFR 120

Abstract: This proposed rule would amend the current rule for the Community Housing Resources Board at 24 CFR 120. This rule would establish further program features, including provisions for grant administration and accountability monitoring.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85	NA	7772

Small Entity: No

Additional Information: Includes FR-1407 (RIN-2529-AA06)

Agency Contact: Deborah Seabron-Dickens, Program Coordinator, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Fair Housing and Equal Opportunity, 202 755-5992

RIN: 2529-AA27

203. AFFIRMATIVE ADMINISTRATION OF FEDERAL PROGRAMS AND ACTIVITIES RELATING TO HOUSING AND URBAN DEVELOPMENT (FH&EO-11-78)

Legal Authority: 42 USC 3601; EO 12259

CFR Citation: 24 CFR 125

Abstract: Would add a new Part 125 detailing HUD's standards and policies to assure that HUD's programs and activities are administered in a manner affirmatively to further fair housing.

Timetable:

Action	Date		FR	Cite
ANPRM	02/25/80	45	FR	12265

Next Action Undetermined

Small Entity: No

HUD--FHEO

Current and Projected Rulemakings

Agency Contact: Peter Kaplan, Director, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Program Standards and Evaluation, 202 755-7727

RIN: 2529-AA11

204. IMPLEMENTATION OF SECTION 109 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (FH&EO-13-78; FR-1058)

Priority: Agency Determination Legal Authority: 42 USC 5301 CFR Citation: 24 CFR 144

Abstract: This regulation would assure nondiscrimination on the grounds of race, color, national origin, sex, handicap or age in any program funded in whole or in part with Community Development Block Grant Funds.

Timetable:					
Action	Date	FR	Cite		
NPRM	11/25/80	45 FR	78508		
Final Action	00/00/00				

Small Entity: No

Agency Contact: Barry Anderson, Director, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Program Compliance Division, 202 755-5404

RIN: 2529-AA02

205. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR **ACTIVITIES RECEIVING FEDERAL** FINANCIAL ASSISTANCE FROM HUD (FH & EO-1-79; FR-1161)

Legal Authority: 42 USC 6101 CFR Citation: 24 CFR 146

Abstract: This part sets forth policies and procedures to assure nondiscrimination on the basis of age in programs receiving financial assistance from the Department.

Timetable:

Action	Date	FR	Cite
NPRM	11/04/80	45 FR	73454
Final Action	00/00/00		

Small Entity: No

Agency Contact: Myra B. Kennedy, Equal Opportunity Specialist, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Program Compliance Division, 202 755-5904

RIN: 2529-AA01

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Fair Housing and Equal Opportunity (FHEO)

206. EMPLOYMENT TRAINING AND **BUSINESS OPPORTUNITIES FOR** LOWER INCOME PERSONS IN CONNECTION WITH ASSISTED PROJECTS (FH&EO-4-81)

Legal Authority: 12 USC 1701u Housing & Urban Development Act of 1968; 42 USC 3535(d) Dept. of HUD Act

CFR Citation: 24 CFR 135

Abstract: This regulation implements the provisions of Section 3 of the Housing and Urban Development Act of 1968 with respect to opportunities for training and employment for lower income residents arising in connection with HUD assisted projects and for contracting opportunities for business concerns located in or owned in substantial part by persons residing in the area of HUD assisted projects.

Existing Regulations Under Review

Timetable:

End Review

Action Date FR Cite 00/00/00

Small Entity: No

Agency Contact: Harold Payne, Section 3 Coordinator, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Off of Fair Hsng Enforc and Sec 3 Compliance, 202 755-5673

RIN: 2529-AA15

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Fair Housing and Equal Opportunity (FHEO)

Completed Actions

COMPLETED RULEMAKINGS 207. FAIR HOUSING PROHIBITIONS AGAINST DISCRIMINATION-**FINANCING ACTIVITIES (FH&EO-2-78)**

CFR Citation: 24 CFR 114

Completed:

FR Cite Date Reason Withdrawn from 01/00/85 Agenda

Small Entity: No

Agency Contact: Katrina Ross 202 755-5673

RIN: 2529-AA07

208. FAIR HOUSING-PROHIBITED APPRAISAL PRACTICES (FH&EO-8-78)

CFR Citation: 24 CFR 114

Completed:

Agenda

Reason Date FR Cite Withdrawn from 01/00/85

Small Entity: No

Agency Contact: Katrina Ross 202 755-5673

RIN: 2529-AA09

209. RECOGNITION OF SUBSTANTIALLY EQUIVALENT LAWS (FH&E0-5-84; FR-1976)

CFR Citation: 24 CFR 115

Completed:

Reason	Date		ER	Cite
Final Action	10/10/84	10		39676
Final Action	10/08/84	1000		39676

HUD-FHEO

Completed Actions

Small Entity: No

Agency Contact: Steven J. Sacks 202 426-3500

RIN: 2529-AA25

210. COMMUNITY HOUSING RESOURCE BOARD GRANT PROGRAM (FH&EO-2-81; FR-1407)

CFR Citation: 24 CFR 120

Completed:

Reason Date FR Cite

To be included 02/00/85

in RIN 2529-AA27 Small Entity: No Agency Contact: Deborah Seabron Dickens 202 755-5992

RIN: 2529-AA06

[FR Doc. 85-6367 Filed 04-26-85; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Administration (OA)

Current and Projected Rulemakings

211. FEDERAL PROCUREMENT OF CEMENT CONTAINING FLY ASH (ADM-1-84; FR-1938)

Priority: Undetermined

Legal Authority: Resource Conservation And Recovery Act of 1936

CFR Citation: 24 CFR 570; 24 CFR 207

Abstract: Rule will provide restrictions on Federal procurement of cement and concrete containing fly ash. Will be patterned on Environmental Protection Agency guidelines.

Timetable:

Action Date FR Cite
NPRM 03/00/85

Small Entity: Undetermined Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Ed Girovasi, Director, Department of Housing and Urban Development, Office of Administration, Policy and Evaluation Division, Office of Procurement And Contracts, 202 755-

RIN: 2535-AA05

212. ORGANIZATION, FUNCTION, AND DELEGATIONS OF AUTHORITY SUBPART C - SECRETARY'S DELEGATIONS OF AUTHORITY TO HEADS OF OFFICES (ADM-2-82)

Legal Authority: 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 3

Abstract: Subpart C delegates authority from the Secretary to the Comptroller and then to certain Divisions. This subpart is almost entirely obsolete. The alternatives being considered are to eliminate Subpart C entirely or to update all the obsolete references.

Neither one will have any significant costs; each will require a minimal amount of staff time and Federal Register publication costs. The benefits of both alternatives are to eliminate a potentially confusing delegation of authority.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Donald C. Demitros, Director, Department of Housing and Urban Development, Office of Administration, Office of Finance and Accounting, Mortgage Insurance Accounting and Servicing, 202 755-5645

RIN: 2535-AA01

213. ● COST PRINCIPLES FOR NONPROFIT ORGANIZATIONS (ADM-1-85; FR-2044)

Priority: Agency Determination

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 44

Abstract: This rule would set forth uniform requirements for the administration of HUD grants and principles for determining costs applicable to activities assisted by HUD grants, as contained in OMB Circulars A-102, A-110, A-87, A-21, and A-122 regarding grant management.

Timetable:

Action Date FR Cite
Interim Final 00/00/00
Rule

Small Entity: Undetermined

Agency Contact: Edward L. Girovasi, Director, Department of Housing and Urban Development, Office of Administration, Policy and Evaluation Division, 202 755-5294

RIN: 2535-AA08

214. TRANSFER OF AUTHORITY TO SETTLE CONTRACT DISPUTES CONCERNING THE CONSOLIDATED SUPPLY PROGRAM (ADM-2-85; FR-2087)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 965

Abstract: Contracting authority for the Consolidated Supply Program (CSP) recently was transferred from the Office of Public and Indian Housing to the Office of Procurement and Contracts. One function - authority to settle dispute between HUD and CSP contractors - should also have been transferred to the Office of Procurement and Contracts. This rule transfers the authority.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	
Final Action Effective	04/00/85	

Small Entity: No

Agency Contact: Edward L. Girovasi, Director, Policy and Evaluation Division, Department of Housing and Urban Development, Office of Administration, Office of Procurement and Contracts, 202 755-5294

RIN: 2535-AA07

215. HUD ACQUISITION REGULATION (ADM-2-84)

Priority: Undetermined

HUD-OA

Current and Projected Rulemakings

Legal Authority: 42 USC 3535 (d)
CFR Citation: 41 CFR 24: 48 CFR 24

Abstract: The rule will amend the HUD Acquisition Regulation to implement the Competition in Contracting Act and to add Part 2452 - Clauses and Part 2453 - Forms. The revision will also place the regulation in the proper format.

Timetable:

Action Date FR Cite

Final Action 09/01/85

Small Entity: Undetermined

Agency Contact: Edward L. Girovasi, Jr., Director, Department of Housing and Urban Development, Office of Administration, Policy and Evaluation Division, 202 755-5294

RIN: 2535-AA06

[FR Doc. 85-6367 Filed 04-28-85; 8:45 am]

BILLING CODE 4210-01-T

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of the Inspector General (HUDIG)

Current and Projected Rulemakings

216. IMPLEMENTATION OF THE SINGLE AUDIT ACT OF 1984

Priority: Agency Determination Legal Authority: 31 USC 7501 CFR Citation: 24 CFR 44

Abstract: This proposed rule would implement the Single Audit Act of 1984 and the accompanying OMB Circular. Under these requirements, States or localities that receive more than

\$100,000 a year in Federal funds must have an audit for that year. Similarly, States or localities that receive more than \$25,000 a year must follow certain audit requirements under the Act.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	- SUMBAN
Final Action	09/00/85	

Small Entity: No

Agency Contact: Steven A. Switzer, Assistant Inspector General for Audit, Department of Housing and Urban Development, Office of the Inspector General, Office of Inspector General, 202 755-6342

RIN: 2508-AA05

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of the Inspector General (HUDIG)

Completed Actions

COMPLETED RULEMAKINGS

217. OMB CIRCULAR A-102, UNIFORM REQUIREMENTS FOR ASSISTANCE TO STATE AND LOCAL GOVERNMENT, AUDIT REQUIREMENTS (ATTACHMENT P) NON-FEDERAL GOVERNMENTAL AUDIT REQUIREMENTS (IG-1-83; FR-1813)

CFR Citation: 24 CFR 44

Completed:

Reason	Date		FR	Cite
Final Action	11/23/84	49	FR	46140

Small Entity: No

Agency Contact: Steven A. Switzer 202 755-6342

RIN: 2508-AA03

[FR Doc. 85-6367 Filed 04-26-85; 8:45 am]

BILLING CODE 4210-01-T

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Public and Indian Housing (PIH)

Current and Projected Rulemakings

218. INCREASE IN SINGLE PERSON OCCUPANCY LIMITS (P-48-84; FR-2063)

Priority: Agency Determination

Legal Authority: PL 98-181; 42 USC

CFR Citation: 24 CFR 812; 24 CFR 912

Abstract: Implements Section 202 of the Housing and Urban-Rural Recovery Act of 1983 to permit the Secretary to increase from 15 percent to 30 percent the number of units under the jurisdiction of any public housing agency that may be occupied by single persons. In addition, the rule changes

the maximum percentage of income that recipients of the Section 8 Existing Housing Program may pay under their leases.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Edward Whipple, Department of Housing and Urban Development, Office of Public and Indian Housing, Rental and Occupancy Branch, 202 426-0744

RIN: 2577-AA07

219. INDIVIDUAL METERING OF UTILITIES FOR EXISTING PHA-OWNED PROJECTS (P-36-83; FR1769)

Legal Authority: 42 USC 1437 Note; 42 USC 1437a; 42 USC 1437d; 42 USC 1437d;

CFR Citation: 24 CFR 965.303; 24 CFR 965.304; 24 CFR 965.305; 24 CFR 965.307; 24 CFR 965.310; 24 CFR 965.401 to 965.410

HUD-PIH

Current and Projected Rulemakings

Abstract: Rule amendment to allow PHAs to employ a more flexible costbenefit analysis when determining the cost-effectiveness of individual metering of tenant utilities.

Timetable:

Action	Date		FR	Cite
NPRM .	11/14/83	48	FR	51785
NPRM Comment Period Begin	11/14/83	48	FR	51785
NPRM Comment Period End	01/13/84			
Final Action	03/00/85			

Small Entity: No

Agency Contact: Charles R. Ashmore, Utilities Officer, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6649

RIN: 2577-AA27

220. LOW-INCOME HOUSING--HOMEOWNERSHIP OPPORTUNITIES TURNKEY III PROGRAM (P-55-79; FR-563)

Legal Authority: 42 USC 1437 CFR Citation: 24 CFR 904

Abstract: Would amend 24 CFR 904 relating to management and operations of Turnkey III Programs and add a new section governing the financing of homeowner purchase of Turnkey III units. Amendments should increase sale of homeownership units to homebuyers and would clarify certain technical program procedures which have been obstacles to program implementation. Included: H-17-81, Separate final rule no longer in preparation; H-18-81, Separate final rule no longer in preparation; H-19-81. Separate final rule no longer in preparation; H-71-81, Review completed.

Timetable:

Action	Date	318	FR	Cite
NPRM	04/00/85	43	FR	60830

Small Entity: No

Additional Information: Includes: H-17-81; H-18-81; H-19-81; H-71-81.

Agency Contact: Wayne Hunter, Senior Program Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA19

221. TURNKEY III HOMEOWNERSHIP OPPORTUNITIES PROGRAM (P-7-83; FR-1695)

Legal Authority: 42 USC 1437; 42 USC 3535(d)

CFR Citation: 24 CFR 904

Abstract: Would permit the use of operating subsidy to cover HUD-approved expenses; and to incorporate other technical changes applicable to existing Turnkey III projects.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	THE RESERVE
Final Action	11/00/85	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0.00; Yearly Recurring Cost: \$0.00

Government Levels Affected: Local, Federal

Agency Contact: Wayne Hunter, Senior Program Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA25

222. INDIAN PREFERENCES (P-51-83; FR-1808)

Priority: Agency Determination

Legal Authority: 42 USC 1437; 25 USC 450e(b)

CFR Citation: 24 CFR 905

Abstract: Section 7(b) of the Indian Self-Determination and Education Assistance Act requires that preference be given to the greatest extent feasible to Indian organizations and economic enterprises in contracting and to Indians in employment and training. The goal is to improve the provision of Indian preference in both development and management as compared to the current regulations implementing Indian preference.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	09/23/83	48 FR 43345
Comment Period ends	11/22/83	
Comment Date extended to	12/15/83	
NPRM	05/01/85	

Small Entity: No

Agency Contact: John V. Meyers, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Indian Housing, 202 755-2980

RIN: 2577-AA26

223. 9 INDIAN HOUSING (P-31-82)

Legal Authority: 42 USC 1437

CFR Citation: 24 CFR 905

Abstract: This rule would delete excessive Federal requirements and assure that Indian housing activities are undertaken in the most cost-effective manner.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	mala This

Small Entity: Undetermined

Agency Contact: John V. Meyers, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Indian Housing, 202 755-6522

RIN: 2577-AA32

224. PUBLIC HOUSING DEVELOPMENT; PROTOTYPE COSTS (P-64-84; FR 1975)

Legal Authority: 42 USC 1437 (d); 42 USC 3535 (d)

CFR Citation: 24 CFR 941,204

Abstract: The rule would amend public housing development regulations governing the calculation of prototype cost units. Under the proposed rule currently published unit prototype costs will be used to compute dwelling construction and equipment cost limits and total development cost limits.

Timetable:

Date		FR	Cite
10/10/84	49	FR	39694
10/10/84			
12/10/84			
03/00/85			
	10/10/84 10/10/84 12/10/84	10/10/84 49 10/10/84 12/10/84	10/10/84 49 FR 10/10/84 12/10/84

Small Entity: No

Agency Contact: Raymond W. Hamilton, Director, Public Housing Development Div., Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Public Housing, 202 755-5282

RIN: 2577-AA13

225. LOW-INCOME PUBLIC HOUSING-LEASE REQUIREMENTS, EVICTIONS AND HEARINGS (P-26-79; FR-1164)

Priority: Agency Determination, Task Force

Legal Authority: 42 USC 1437

CFR Citation: 24 CFR 960; 24 CFR 966

Abstract: Would amend the regulations to simplify the requirements for provisions included in the lease between a PHA and its tenants and the requirements for the grievance procedure.

Timetable:

Action	Date	23100	FR	Cite
Previous NPRM	08/04/80	45	FR	51615
NPRM	12/13/82	47	FR	55689
NPRM Comment Period Begin	12/13/82			
NPRM Comment Period End	02/11/83			
New NPRM	05/00/85			
Final Action	10/00/85			

Small Entity: No

Agency Contact: Edward Whipple, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-0744

RIN: 2577-AA18

226. ● TENANT PARTICIPATION IN MANAGEMENT OF PUBLIC AND INDIAN HOUSING PROJECTS (P-1-85; FR-2033)

Priority: Undetermined

Legal Authority: 42 USC 1437d; 42 USC 3535(d)

CFR Citation: 24 CFR 960

Abstract: This proposed rule would set forth some minimum requirements for notice to tenants and opportunity to comment on important management actions and would encourage Public Housing Agencies to involve tenants in such management responsibilities as maintenance and security. It would provide for recognition of tenant organizations and would permit PHAs to contract with them to perform some functions. It would permit PHAs to

provide minimal funding to tenant organizations to permit them to communicate effectively with tenants. Overall, this rule would establish in a rule the content of expired HUD notices that reflect continuing Departmental policy of encouraging tenant participation in their public housing projects.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	20000000
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	
Final Action	09/00/85	
Final Action Effective	11/00/85	the land the state of

Small Entity: No

Government Levels Affected: Local

Agency Contact: Janice D. Rattley, Department of Housing and Urban Development, Office of Public and Indian Housing, Project Management Division, 202 755-1860

RIN: 2577-AA30

227. PET OWNERSHIP IN ASSISTED RENTAL HOUSING FOR THE ELDERLY AND HANDICAPPED (P-43-84; FR-1936)

Priority: Agency Determination

Legal Authority: 12 USC 1701n-1; 42 USC 3535(d)

CFR Citation: 24 CFR 243; 24 CFR 511; 24 CFR 942

Abstract: Sec. 227 of the 1983 Statute permits elderly and handicapped tenants who live in rental housing projects for the elderly or handicapped including projects covered under low-income public housing (including the Indian rental program) to own common household pets. Owners, managers and housing authorities are prohibited from discriminating against persons in connection with admission to, or continued occupancy of, such housing because of ownership of pets.

Timetable:

Action	Date		FR	Cite
NPRM	12/28/84	49	FR	50862
NPRM Comment Period Begin	12/28/84	49	FR	50862
NPRM Comment Period End	02/26/85			
Final Action	06/00/85			

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: Mary Tracy Schulhof, Program Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Policy, 202 755-5989

RIN: 2577-AA05

228. PUBLIC HOUSING PROGRAM-CONTINUED OPERATION OF PROJECTS AS LOWER-INCOME HOUSING AFTER COMPLETION OF DEBT SERVICE (P-60-79; FR-1202)

Legal Authority: 42 USC 1437; 42 USC 3535(d)

CFR Citation: 24 CFR 969

Abstract: A new Part 969 was added by Interim Rule to provide for an extension of Annual Contributions Contract (ACC) to (1) permit continued payment of operating subsidy after completion of debt service; and (2) provide a contractual basis for continued operation as low-income housing. Permits operation of project as lower-income housing after completion of debt service in accordance with a plan approved by HUD.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/07/80	45 FR 52371
Interim Rule effective	09/15/80	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Richard L. Rivard, Housing Management Officer, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-5595

RIN: 2577-AA15

229. PUBLIC HOUSING PROGRAM-DEMOLITION OF BUILDINGS OR DISPOSITION OF REAL PROPERTY (P-23-84; FR-1892)

Priority: Agency Determination

Legal Authority: 42 USC 1439; PL 98-181

CFR Citation: 24 CFR 970

Abstract: The purpose of this regulation is to state requirements for the demolition or disposition of public housing. This regulation would

HUD-PIH

Current and Projected Rulemakings

supersede the existing regulation on this subject (24 CFR Part 970).

Timetable:

Action	Date		FR	Cite
NPRM	07/12/84	49	FR	28414
NPRM Comment Period Begin	07/12/84	49	FR	28414
NPRM Comment Period End	09/10/84			
Final Action	04/00/85			

Small Entity: No

Agency Contact: C. Wayne Hunter, Senior Policy Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Policy, 202 755-6713

RIN: 2577-AA02

230. MODIFICATION TO THE PERFORMANCE FUNDING SYSTEM (P-2-84; FR-1834)

Priority: Agency Determination

Legal Authority: 42 USC 1437g; 42 USC 3535(d)

CFR Citation: 24 CFR 990

Abstract: This proposed rule would have required a year-end adjustment of dwelling rental and other income to allow public housing operating subsidy to properly reflect actual rather than anticipated income. The rule would also provide for simplification of the "delta," the factor used to determine the annual change in the "allowable expense level" in calculation of the amount of operating subsidy. The final rule would drop the adjustment of dwelling rental income.

Timetable:

Timotable:					
Action	Date		FR	Cite	
NPRM	07/30/84	49	FR	30330	
NPRM Comment Period Begin	07/30/84	49	FR	30330	
NPRM Comment Period End	09/28/84				
Final Action	04/00/85				
Final Action Effective	06/00/85				

Small Entity: No

Agency Contact: John Comerford, Chief, Financial Management Branch, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-1872

RIN: 2577-AA00

231. PERFORMANCE FUNDING SYSTEM (PFS) TREASURY FINANCIAL COMMUNICATIONS SYSTEM (TFCS) FOR DISBURSING OPERATING SUBSIDY PAYMENTS (P-47-84)

Priority: Undetermined

Legal Authority: 42 USC 1437g; 42 USC 1437 Note; 42 USC 3535(d)

CFR Citation: 24 CFR 990

Abstract: This rule would establish the Treasury Financial Communications System (TFCS) for the direct disbursement of operating subsidy payments to all public housing agencies.

Timetable:

· miletable		
Action	Date	FR Cite
NPRM	00/00/00	
Small Entity:	Undetermined	

Agency Contact: Beverly B. Hardy, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Public Housing, Fiscal Management Branch, 202 426-1872

RIN: 2577-AA06

232. ANNUAL CONTRIBUTIONS FOR OPERATING SUBSIDY - PERFORMANCE FUNDING SYSTEM (P-38-83; FR-1775)

Priority: Agency Determination

Legal Authority: 42 USC 1437; 42 USC 3535(d)

CFR Citation: 24 CFR 990

Abstract: Would require a recalculation of Operating Subsidy for units withheld from occupancy.

Timetable:

Action	Date		FR	Cite
NPRM	05/31/84	49	FR	22663
NPRM Comment Period Begin	05/31/84	49	FR	22663
NPRM Comment Period End	07/02/84			
Final Action	05/00/85			

Small Entity: No.

Agency Contact: John T. Comerford, Chief, Financial Management Branch, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-1872

RIN: 2577-AA23

233. ANNUAL CONTRIBUTIONS FOR OPERATING SUBSIDY PERFORMANCE FUNDING SYSTEM-ENERGY CONSERVATION ADJUSTMENTS (P-26-83; FR-1747)

Legal Authority: 42 USC 1437g; 42 USC 1437 Note; 42 USC 3535(d)

CFR Citation: 24 CFR 990

Abstract: Amends the distribution of operating subsidies under the Performance Funding System by providing for the assessment of a five percent penalty on operating subsidies for fiscal year 1983 (or 1984) for those PHAs that have not demonstrated energy conservation efforts.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/20/83	48 FR 42810
Interim Rule effective	10/21/83	
Comments due	11/21/83	
Final Action	04/00/85	

Small Entity: No

Agency Contact: John T. Comerford, Chief, Financial Management Branch, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-1872

RIN: 2577-AA24

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Office of Public and Indian Housing (PIH)

Completed Actions

COMPLETED RULEMAKINGS 234. EMERGENCY SHELTER PROGRAM (H-49-84)

Priority: Undetermined

CFR Citation; Not yet determined

Completed:

Reason Date FR Cite
Withdrawn from 02/00/85

Withdrawn from Agenda

Agenda

Small Entity: Undetermined

Agency Contact: Thomas Sherman 202

755-5380

RIN: 2577-AA08

235. PUBLIC HOUSING HOMEOWNERSHIP FOR LOWER INCOME FAMILIES (P-21-84; FR-1890)

Priority: Agency Determination CFR Citation: 24 CFR 906

Completed:

Reason Date FR Cite

Withdrawn from 01/00/85 Agenda

Small Entity: No

Agency Contact: Wayne Hunter 202

755-6713

RIN: 2577-AA10

236. PHA-OWNED OR LEASED PROJECTS-MAINTENANCE AND OPERATIONS; TRANSFER OF CONTRACTING AUTHORITY (P-76-84; FR-2011)

Priority: Undetermined

CFR Citation: 24 CFR 965.602

Completed:

Reason Date FR Cite
Final Action 11/13/84 49 FR 44982

Small Entity: Undetermined

Agency Contact: Thomas Sherman 202

755-5380

RIN: 2577-AA12

237. PUBLIC HOUSING PROGRAM -COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM (P-58-84)

Priority: Agency Determination CFR Citation: 24 CFR 968

Completed:

Reason Date FR Cite

Withdrawn from 01/00/85 Agenda

Small Entity: No

Agency Contact: Wayne Hunter 202 755-6713

RIN: 2577-AA09

238. COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM - VIABILITY STANDARDS (P-62-84: FR-1970)

Priority: Undetermined CFR Citation: 24 CFR 968

Completed:

Reason Date FR Cite

Withdrawn from 01/00/85 Agenda

Small Entity: Undetermined

Agency Contact: Nancy Chisholm 202

755-6713

RIN: 2577-AA14

COMPLETED REVIEWS
239. INDIAN HOUSING (P-31-82)

CFR Citation: 24 CFR 905

Completed:

Reason Date FR Cite

End Review 02/00/85

Small Entity: No

Agency Contact: John V. Meyers 202

755-6522

RIN: 2577-AA17

240. INDIAN PUBLIC HOUSING PROGRAM (P-101-82)

CFR Citation: 24 CFR 905

Completed:

Reason Date FR Cite

Duplicates RIN 02/00/85 2577-AA17

Small Entity: No

Agency Contact: Patricia Amaudo 202

755-6522

RIN: 2577-AA21

241. PROJECT MANAGEMENT; MODERNIZATION OF OIL-FIRED HEATING PLANTS (P-11-82)

CFR Citation: 24 CFR 965

Completed:

Reason Date FR Cite

End Review 02/00/85

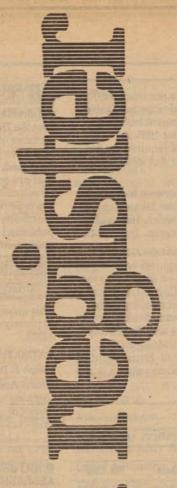
Small Entity: No

Agency Contact: Charles Ashmore 202 755-6640

RIN: 2577-AA20

[FR Doc. 85-6367 Filed 04-26-85; 8:45 am]

BILLING CODE 4210-01-T



Monday April 29, 1985

Part X

Department of the Interior

Semiannual Regulatory Agenda



DOI

DEPARTMENT OF THE INTERIOR

Office of the Secretary

18 CFR Ch. IV

25 CFR Ch. I

30 CFR Chs. II, IV and VII

36 CFR Chs. I and XII

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Semiannual Agenda of Rules Scheduled for Review or Development

AGENCY: Department of the Interior.

ACTION: Semiannual agenda of rules scheduled for review or development.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between April 1985 and October 1985. A semiannual agenda is required by the Regulatory Flexibility Act and Executive Order 12291.

ADDRESS: Unless otherwise indicated, all Agency Contacts are located at the Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT:

All comments and inquiries with regard to these rules should be directed to the appropriate Agency Contact. General comments or inquiries relating to the agenda should be directed to the Division of Directives and Regulatory Management, Office of Information Resources Management, Department of the Interior, at the address above or on 202-343-6191.

SUPPLEMENTARY INFORMATION: With this publication the Department satisfies the requirement of Executive Order 12291 that the Department publish in April and October of each year an agenda of rules that have been issued or are expected to be issued, and currently effective rules that are scheduled for review. Simultaneously the Department meets the requirement of the Regulatory Flexibility Act that an agenda be published in April and October of each year identifying rules which will have significant economic effects on a substantial number of small entities; those rules which will have such effects are specifically identified in the agenda. This incorporation of agendas is expressly allowed by Executive Order

DATED: February 25, 1985.

Joseph E. Doddridge,

Deputy Assistant Secretary of the Interior.

DEPARTMENT OF THE INTERIOR (DOI)

Assistant Secretary for Policy, Budget, and Administration (ASPBA)

Action

Current and Projected Rulemakings

● NATURAL RESOURCE DAMAGE ASSESSMENT - TYPE B PROCEDURES

Priority: Agency Determination

Legal Authority: 33 USC 9651(c)(1) Comp Envir Rspnse, Compnstn & Liabty Act 1980

CFR Citation: 43 CFR 11

Abstract: CERCLA allows trustees of natural resources which have been damaged by a release of a hazardous substance to bring a claim against the responsible party. Section 301(c) requires the development of two sets of regulations. The Type A regulations will be composed of simplified procedures which require minimal field investigations. Type B regulations will include alternative protocols for the testing, sampling, and valuing of natural resource damages. This submission covers the Type B procedures.

Timetable:

The state of the s					_
Action	Date		FR	Cite	
ANPRM	01/10/83	48	FR	1084	
ANPRM Comment Period Begin	01/10/83	48	FR	1084	
ANPRM Comment Period End	02/15/83				

Action	Date		III One
Second ANPRM issued. Summary of comments provided and comment period reopened until 8/31/83	08/01/83	48	FR 34768
Comment period reopened until 5/31/85	01/11/85	50	FR 1550
NPRM	12/20/85		
NPRM Comment Period Begin	12/20/85		
NPRM Comment Period End	02/20/86		
Final Action	04/22/86		
Final Action Effective	05/22/86		

Date

FR Cite

Small Entity: Undetermined

Agency Contact: Mr. Keith Eastin, Associate Solicitor/Conservation & Wildlife, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th and C Streets NW, Washington, DC 20240, 202 343-4344

RIN: 1090-AA06

NATURAL RESOURCE DAMAGE ASSESSMENT - TYPE A PROCEDURES

Priority: Agency Determination

Legal Authority: 33 USC 9651(c)(1) Comp Envir Rspnse, Compnstn & Liabty Act 1980

CFR Citation: 43 CFR 11

Abstract: CERCLA allows trustees of natural resources which have been damaged by a release of a hazardous substance to bring a claim against the responsible party. Section 301(c) requires the development of two sets of regulations. The Type A regulations will be composed of simplified procedures which require minimal field investigations. Type B regulations will include alternative protocols for the testing, sampling, and valuing of natural resource damages. This submission covers the Type A procedures.

Timetable:

Action	Date		FR	Cite
ANPRM	01/10/83	48	FR	1084
ANPRM Comment Period Begin	01/10/83	48	FR	1084
ANPRM Comment Period End	02/15/83			

DOI-ASPBA

Current and Projected Rulemakings

Action	Date	FR	Cite	Action	Date	FR	Cite
Second ANPRM issued. Summary of	08/01/83	48 FR 3	34768	Comment period reopened until 5/31/85	01/11/85	50 FR	1550
comments				NPRM	04/04/86		
provided and comment				NPRM Comment Period Begin	04/04/86		
period reopened until				NPRM Comment Period End	06/04/86		
8/31/83				Final Action	08/07/86		
				Final Action Effective	09/07/86		

Small Entity: Undetermined

Agency Contact: Mr. Keith Eastin, Associate Solicitor, Conservation & Wildlife, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th and C Streets NW, Washington, DC 20240, 202 343-4344

RIN: 1090-AA07

(FR Doc. 85-6368 Filed 04-26-85; 8:45 am)

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI) Office of the Solicitor (OSOL)

Current and Projected Rulemakings

PRACTICES BEFORE THE

Legal Authority: 43 USC 1464 CFR Citation: 43 CFR 1

Abstract: This rule governs practice in administrative proceedings before the Department. It will be revised to update its provisions and assure that they are consistent with the Department's employee conduct regulations (43 CFR Part 20) and the Ethics in Government Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	
Small Entit	y: No	

Additional Information: Originally scheduled: January 1981.

Agency Contact: Deborah Ryan, Attorney-Advisor, Department of the Interior, Office of the Solicitor, 18th and C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA00

RECORDS AND TESTIMONY

Legal Authority: 5 USC 552 CFR Citation: 43 CFR 2

Abstract: The Department's regulations implementing the Freedom of Information Act will be clarified and updated as appropriate under current law. An updated fee schedule to reflect the current costs of making records

available to the public was proposed on January 3, 1985.

Timetable:

Date		FR	Cite
01/03/85	50	FR	286
01/03/85	50	FR	286
02/04/85			
12/31/85			
	01/03/85 01/03/85 02/04/85	01/03/85 50 01/03/85 50 02/04/85	01/03/85 50 FR 01/03/85 50 FR 02/04/85

Small Entity: No

Agency Contact: John D. Trezise, Assistant Solicitor, Department of the Interior, Office of the Solicitor, 18th & C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA02

[FR Doc. 85-6368 Filed 04-26-85; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI) Office for Equal Opportunity (OEO)

NONDISCRIMINATION ON THE BASIS OF AGE

Priority: Undetermined

Legal Authority: 42 USC 6101

CFR Citation: 43 CFR 17, Subpart C

Abstract: This rule will set forth guidelines for non-discrimination on the basis of age in programs or activities receiving Federal financial assistance from the Department.

Timetable:

Action	Date		FR	Cite	
NPRM	01/03/80	45	FR	976	

Next Action Undetermined

Small Entity: No

Additional Information: LEGAL AUTHORITY: 45 CFR 90 also applies. Originally scheduled: January 1979.

Agency Contact: Melvin C. Fowler, Supervisory Equal Opportunity Spc., Department of the Interior, Office for Equal Opportunity, 18th and C Streets, NW, Washington, DC 20240, 202 343-

RIN: 1091-AA00

NONDISCRIMINATION ON THE BASIS OF HANDICAP

Priority: Undetermined

Legal Authority: PL 95-602, Sec 504; 29

USC 794

CFR Citation: 43 CFR 17, Subpart B

Current and Projected Rulemakings

Abstract: This rule will provide for the enforcement of section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap as applied to programs or activities conducted by the Department of the Interior.

Timetable:

Action	Date	FR Cite
Awaiting DOJ and OMB approval	. 05/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

DOI--OEO

Current and Projected Rulemakings

Agency Contact: Joseph A. Canedo, Department of the Interior, Office for Equal Opportunity, 18th and C Streets, NW, Washington, DC 20240, 202 343-3669

RIN: 1091-AA01

[FR Doc. 85-6368 Filed 04-26-85; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI) Office of Hearings and Appeals (OHA)

Current and Projected Rulemakings

SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 43 USC 1201; 43 USC

1701

CFR Citation: 43 CFR 4, Subpart E

Abstract: Rulemaking has been initiated to revise existing rules to place time limitations on the filing of petitions for reconsideration of decisions of the Board of Land Appeals.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Or I William I

Small Entity: No

Additional Information: Originally scheduled: July 1979.

Agency Contact: James R. Kleiler, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3750

RIN: 1094-AA01

DEPARTMENT HEARINGS AND APPEALS PROCEDURES

Priority: Undetermined

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4.1; 43 CFR 4.5; 43 CFR 4.27(b); 43 CFR 4.317; 43 CFR 4.832

Abstract: Existing regulations are being revised to clarify that the Secretary does not have power to exercise jurisdiction over matters before the Interior Board of Contract Appeals (IBCA), to establish procedures relating to the exercise of the Secretary's reserved powers over Office of Hearings and Appeals proceedings and to broaden and strengthen the general prohibition against ex parte communications in Office of Hearings and Appeals proceedings. The Office of

Hearings and Appeals is also proposing to remove duplicative provisions regarding ex parte communications from the procedures for particular Office of Hearings and Appeals proceedings.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA12

SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Legal Authority: 30 USC 1275; 5 USC 301

CFR Citation: 43 CFR 4.1276

Abstract: The proposed rulemaking will revise existing rules to place time limitations on the filing of petitions for reconsideration of decisions of the Board of Land Appeals.

Timetable:

Action	Date	FR Cite
NPRM Interim Final	04/00/85 07/00/85	
Rule		

Small Entity: No

Agency Contact: James R. Kleiler, Attorney-Adviser, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203, 703 235-3750

RIN: 1094-AA10

SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 30 USC 1201

CFR Citation: 43 CFR 4.1294

Abstract: Revision of existing rule is proposed to more clearly define the conditions under which costs and expenses (including attorney's fees) may be awarded and to conform with a recent decision in which the United States Supreme Court held that absent some degree of success on the merits by a claimant, it is not "appropriate" for a court to award attorney's fees.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3610

RIN: 1094-AA19

SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 373; 25 USC 374; 25 USC 373a; 25 USC 373b

CFR Citation: 43 CFR 4.208, (New)

Abstract: The agency is investigating whether there is need for a new rule relating to disclaimers of devises under Indian wills.

DOI-OHA

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
Determination of Need begun	08/00/85	

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA11

TRIBAL ACQUISITION OF INTERESTS UNDER SPECIAL STATUTE

Priority: Undetermined

Legal Authority: 25 USC 2201 to 2210

CFR Citation: 43 CFR 4.300; 43 CFR 4.301; 43 CFR 4.302; 43 CFR 4.303; 43 CFR 4.304; 43 CFR 4.305; 43 CFR 4.306; 43 CFR 4.307; 43 CFR 4.308

Abstract: The Indian Land
Consolidation Act (Act) was enacted on
January 12, 1983, and changes existing
law regarding the descent of Indian
trust and restricted lands. The Act
provides that certain undivided
fractional interests in such lands can
now be acquired by the tribe instead of
descending by intestacy or devise.

Existing regulations governing the probate of Indian lands by Indian Probate Judges must therefore be amended to conform with the Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	12/00/85	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203, 703 235-3810

RIN: 1094-AA08

DEPARTMENT OF THE INTERIOR (DOI) Office of Hearings and Appeals (OHA)

Existing Regulations Under Review

 SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 30 USC 1201

CFR Citation: 43 CFR 4.1100 to 1196

Abstract: To add procedures for hearings and appeals for proceedings under the permanent regulatory program of the Surface Mining Control and Reclamation Act of 1977 (including review of approval or disapproval of applications for permits) and for the assessment of individual civil penalties under 30 USC 1268(f) and to make revisions to the existing regulations in 43 CFR Subpart L.

Timetable:

minetable.	and the same of	
Action	Date	FR Cite
Begin Review	04/01/85	ALC: U.S. A.

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203, 703 235-3750

RIN: 1094-AA21

 SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 374; 25 USC 372a; 25 USC 373a

CFR Citation: 43 CFR 4.204

Abstract: The agency is reviewing the rule to determine whether it should be amended to provide procedures to be followed when heirs in an Indian probate proceeding cannot be located. The agency is also considering the possibility of adding a new regulation providing such procedures.

Timetable:

	The second second
/01/85	Town and
/00/85	
	/01/85 /00/85

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA16

SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 374; 25 USC 373a; 25 USC 373b

CFR Citation: 43 CFR 4.221

Abstract: The agency is reviewing the rule to determine whether it should be amended to conform more closely to deposition provisions set forth in the Federal Rules of Civil Procedure.

Timetable:

Action	Date	FR Cite
Begin Review	02/01/85	
End Review	03/00/85	

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA14

SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 374; 25 USC 373a; 25 USC 373b

CFR Citation: 43 CFR 4.231(b)

Abstract: The agency is reviewing the rules to determine whether the transcription of hearings before administrative law judges (Indian probate), which is presently required in all cases, should be made discretionary.

DOI-OHA

Existing Regulations Under Review

Timetable:

Action	Date	FR Cite
Begin Review	02/01/85	
End Review	03/00/85	

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA15

SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2;

25 USC 9

CFR Citation: 43 CFR 4.310(a)

Abstract: The existing rule is being reviewed to determine whether a change should be made to the effective date for filing a notice of appeal under 25 CFR 2.19, relating to appeals from decisions of officials of the Bureau of Indian Affairs.

Timetable:

Action	Date	FR Cite
Begin Review	02/01/85	The same of the sa
End Review	03/00/85	

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA17

SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 374; 25 USC 373a; 25 USC 373b

CFR Citation: 43 CFR 4.320(a)

Abstract: The agency is reviewing the rule to determine whether it should be amended to provide that parties have 60 days from the date a decision or order of an administrative law judge (Indian probate) is mailed in which to file an appeal with the Board of Indian Appeals.

Timetable:

Action	Date	FR Cite
Begin Review	02/01/85	The same of the same of
End Review	03/00/85	
Small Entity:	Undetermined	

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA18

SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2;

25 USC 9

CFR Citation: 43 CFR 4.340

Abstract: The existing rule is under review to determine whether to delete the requirement that copies of Board decisions be sent to parties by certified mail.

Timetable:

Action	Date	FR Cite		
Begin Review	02/07/85	districtions.		
End Review	03/00/85			

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3810

RIN: 1094-AA13

SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 43 USC 1201

CFR Citation: -43 CFR 4.413

Abstract: The agency is reviewing the rule to determine whether it should be revised to change the designation of the appropriate officer in the Solicitor's Office to receive service in administrative appeals from decisions of the Eastern States Office, Bureau of Land Management.

Timetable:

Action	Date	FR Cite
Begin Review	05/00/85	The below
Small Entity:	Undetermined	

Government Levels Affected: Federal

Agency Contact: James R. Kleiler, Attorney Adviser, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3750

RIN: 1094-AA20

[FR Doc. 85-6368 Filed 04-28-85; 8:45 am] BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI)

United States Fish and Wildlife Service (FWS)

NORTHWEST STEELHEAD AND SALMON CONSERVATION AND ENHANCEMENT GRANTS

Priority: Undetermined

Legal Authority: 16 USC 3301 to 3325;

PL 96-561

CFR Citation: Not yet determined

Abstract: The Secretary of the Interior is authorized under PL 96-561 to establish a program to provide grants

for projects for the enhancement of the salmon and steelhead resources of the Washington and Columbia River conservation areas. The Act authorizes \$84,000,000 for salmon and steelhead enhancement in the two conservation areas. Comprehensive enhancement plans for the Washington and Columbia River conservation areas must be developed and agreed to by the States of Washington and Oregon and the treaty tribes, and approved by the Secretary before grants can be

provided. Rules will be promulgated to

Current and Projected Rulemakings

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	THE PERSON

Small Entity: Undetermined

administer the grant program.

Agency Contact: Joseph h. Kutkuhn, Associate Director - Federal Assistance, Department of the Interior, United States Fish and Wildlife Service, Department of the Interior, Washington, DC 20240, 202 343-6394

RIN: 1018-AA88

GENERAL PROVISIONS: DEFINITIONS

Legal Authority: 16 USC 704; 16 USC 712

CFR Citation: 50 CFR 10, Subpart B

Abstract: The list of migratory birds found at 50 CFR 10.13 would be amended by adding formerly unprotected species which are covered by the convention concluded with the Union of Soviet Socialist Republics for conservation of migratory birds and their environment. Also, the laughing gull, which was inadvertently omitted when the list was last revised, would be restored. Several species of birds belonging to groups protected under conventions concluded with Canada and Mexico have recently been found in the United States and would also be added to the list. The Mexican duck, which is no longer found in the United States, would be deleted from the list: Mexican-like ducks which are found in the Southwestern United States would continue to be protected as hybrids of the mallard, a migratory bird.

Timetable:

Action	Date	F	R	Cite
NPRM	06/05/84	49 F	R	23197
NPRM Comment Period Begin	06/06/84			
NPRM Comment Period End	08/06/84			
Final Action	04/00/85			

Small Entity: No

Additional Information: Originally scheduled: July 1980.

Agency Contact: Rollin D. Sparrowe, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 254-3207

RIN: 1018-AA02

SEIZURE AND FORFEITURE PROCEDURES

Priority: Undetermined

Legal Authority: 16 USC 1540; 16 USC 3371 to 3378

CFR Citation: 50 CFR 12

Abstract: This Part would be amended to apply customs laws to seizures and forfeitures incurred under the Lacey Act Amendments of 1981 and the Endangered Species Act, as authorized by both statutes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Small Entit	v. Undetermined	

Additional Information: Originally scheduled: April 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9242

RIN: 1018-AA04

GENERAL PERMIT PROCEDURES; IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

Priority: Agency Determination

Legal Authority: 16 USC 1540; 16 USC 703 to 712; 16 USC 668a

CFR Citation: 50 CFR 13; 50 CFR 14

Abstract: These various permit rules will be reviewed and amended, if necessary, to eliminate any unnecessary, burdensome, or counterproductive information collection.

Timetable:

Action	Date	FR Cite
NPRM	06/18/84	49 FR 24898
End Review	12/31/84	
Final Action	04/00/85	
Final Action Effective	05/00/85	

Small Entity: No

Additional Information: As a result of the review of these 50 CFR Parts, the Service will initiate two rules. The first rule will deal with the establishment of "user Fees" for persons engaged in importing and exporting wildlife. A second rule appears above in RIN 1018-AA78. Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9242

RIN: 1018-AA75

HUMANE TRANSPORT OF WILD ANIMALS AND BIRDS

Legal Authority: PL 97-79, 95 Stat. 1073

CFR Citation: 50 CFR 14

Abstract: Section 9(d) of the Lacey Act Amendments of 1981 shifts authority for prescribing requirements for the humane and healthful transport of wild animals and birds from the Secretary of the Treasury to the Secretary of the Interior. This authority will be promulgated in Part 14.

Timetable:

Action	Date	FR Cite
Notice of Public Meeting	02/26/82	47 FR 8386
Notice of Intent to propose Rules	06/30/82	47 FR 28431
NPRM	05/00/85	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-1937

RIN: 1018-AA07

IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

Legal Authority: 16 USC 3376(a)(2)

CFR Citation: 50 CFR 14

Abstract: The Service would amend the requirements for marking and labeling containers or packages containing fish or wildlife in a joint rulemaking with the Department of Commerce. The Lacey Act Amendments of 1981 make it unlawful to import, export, or transport in interstate commerce any containers or packages containing fish or wildlife that are not marked or labeled in accordance with regulations jointly issued by the Secretaries of the Interior and of Commerce. Such regulations will be in accordance with existing commercial practices.

Current and Projected Rulemakings

Timetable:

Action

Date

FR Cite Final Action 00/

NPRM

09/00/85

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9242

RIN: 1018-AA79

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Supplemental Timetable: Amargosa vole

NPRM 08/29/83 (48 FR 39090) Final Action 11/15/84 (49 FR 45160)

Ash Meadows; one plant and seven insects NPRM 10/13/83 (48 FR 46590) Final Action 00/00/00

Bahama and Schaus swallowtail butterfiles NPRM 08/29/83 (48 FR 39096) Final Action 08/31/84 (49 FR 34501)

Big Spring spinedace NPRM 11/30/83 (48 FR 54082) Final Action 00/00/00 Brown pelican

NPRM 11/10/83 (48 FR 51736) Final Action 02/04/85 (50 FR 4938)

Fresno kangaroo rat NPRM 11/21/83 (48 FR 52608) Final Action 01/30/85 (50 FR 4222)

Gouania hillebrandii NPRM 11/09/84 (49 FR 44753) Final Action 00/00/00

Hau hele'ula NPRM 09/12/83 (48 FR 40920) Final Action 00/00/00

Heliotrope milk-vetch NPRM 01/13/81 (46 FR 3188) Final Action 00/00/00

Johnston's frankenia NPRM 07/08/83 (48 FR 31414) Final Action 08/07/84 (49 FR 31418) Long halred phlox NPRM 08/29/83 (48 FR 39093) Final Action 00/00/00

Mariana Island species

NPRM 08/27/84 (49 FR 33881) Final Action 00/00/00

Modoc sucker

NPRM 01/31/84 (49 FR 3892) Final Action 00/00/00

Ozark cavefish

NPRM 01/31/84 (49 FR 3889) Final Action 11/01/84 (49 FR 43965)

San Benito evening primrose NPRM 10/31/83 (48 FR 50126) Final Action 02/12/85 (50 FR 5755)

Silverling

NPRM 10/25/83 (48 FR 49316) Final Action 00/00/00

Smoky madtom

NPRM 11/21/83 (48 FR 52612) Final Action 10/26/84 (49 FR 43065)

Texas snowbells

NPRM 10/11/83 (48 FR 46086) Final Action 10/12/84 (49 FR 40036)

Three Yaqui River fishes

NPRM 07/15/83 (48 FR 32527) Final Action 08/31/84 (49 FR 34490)

Small Entity: No

Additional Information: After reviewing the biological status of candidate and listed species, the Service promptly proceeds to propose rules to list, delist, or reclassify such species as appropriate. Generally, final action on the proposed rules must be taken within one year.

Agency Contact: John L. Spinks, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-2771

RIN: 1018-AA10

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be proposed which would list certain species of wildlife and plants as endangered or threatened species and, where prudent, would identify their critical habitat.

Supplemental Timetable:

Flagstaff pennyroyal NPRM 06/29/83 (48 FR 29929) Final Action 00/00/00

Small Entity: No

Additional Information: Originally scheduled: April 1981.

Agency Contact: John L. Spinks, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-2771

RIN: 1018-AA12

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Undetermined

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: 50 CFR 17.21(g), Captive-bred Wildlife, provides regulatory relief for activities that enhance the propagation or survival of living, captive-bred, exotic species listed as endangered and born in the U.S. There is also a provision by which certain specifically situated native species may be eligible. The Service recognizes that a number of native species that do not presently qualify for the benefits of this regulation are specifically situated such that their continued survival would be enhanced by being qualified; therefore, the Service will propose to establish criteria by which species are to be so qualified.

Timetable:

Action Date FR Cite

ANPRM 04/00/85

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-1937

RIN: 1018-AA19

THREATENED WILDLIFE

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17, Subpart D

Abstract: At the request of State, Federal and private parties, the special rule on the American alligator, found in 50 CFR 17.42(a), will be reviewed in order to determine whether to revise or revoke certain prohibitions and procedures. Areas to be considered during the review include: present prohibitions on export of meat and parts other than hides; need for serially numbering each tag applied to hides;

Current and Projected Rulemakings

need for a Federal permit to kill alligators legally held under State
Alligator Farmer permits; and use of data collected from reports required of permittees.

Timetable:

Action	Date		FR	Cite
Notice of Intent	07/16/82	47	FR	31024
NPRM	10/23/84	49	FR	42954
NPRM Comment Period Begin	10/23/84	49	FR	42954
NPRM Comment Period End	11/23/84			
Final Action	06/00/85			
AND THE PERSON NAMED IN				

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-1937

RIN: 1018-AA60

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Abstract: The Ninety-Seventh Congress of the United States enacted the 1982 amendments to the Endangered Species Act of 1973 providing for (1) the incidental taking of listed species and (2) prohibiting the removal and reduction to possession of listed plants from lands under Federal jurisdiction. These amendments require appropriate regulatory amendments.

Timetable:

Action	Date		FR	Cite
NPRM	07/08/83	48	FR	31417
NPRM Comment Period Begin	07/08/83	48	FR	35973
NPRM Comment Period End	09/02/83			
Final Action	05/00/85			
Final Action	06/00/85			

Small Entity: No

Effective

Additional Information: Originally scheduled: April 1983.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-1937

RIN: 1018-AA64

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Undetermined

Legal Authority: 16 USC 1540

CFR Citation: 50 CFR 17

Abstract: Part 17 would be amended to implement provisions of the Endangered Species Act Amendments of 1982 on noncommercial transshipments of wildlife and pre-Act status.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		N. Comment
Small Entit	hu- Undetermined		

Additional Information: Original

Additional Information: Originally scheduled: April 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-9242

RIN: 1018-AA66

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be developed to list, reclassify or delist certain species of wildlife and plants as endangered or threatened species.

When prudent, critical habitat will also be identified.

Supplemental Timetable:

Alabama beach mice (3 species)

NPRM 06/07/84 (49 FR 23794)

Final Action 06/00/85

Final Action 06/00/85
Alligator snapping turtle

ANPRM 02/27/84 (49 FR 7416) Final Action 02/00/85

Amber Darter

NPRM 07/13/84 (49 FR 28572) Final Action 07/00/85

American Alligator

NPRM 06/20/84 (49 FR 25342) Final Action 06/00/85

Beautiful goetzea

NPRM 06/18/84 (49 FR 24903) Final Action 06/18/85 Blue Ridge goldenrod

NPRM 07/23/84 (49 FR 29629) Final Action 07/00/85

Carex speculcola

NPRM 04/11/84 (49 FR 14406) Final Action 04/00/85

Conasauga logperch

NPRM 07/13/84 (49 FR 28572) Final Action 07/00/85

Desert dace

NPRM 05/29/84 (49 FR 22355) Final Action 05/00/85

Desert pupfish

NPRM 05/16/84 (49 FR 20739) Final Action 05/00/85

Fish Creek Springs tui chub

NPRM 06/06/84 (49 FR 23409) Final Action 06/00/85

Flattened musk turtle

NPRM 04/05/84 (49 FR 13558) Final Action 04/00/85

Foskett speckled dace

NPRM 04/17/84 (49 FR 15099) Final Action 04/00/85

Hiko White River springfish NPRM 05/07/84 (49 FR 19360) Final Action 05/00/85

Hutton tul chub

NPRM 04/17/84 (49 FR 15099) Final Action 04/00/85

Interior least tern

NPRM 05/29/84 (49 FR 22444) Final Action 05/00/85

June Sucker

NPRM 07/02/84 (49 FR 27183) Final Action 07/00/85

Key Largo woodrat and cotton mouse NPRM 04/06/84 (49 FR 13720) Final Action 08/31/84 (49 FR 34504)

Lakela's mint

NPRM 07/23/84 (49 FR 29632) Final Action 07/00/85

Large flowered fiddleneck

NPRM 05/08/84 (49 FR 19534) Final Action 05/00/85 Last chance townsendia

NPRM 05/29/84 (49 FR 22352) Final Action 05/00/85

Maguire primrose

NPRM 04/13/84 (49 FR 14771) Final Action 04/00/85

Mancos milk vetch

NPRM 06/28/84 (49 FR 26610) Final Action 06/00/85

Niangua darter

NPRM 04/17/84 (49 FR 15102) Final Action 04/00/85

Owens tui chub

NPRM 03/23/84 (49 FR 10959) Final Action 03/23/85

Pecos bluntnose shiner

NPRM 05/11/84 (49 FR 20031) Final Action 05/00/85

Railroad Valley springfish

NPRM 04/17/84 (49 FR 15109) Final Action 04/00/85

Rhizome fleabane

NPRM 04/24/84 (49 FR 17548) Final Action 04/00/85

Sacramento Mountains thistle NPRM 05/16/84 (49 FR 20735) Final Action 05/00/85

San Mateo thornmint

NPRM 06/18/84 (49 FR 24906)

Final Action 06/00/85

Sonoran chub NPRM 06/06/84 (49 FR 23402) Final Action 06/00/85

Thornber's fishhook cactus NPRM 04/24/84 (49 FR 17551) Final Action 04/00/85

Trispot Darter NPRM 07/13/84 (49 FR 28572)

Final Action 07/00/85

Vahl's boxwood

NPRM 07/13/84 (49 FR 28580)

Final Action 07/00/85

Warner sucker NPRM 05/21/84 (49 FR 21383) Final Action 05/00/85

Weish's milkweed NPRM 06/06/84 (49 FR 23399) Final Action 06/00/85

White River spinedace NPRM 05/29/84 (49 FR 22359) Final Action 05/00/85

White River springfish NPRM 05/07/84 (49 FR 19360) Final Action 05/00/85

Small Entity: Not Applicable

Additional Information: Originally scheduled: October 1984.

Agency Contact: John Spinks, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, Washington, DC 20240, 703 235-2771

RIN: 1018-AA84

6 ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be developed to list, reclassify, or delist certain species of wildlife and plants as endangered or threatened species.

When prudent, critical habitat will also be identified.

Supplemental Timetable: Bay Checkerspot butterfly NPRM 09/11/84 (49 FR 35665)

Final Action 09/00/85
Blackside dace
NPRM 09/04/84 (49 FR 34878)

Final Action 09/00/85 Florida pine rockland plants NPRM 11/07/84 (49 FR 44507)

Final Action 11/00/85

Hawaiian gardenla

NPRM 10/12/84 (49 FR 40058)

Final Action 10/00/85

Inyo brown towhee NPRM 11/25/84 (49 FR 46174) Final Action 11/00/85

Maguire daisy NPRM 07/27/84 (49 FR 30211) Final Action 07/00/85

Miccosukee gooseberry

NPRM 08/31/84 (49 FR 34535)

Final Action 08/00/85

Northern flying squirrel NPRM 11/21/84 (49 FR 45880) Final Action 11/00/85

Piping plover NPRM 11/08/84 (49 FR 44712) Final Action 11/00/85

Ruth's golden aster NPRM 11/20/84 (49 FR 45766) Final Action 11/00/85

Short's goldenrod NPRM 10/11/84 (49 FR 39873) Final Action 10/00/85

Slender rush-pea NPRM 11/21/84 (49 FR 45884) Final Action 11/00/85

Tar River spiny mussel NPRM 09/17/84 (49 FR 36418) Final Action 09/00/85

Three Palau birds NPRM 09/19/84 (49 FR 36665) Final Action 09/00/85

Small Entity: Not Applicable

Additional Information: Originally scheduled: April 1985.

Agency Contact: John Spinks, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 18th & C Streets, NW, Washington, DC 20240, 703 235-2771

RIN: 1018-AA85

SOUTHERN SEA OTTER EXPERIMENTAL POPULATION

Priority: Undetermined

Legal Authority: 16 USC 1531 et seg

CFR Citation: 50 CFR 17

Abstract: Regulations will be proposed to identify an experimental population for the southern sea otter (Euhydra lutris nereis) as provided by Section 19(j) of the 1982 amendments to the ESA. The experimental population designation will increase management flexibility to enhance the recovery effort for this species.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 18th & C Streets, NW, Washington, DC 20240, 703 235-2771

RIN: 1018-AA87

MARINE MAMMALS

Priority: Undetermined

Legal Authority: 16 USC 1382(a)

CFR Citation: 50 CFR 18

Abstract: The Service will propose rules that would require the marking. tagging, or otherwise identifying of raw parts of certain lawfully taken marine mammals, including those taken by Alaska Natives for purposes of subsistence or the creation and selling of authentic native articles of handicrafts and clothing. Except for scientific research purposes, the rules would also prohibit exportation of raw parts of these marine mammals from Alaska and the sale of such parts, other than those that are edible, to persons other than resident Alaska Natives. These rules are necessary for management purposes.

Timetable:

A	ction	Date	FR	Cite
N	IPRM	09/00/85	Ly I'll	1/41
6	mall Entit	hr Undetermined		

Additional Information: Originally scheduled: July 1980.

Agency Contact: Leroy Sowl, Chief, Division of Wildlife Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 632-2202

RIN: 1018-AA20

MIGRATORY BIRD HUNTING

Priority: Major

Legal Authority: 16 USC 703 to 711

CFR Citation: 50 CFR 20

Abstract: The Service will publish a series of major documents establishing migratory bird hunting regulations for the 1985-86 season. The documents consist of proposed frameworks providing outside limits for dates and hours of shooting, as well as bag and possession limits; final frameworks for hunting seasons from which States may select regulations; and final rules approving such State selections.

Timetable:

Action	Date	With the	FR	Cite
ANPRM	03/00/85	49 I	FR	11120
NPRM	06/00/85	49 1	FR	24419
Final Action	09/00/85			

Small Entity: Yes

Current and Projected Rulemakings

Additional Information: SMALL **BUSINESSES CONT: Small entities** likely to be affected by these rules include some sporting goods stores, hardware stores, motels and hotels, restaurants, clothing stores, boat and marine equipment stores, marinas, gasoline stations, private hunting clubs, land owners' leasing hunting rights, and mail order houses selling hunting equipment and supplies. Originally scheduled: April 1985. E.O. 12291: These rules are major because of the economic values associated with migratory game bird hunting; however, the need to obtain and consider the latest population data for these migratory birds requires that the regulatory schedule be shortened. The regulatory impact analysis, as required by E.O. 12291, and the small entity flexibility analysis, as required by 5 U.S.C. 601 et seq., have been combined into one analysis as provided for by both authorities. Copies of the combined analysis will be available from the Agency Contact upon publication of the Notice of Intent in March 1985.

Analysis: Preliminary RIA 03/00/84; Draft RFA 03/00/84

Agency Contact: Rollin D. Sparrowe, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 254-3207

RIN: 1018-AA24

ENDANGERED SPECIES CONVENTION

Legal Authority: 16 USC 1531 to 1543; TIAS 8249

CFR Citation: 50 CFR 23

Abstract: The regulations implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora will be clarified and revised to incorporate certain recommendations of the Parties.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	THE PROPERTY.

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-1937

RIN: 1018-AA29

CONSERVATION EASEMENTS

Legal Authority: 16 USC 460k; 16 USC 668dd et seq

CFR Citation: 50 CFR 25

Abstract: This subpart will be revised to include new rules which govern non-Federal activities affecting conservation easements.

Timetable:

Action	Date	FR Cite
NPRM	04/25/84	49 FR 17778
Final Action	10/00/85	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA38

NATIONAL WILDLIFE REFUGES

Priority: Undetermined

Legal Authority: 16 USC 668dd et seq; Withdrawal Proclamation of 2/11/80, Sec 204(c) (45 FR 9562)

CFR Citation: 50 CFR 26, Subpart C

Abstract: The emergency management rules for the twelve areas in Alaska, which were withdrawn and reserved as National Wildlife Refuges, will be rescinded.

Timetable:

Action	Date	FR Cite
Emergency Rule Rescind Emergency Rule	03/04/80 07/00/85	45 FR 14192

Small Entity: Undetermined

Additional Information: Originally scheduled: July 1980.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA35

PUBLIC ENTRY AND USE

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 26; 50 CFR 32; 50 CFR 33

Abstract: Regulations will be proposed which will simplify and reduce administrative costs related to the process by which special regulations, relating to public, access use, and recreation are issued for units of the National Wildlife Refuge system. Special regulations will be used for public access use and recreation on individual national wildlife refuges.

Timetable:

Action	Date		FR	Cite
NPRM	07/03/84	49	FR	27334
NPRM Comment Period Begin	07/03/84	49	FR	27334
NPRM Comment Period End	08/02/84			
Final Action Hunting and Fishing	09/19/84	49	FR	36736
NPRM Public Entry and Use	10/00/85			

Small Entity: No

Additional Information: Originally scheduled: April 1981.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA36

PUBLIC ENTRY

Legal Authority: 16 USC 460k

CFR Citation: 50 CFR 26, Subpart B

Abstract: The Service will periodically review and amend, as necessary, regulations governing public access, use, and recreation for specific national wildlife refuges.

Current and Projected Rulemakings

Timetable:			
Action	Date	FR Cite	
NPRM	04/00/85	Distance of the last	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA69

MINERAL OPERATIONS

Legal Authority: 16 USC 460k; 16 USC 668dd et seg

CFR Citation: 50 CFR 29, Subpart C

Abstract: This subpart will be revised to include new rules which govern mining on areas within the National Wildlife Refuge System.

Timetable:

Action	Date		FR	Cite
NPRM	12/31/80	45	FR	86512
Final Action	10/00/85			

Small Entity: No

Additional Information: The information collection requirements contained in this rule will be submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 et seq. Originally scheduled: January 1981.

Agency Contact: James F. Gillett, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA39

MINERAL RIGHTS RESERVED AND EXCEPTED

Legal Authority: 16 USC 668(dd) National Wildlife Refuge System Admin Act

CFR Citation: 50 CFR 29.32, (Revision)

Abstract: Existing regulations will be revised to provide more comprehensive guidance on the procedures to be followed by persons conducting mineral exploration and/or development on National Wildlife Refuge System (NWRS) lands where the mineral rights are vested in other parties. Such operations were conducted on 47 NWRS units in 11 states during 1984.

The purpose of the new rule will be to protect NWRS resources to the maximum extent possible without infringing upon the rights of the subsurface owners. Similar regulations of the National Park Service (36 CFR 9.30) and the Forest Service (36 CFR 251.15) will be considered in developing the NWRS regulations.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/85	COLD BES
ANPRM Comment Period Begin	03/02/85	
ANPRM Comment Period End	04/15/85	
NPRM	09/09/85	
NPRM Comment Period Begin	09/10/85	
NPRM Comment Period End	11/08/85	
Final Action	03/04/86	
Final Action Effective	04/03/86	

Small Entity: Undetermined

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th & C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA86

HUNTING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 32

Abstract: The Service will review annually and prior to each hunting season may amend hunting regulations for specific national wildlife refuges.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	09/13/82	47	FR	40302
NPRM	07/03/84	49	FR	27334
NPRM Comment Period Begin	07/03/84	49	FR	27334
NPRM Comment Period End	08/02/84			
Final Action for 1984 changes	10/30/84	50	FR	43549
NPRM for 1985 changes	08/00/85			

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA71

ADDITION OF TWENTY-ONE NATIONAL WILDLIFE REFUGE TO THE LISTS OF OPEN AREAS FOR MIGRATORY GAME BIRD HUNTING. UPLAND GAME HUNTING, BIG GAME HUNTING, AND/OR SPORT FISHING

Legal Authority: 16 USC 460(k) Refuge Recreation Act of 1962; 16 USC 668(dd) Na tional Wildlife Refuge System Admin Act of 1966

CFR Citation: 50 CFR 32

Abstract: Before new hunting and fishing opportunities are inititated on national wildlife refuges, the refuge is listed in 50 CFR Sections 32.11, 32.21, 32.31, and/or Section 33.4.

Regulations will be proposed that would add the following National Wildlife Refuges (NWR) to the lists of open areas: Migratory game bird hunting - Buffalo Lake NWR, TX; San Bernardino NWR, AZ; Union Slough NWR, IA; Harbor Island NWR, MI; and Bogue Chitto NWR, MS: Upland Game Hunting - San Bernardino NWR, AZ; Buffalo Lake NWR, TX; Union Slough NWR, IA; Harbor Island NWR, MI; and Bogue Chitto NWR, MS: Big Game Hunting - Columbia White-tailed Deer NWR, WA; Buffalo Lake NWR, TX; Union Slough NWR, IA; Harbor Island NWR, MI; Bogue Chitto NWR, MS; and Back Bay NWR, VA: Sport Fishing Columbia White-tailed Deer NWR, WA; Lower Suwannee NWR, FL; Cedar Keys NWR, FL; Pelican Island NWR, FL; Hobe Sound NWR, FL; Egmont Key NWR, FL; Pinellas NWR, FL; Bon Secour NWR, AL; Wheeler NWR, AL; Blackbeard Island NWR, GA; Harris Neck NWR, GA; Tybee NWR, GA; Wassaw NWR, GA; Wolf Island NWR, GA; and Pinkney Island NWR, SC.

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Action	Date	FR Cite
NPRM	05/15/85	HERE AND AND ADDRESS.
NPRM Comment Period Begin	05/15/85	
NPRM Comment Period End	05/15/85	
Final Action	08/19/85	
Final Action	08/19/85	

Current and Projected Rulemakings

Small Entity: Undetermined

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th & C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA89

SPORT FISHING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 33

Abstract: Regulations will be proposed which will simplify and reduce administrative costs related to the process by which special regulations relating to sport fishing will be issued for national wildlife refuges. Special regulations for specific refuges will also be issued governing sport fishing.

Timetable:

Action.	Date	FR Cite
NPRM	10/00/85	Series of the least of the leas

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA50

ALASKA NATIONAL WILDLIFE REFUGES

Priority: Undetermined

Legal Authority: 43 USC 1621(g)

CFR Citation: 50 CFR 36

Abstract: A new Subpart F will be added and will contain regulations for certain lands within and/or adjacent to certain National Wildlife Refuges in Alaska pursuant to Section 22(g) of the Alaska Native Claims Settlement Act of 1971.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	
Small Entit	y: Undetermined	

Additional Information: Originally scheduled: October 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA83

ALASKA NATIONAL WILDLIFE MONUMENTS

Legal Authority: 16 USC 432; 16 USC 742(f); 16 USC 460(k)(3); Presidential Proclamations of 12/1/78 (43 FR 57009); 16 USC 3101

CFR Citation: 50 CFR 96 to 106

Abstract: These rules, which would have provided the general land management regulations for Yukon Flats and Becharof National Wildlife Monuments in Alaska, will be withdrawn.

Timetable:

Action	Date	FR Cite
Notice of Intent	02/28/79	44 FR 11247
NPRM	06/28/79	44 FR 37754
Withdraw	07/00/85	
Proposed		
Rules		

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291:

The Department of the Interior previously determined that these regulations were not significant under the provisions of E.O. 12044. They will not be reconsidered under the provisions of E.O. 12291, since the Service plans to withdraw the proposed rules that were published on June 28, 1979. Originally scheduled: July 1979.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA55

ALASKA NATIONAL WILDLIFE MONUMENTS: MINERALS MANAGEMENT

Legal Authority: 16 USC 432; 16 USC 742(f); 30 USC 21 et seq; Presidential Proclamations of 12/1/78 (43 FR 57019, 57119); 30 USC 612; 16 USC 3101

CFR Citation: 50 CFR 107

Abstract: This rule, which would have governed mining in Yukon Flats and

Becharof National Wildlife Monuments in Alaska, will be withdrawn.

Timetable:

Action	Date	FR Cite
Notice of Intent	02/28/79	44 FR 11247
NPRM	01/11/80	45 FR 2616
Withdraw	07/00/85	
Proposed		
Rules		

Small Entity: Undetermined

Additional Information:

DETERMINATION UNDER E.O. 12291: The Department of the Interior previously determined that this rule was not significant under the provisions of E.O. 12044. It will not be reconsidered under the provisions of E.O. 12291, since the Service plans to withdraw the proposed rule that was published on January 11, 1980. Originally scheduled: January 1980.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA56

ENDANGERED SPECIES: INTERAGENCY COOPERATION

Priority: Task Force

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 402

Abstract: The Endangered Species Act Amendments of 1978, 1979 and 1982 made some changes in the consultation requirements of Section 7. These proposed rules would amend existing rules governing Section 7 consultation by implementing changes required by the amendments and incorporating other procedural changes designed to improve interagency cooperation.

Timetable:

Action	Date	FR	Cite
NPRM	07/07/83	48 FR	31275
Final Action	07/00/85		

Small Entity: No

Additional Information: Originally scheduled: July 1979.

Current and Projected Rulemakings

Agency Contact: John L. Spinks, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-2771

RIN: 1018-AA00

DEPARTMENT OF THE INTERIOR (DOI) United States Fish and Wildlife Service (FWS)

Existing Regulations Under Review

FEATHER IMPORT QUOTAS

Priority: Undetermined

Legal Authority: 19 USC 1202 Headnote 2(d), Tariff Schedules of the U.S.

CFR Citation: 50 CFR 15

Abstract: This rule, which is scheduled for review, contains annual quotas on the importation of skins bearing feathers of the mandarin duck and five species of pheasants, and methods for

allocation of the annual import quotas. The quotas are mandated by the Tariff Classification Act of 1962.

Timetable:

Action	Date	FR Cite
End Review	08/00/85	STATE OF THE PARTY OF
Small Entity:	Undetermined	

Additional Information: Originally scheduled: October 1983.

Agency Contact: Thomas Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-1937

RIN: 1018-AA77

DEPARTMENT OF THE INTERIOR (DOI) United States Fish and Wildlife Service (FWS)

Completed Actions

COMPLETED RULEMAKINGS GENERAL PROVISIONS

Priority: Agency Determination

Legal Authority: 16 USC 704; 16 USC

712; 16 USC 668a

CFR Citation: 50 CFR 10

Abstract: The Service would define the eligibility criteria for zoological institutions to qualify for scientific research and educational activities involving migratory birds and other wildlife.

Timetable:

Action	Date	FR Cite
NPRM	06/07/84	49 FR 23665
NPRM Comment Period Begin	06/07/84	49 FR 23665
NPRM Comment Period End	08/06/84	
Final Action Effective	01/00/85	
Final Action	03/04/85	50 FR 8636

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9242

RIN: 1018-AA78

ENDANGERED SPECIES ACT RULES

Legal Authority: 16 USC 1531 et seq CFR Citation: 50 CFR 17; 50 CFR 424

Abstract: The Endangered Species Act Amendments of 1982 made changes in the procedures that must be followed in promulgating rules under the Endangered Species Act. The Amendments also set up a procedure to designate certain populations of listed species as "experimental." Changes must be made in 50 CFR Parts 17 and 424 to accommodate the Amendments. Part 17 would be amended to allow certain populations of species otherwise listed as Endangered or Threatened to be designated experimental populations; for such populations to be designated as essential or nonessential; and for appropriate protective measures to be applied to such populations. Part 424 would be amended to alter the procedures followed in determining whether species are Endangered or

Threatened and in designating and revising Critical Habitat. Changes would be made in the treatment of petitions from the public, mandatory time limits for various actions, standards under which determinations are made, and other procedural matters.

Timetable:

Action	Date	FR Cite
NPRM 50 CFR	08/08/83	48 FR 36062
NPRM 50 CFR 17	01/09/84	49 FR 1166
Final Action 50 CFR 17	08/27/84	49 FR 33885
NPRM 50 CFR	10/01/84	49 FR 38900

Small Entity: No

Additional Information: Originally scheduled: October 1981.

Agency Contact: Robert Gilmore, Associate Director-Federal Assistance, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4646

RIN: 1018-AA57

Completed Actions

IMPORTATION, EXPORTATION AND TRANSPORTATION OF PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 24

Abstract: This Part will establish designated ports for the importation, exportation and re-exportation of plants.

Timetable:

Action	Date	FR Cite
NPRM	02/28/83	48 FR 8314
Final Action	10/25/84	49 FR 42938

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9242

RIN: 1018-AA34

HUNTING: GENERAL PROVISIONS

Priority: Undetermined

Legal Authority: 16 USC 704

CFR Citation: 50 CFR 32, Subpart A

Abstract: These regulations will be revised to rescind the Lake St. Clair NWR, MI, Closed Area and revise the Pee Dee NWR, NC, Closed Areas.

Timetable:

Action	Date		FR	Cite
NPRM	07/10/84	49	FR	28079
NPRM Comment Period Begin	07/10/84	49	FR	28079
NPRM Comment Period End	08/09/84			
Final Action	09/27/84	49	FR	38139

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1982.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA46

MIGRATORY GAME BIRD HUNTING; RESIDENT GAME HUNTING

Priority: Undetermined

Legal Authority: 16 USC 460k; 16 USC

668dd

CFR Citation: 50 CFR 32, Subparts B and

C

Abstract: Regulations will be proposed which would add the following National Wildlife Refuges (NWR) to the list of: - Open areas (migratory game birds) - Optima NWR,OK; Trempealeau NWR, WI - Open areas (upland game) - Optima NWR, OK: Trempealeau NWR, WI - Open areas (big game) - Fox River NWR, WI; Optima NWR, OK; Trempealeau NWR, WI

Timetable:

Action	Date		FR	Cite
NPRM	08/20/84	49	FR	33027
Final Action	09/21/84	49	FR	37093
Final Action Effective	09/21/84			

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA81

SPORT FISHING

Priority: Undetermined

Legal Authority: 16 USC 460k; 16 USC

668dd

CFR Citation: 50 CFR 33

Abstract: Regulations will be proposed which would add the following National Wildlife Refuges (NWR) to the list of: - Open areas (sport fishing) - Trempealeau-NWR, WI; Wertheim NWR, NY.

Timetable:

Action	Date		FR	Cite
NPRM	08/20/84	49	FR	33027
Final Action	09/21/84	49	FR	37093
Final Action Effective	09/21/84			

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA82

COMPLETED REVIEWS ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Undetermined

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: While listed specimens found dead may be salvaged without permit for scientific purposes by qualified parties, the area of consideration for revision of this Part requires the issuance of permits for the import or export of such specimens or their parts such as blood, tissue, sperm, etc. The Service wishes to review these restrictions to determine whether or not they are in the best interest of the enhancement of the survival of listed species. Affected parties of the scientific community have commented on the seeming counterproductive effect of the restrictions of these regulations. The Service has therefore agreed to review pertinent parts in order to determine the need, if any, to revise the regulations.

Timetable:

Date	FR Cite
3/00/85	THE COLD
	District Co.

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-1937

RIN: 1018-AA61 [FR Doc. 85-6368 Filed 04-26-85; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI) National Park Service (NPS)

Current and Projected Rulemakings

POSSESSION OF WEAPONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR Not yet determined

Abstract: This proposed rulemaking pertains to Catoctin Mountain Park in Maryland. The rulemaking will prohibit, with exceptions, the possession of weapons, whether loaded or unloaded, within the park.

Timetable:

Action	Date	FR Cite
NPRM	06/01/85	17 6 71

Small Entity: Undetermined

Additional Information: It has been determined that this regulation is necessary for the protection and security of the President of the United States while he is at Camp David.

Agency Contact: Lowell Sturgill, Associate Regional Director, Operations, Department of the Interior, National Park Service, National Capital Region, 1100 Ohio Drive, SW, Washington, DC 20242, 202 426-6658

RIN: 1024-AB05

GENERAL PROVISIONS RESOURCE PROTECTION, PUBLIC USE AND RECREATION BOATING AND WATER USE ACTIVITIES

Legal Authority: 16 USC 1; 16 USC 1a to 2(h); 16 USC 3

CFR Citation: 36 CFR 1; 36 CFR 2; 36 CFR 3

Abstract: The service completed a major revision of these regulations in April 1984. A thorough review of the regulations will be conducted after the 1984 visitor use season, leading to minor revisions and further refinements.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	EL CEPATE

Small Entity: No

Agency Contact: Andrew T. Ringgold, Staff Park Ranger, Department of the Interior, National Park Service, Branch of Ranger Activities, Interior Building, 18th and C Sts. NW, Wash., DC 20240, 202 343-4187

RIN: 1024-AB09

VEHICLES AND TRAFFIC SAFETY

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 4

Abstract: The service proposes to review and revise the regulations in this part, which has not undergone major revision since 1966. Revisions are expected, at a minimum, to reflect the abolishment of management categories, to provide for consistency with state vehicle codes and to strengthen the regulation pertaining to driving under the influence of alcohol or drugs.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	North O

Small Entity: No

Agency Contact: Andrew T. Ringgold, Staff Park Ranger, Department of the Interior, National Park Service, Branch of Ranger Activities, 18th and C Sts. NW, Washington, DC 20240, 202 343-4187

RIN: 1024-AB06

BIG CYPRESS NATIONAL PRESERVE: INDIAN USE AND OCCUPANCY

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.86

Abstract: This rule will define the Statutory rights of the Miccosukee and Seminole Indians within Big Cypress National Preserve.

Timetable:

Action	Date	FR	Cite
NPRM	11/12/81	46 FR	55709
Final Action	05/00/85		

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities, Department of the Interior, National Park Service, Southeast Regional Office, 75 Spring Street, SW, Atlanta, GA 30303, 404 242-4916

RIN: 1024-AA07

FIRE ISLAND NATIONAL SEASHORE: OFF-ROAD VEHICLES

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7

Abstract: This rule will amend existing regulations pertaining to off-road vehicle use by designating routes for their use.

Timetable:

Action	Date	FR Cite
NPRM	07/25/83	48 FR 33722
Final Action	05/00/85	

Small Entity: No

Additional Information: Originally scheduled: October 1981.

Agency Contact: Len Frank,
Department of the Interior, National
Park Service, North Atlantic Regional
Office, 15 State Street, Boston, MA
02109, 617 223-3765

RIN: 1024-AA14

ZION NATIONAL PARK: TRUCKING

Priority: Undetermined Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7

Abstract: The Service is proposing to review existing trucking regulations for Zion National Park. These rules will adjust times, conditions and costs for truck convoys on the Zion-Mt. Carmel tunnel road to accommodate the safe use of park roads by visitors and to recover the costs of convoy services. The alternative to this rule is to leave existing provisions in place with no cost recovery and continuing public safety problems.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Aug Lon

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, P.O. Box 25287, Denver, CO 80225, 303 234-3068

RIN: 1024-AA78

ARCHAEOLOGICAL RESOURCES PROTECTION ACT OF 1979 DEPARTMENTAL REGULATIONS

Priority: Undetermined

Legal Authority: 16 USC 470aa et seq

CFR Citation: 43 CFR 7(b)

Abstract: This rule will implement the provisions of Section 10(b) of the Archaeological Resources Protection Act of October 31, 1979, and will be based on the uniform rule found in 43 CFR 7. The intended effect of this rule

Current and Projected Rulemakings

is to advise the public of its obligations to the Department and to further advise of the Department's obligations to the public concerning the protection and conservation of archaeological resources located on public and Indian lands within the United States, its territories and possessions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983. A draft currently is in preparation.

Agency Contact: Bennie C. Keel, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4101

RIN: 1024-AA83

NEW RIVER GORGE NR: HUNTING

Legal Authority: 16 USC 1; 16 USC 3 CFR Citation: 36 CFR 7

Abstract: The regulation pertains to the New River Gorge National River located in West Virginia. This regulation would allow hunting on those lands and waters administered by the National Park Service as part of the New River Gorge National River area. This regulation is consistent with the

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

park enabling legislation.

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7057

RIN: 1024-AA86

UPPER DELAWARE SRR: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This regulation pertains to the Upper Delaware Scenic and Recreation River in New York State. The final regulations published on June 30, 1983 prohibit certain fishing methods that are allowed by New York State law. This proposed regulation would authorize fishing in any manner consistent with existing State law.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	No. of Concession,
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7075

RIN: 1024-AA87

NEW RIVER GORGE NR: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This regulation pertains to the New River Gorge National River located in West Virginia. The final regulations published on June 30, 1983 prohibit certain fishing methods and the taking of certain species that are allowed by the laws of West Virginia. This regulation would authorize the use of those fishing methods and the taking of those fish species consistent with West Virginia law.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7057

RIN: 1024-AA88

DELAWARE WATER GAP NRA: COMMERCIAL VEHICLE FEES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This regulation affects the Delaware Water Gap National Recreation Area and that portion of Route 209 that passes through the park. Interim commercial vehicle fees for Route 209 have been in effect since October 14, 1983. This regulation will establish revised fees.

Timetable:

Action	Date		FR	Cite
NPRM	10/14/83	48	FR	46779
NPRM	01/08/85	50	FR	973
NPRM Comment Period Begin	01/08/85	50	FR	973
NPRM Comment Period End	02/07/85	-		
Final Action	06/00/85			

Small Entity: No

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7057

RIN: 1024-AA99

APPALACHIAN NATIONAL SCENIC

Legal Authority: 16 USC 3; 16 USC 1246(i)

CFR Citation: 36 CFR 7.100

Abstract: The Service proposes to review the levels of resource and visitor protection on the Appalachian Trail provided by the General Regulations in 36 CFR Parts 1 and 2 and to revise 36 CFR 7.100 accordingly.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: David A. Ritchie, Project Manager, Department of the Interior, National Park Service, Appalachian Trail Project Office, Harpers Ferry Center, Harpers Ferry, WV 25425, 304 535-2346

RIN: 1024-AB07

FIRE ISLAND NATIONAL SEASHORE: SEAPLANE USE

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.20(b)

Abstract: Fire Island National Seashore
- Proposed revision of Seaplane
Regulations 36 CFR 7.20(b). This
revision eliminates one community as
an authorized taxi and docking area.
That area is Robbins Rest.

Timetable:

Imetable.			
Action	Date	FR	Cite
NPRM	12/21/84	49 FR	49647
NPRM Comment Period Begin	12/21/84	49 FR	49647

Current and Projected Rulemakings

Action Date FR Cite

NPRM Comment 01/22/85

Period End

Final Action Effective 05/00/85

Small Entity: No

Agency Contact: Leonard A. Frank, Chief, Resource Mngmt & Visitor Protection, Department of the Interior, National Park Service, 15 State Street, Boston, MA 02109, 617 223-3351

RIN: 1024-AB26

FORT JEFFERSON NM: FISHING; BOUNDARY ADJUSTMENTS

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.27

Abstract: This proposed regulation pertains to Fort Jefferson National Monument and will delete references to the taking of crayfish and Conch. Information will be included to redefine the park boundary. These changes are necessary to reflect a closure of park waters to the removal of crayfish and Conch and to update boundary changes mandated by Congressional action in 1980 that enlarged the park area.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	107

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AA96

BLUE RIDGE PARKWAY: COMMERCIAL VEHICLES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.34(f),(g)

Abstract: The service proposes to delete these two sections which are duplicated by provisions found in 36 CFR parts 1 and 5.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	The Later
Con all Entit	No. No.	

Small Entity: No

Agency Contact: Gary Everhardt, Superintendent, Department of the Interior, National Park Service, 700 Northwestern Bank Bldg., Asheville, NC 28801, 704 259-0351

RIN: 1024-AB36

MAMMOTH CAVE NP: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.36

Abstract: This proposed regulation pertains to Mammoth Cave National Park. The regulation will allow fishing to take place in accordance with applicable Kentucky State law.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AA94

JEAN LAFITTE NHP: CRAWFISHING REGULATIONS

Legal Authority: 16 USC 3; 16 USC 230d

CFR Citation: 36 CFR 7.37

Abstract: The proposed rulemaking pertains to Jean Lafitte National Historical Park located in Louisiana. The rulemaking will establish criteria for the harvesting of crawfish in the Barataria Unit and will establish a recreational and subsistence season. The policy is consistent with Public Law 95-625 and existing National Park Service and Department of the Interior policies.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	NEWS PROPERTY.

Small Entity: Undetermined

Agency Contact: James L. Isenogle, Superintendent, Department of the Interior, National Park Service, Jean Lafitte National Historical Park, 423 Canal Street, Rm. 206, New Orleans, LA 70130, 504 589-3882

RIN: 1024-AB33

EVERGLADES NP: MINING Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.45(a)

Abstract: This deletion applies to Everglades National Park in Florida, Section 7.45(a) will be deleted because it is a duplication of the General Regulations 36 CFR, Sections 1.6, 1.7 and 2.1.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	El mode.

Small Entity: No

Additional Information: FTS 242-4916.

Agency Contact: William Sturgeon, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Southeast Regional Office, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AB10

CURECANTI RECREATION AREA: GRAZING AND HAYING

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.51

Abstract: This proposed rulemaking pertains to Curecanti National Recreation Area located in Colorado. The rulemaking will establish criteria for authorized use of certain areas for the grazing of livestock and haying of irrigated meadows as part of the Colorado River Storage Project Act of April 11, 1956 (70 Stat. 105, Public Law 485).

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	all was the

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, Denver, CO 80225, 303 234-3070

RIN: 1024-AB11

CURECANTI RECREATION AREA: POWERLESS FLIGHT

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.51(e)

Abstract: This proposed rulemaking pertains to Curecanti National Recreation Area in Colorado. The rulemaking will establish criteria for the operation or use of hang gliders and

Current and Projected Rulemakings

balloons designed for powerless flight consistent with Department of the Interior and National Park Service policies.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Transport int

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, 655 Parfet Street, Denver, CO 80225, 303 234-3070

RIN: 1024-AB12

CURECANTI RECREATION AREA: OFF-ROAD VEHICLES

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.51 (d)

Abstract: This proposed rulemaking pertains to Curecanti National Recreation Area located in Colorado. The rulemaking will establish criteria for the operation of vehicles in off-road situations consistent with existing Executive Order 11644 and National Park Service and Department of the Interior policies.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	A LONG THE

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, 655 Parfet Street, Denver, CO 80225, 303 234-3070

RIN: 1024-AB27

COULEE DAM RECREATION AREA: TRAPPING

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.55

Abstract: The Service proposes to regulate trapping activities in accordance with State law.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Small Entit	y: No	

Agency Contact: Gordon Boyd, Chief Park Ranger, Department of the Interior, National Park Service, P.O. Box 37, Coulee Dam, WA 99116, 509 633-0991

RIN: 1024-AB14

COULEE DAM RECREATION AREA OFF-ROAD VEHICLES

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.55

Abstract: The Service proposes to establish a regulation designating routes for ORV use.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Gordon Boyd, Chief Park Ranger, Department of the Interior, National Park Service, P.O. Box 37, Coulee Dam, WA 99116, 509 633-0991

RIN: 1024-AB15

LAKE CHELAN NRA: TARGET PRACTICE

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.62

Abstract: This proposed rulemaking pertains to Lake Chelan NRA and will designate a specially designed and constructed facility and time and location for target practice.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Small Entity:	Undetermined	

Agency Contact: John Reynolds, Superintendent, Department of the Interior, National Park Service, North Cascades National Park, 800 State Street, Sedro Wooley, WA 98284, 206 855-1331

RIN: 1024-AB19

● LAKE CHELAN NRA: FIREWOOD MANAGEMENT

Legal Authority: 16 USC 3; 16 USC 90c-1

CFR Citation: 36 CFR 7.62

Abstract: The Service proposes to develop regulations to implement a Firewood Management Program at Lake Chelan NRA.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	BALL OF TAXABLE

Small Entity: No

Agency Contact: John Reynolds, Superintendent, Department of the Interior, National Park Service, North Casades NP, 800 State Street, Sedro Wooley, WA 98284, 206 855-1331

RIN: 1024-AB30

CAPE COD NATIONAL SEASHORE: COMMERCIAL VEHICLE FEES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.67

Abstract: This regulation pertains to Cape Cod National Seashore and will revise existing fees charged for commercial vehicles.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	The Control of

Small Entity: Undetermined

Agency Contact: Leonard A. Frank, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 15 State Street, Boston, MA 02109, 617 223-3351

RIN: 1024-AA91

ROSS LAKE NRA: AIRCRAFT USE

Legal Authority: 16 USC 1 CFR Citation: 36 CFR 7.69

Abstract: This regulation will allow aircraft to utilize the water surface of Ross Lake within the park boundaries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Marie Contract

Small Entity: No

Agency Contact: John Reynolds, Superintendent, Department of the Interior, National Park Service, North Cascades National Park, 800 State Street, Sedro Wooley, WA 98284, 206 855-1331

RIN: 1024-AB20

ROSS LAKE NRA: TARGET PRACTICE

Legal Authority: 16 USC 1 CFR Citation: 36 CFR 7.69

Current and Projected Rulemakings

Abstract: This proposed rulemaking pertains to Ross Lake National Recreation Area and will designate a specially designed and constructed facility and time and location for target practice.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85		100

Small Entity: Undetermined

Agency Contact: John Reynolds, Superintendent, Department of the Interior, National Park Service, North Cascades National Park, 800 State Street, Sedro Wooley, WA 98284, 206 855-1331

RIN: 1024-AB28

ROCKY MOUNTAIN NP: MOUNTAIN CLIMBING

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.7 (d)

Abstract: This deletion affects Rocky Mountain National Park in Colorado. Section 7.7 (d) will be deleted so that Rocky Mountain National Park will be in line with several other National Parks with significant technical climbing and no required registration check in/check out.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, Denver, CO 80225, 303 234-3070

RIN: 1024-AB16

ROCKY MOUNTAIN NP: WINTER BACKCOUNTRY TRIPS

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.7 (e)

Abstract: This deletion affects Rocky Mountain National Park in Colorado. Section 7.7 (e) will be deleted so that Rocky Mountain National Park will be in line with several other National Parks that do not require check out for overnight winter camping.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, Denver, CO 80225, 303 234-3070

RIN: 1024-AB17

GLEN CANYON NATIONAL RECREATION AREA, DESIGNATED AIRSTRIPS

Legal Authority: 16 USC 1; 16 USC 3 CFR Citation: 36 CFR 7.70(a)(1)

Abstract: This action is proposed to delete a reference to an airstrip at Wahweap which was closed by FAA in 1982 because of accidents and potential hazards to an adjacent residential area. Alternate landing facilities are available seven miles away.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Uter Tex

Small Entity: No

Agency Contact: John Ritenour, Chief, Resource Mngmt & Visitor Protection, Department of the Interior, National Park Service, Glen Canyon National Recreation Area, P.O. Box 1507, Page, AZ 86040, 602 645-2471

RIN: 1024-AB24

DELAWARE WATER GAP NRA: FISHING

Legal Authority: 16 USC 1; 16 USC 3 CFR Citation: 36 CFR 7.71

Abstract: Final regulations published June 30, 1983 in the Federal Register prohibit several fishing methods that are authorized by State laws in Pennsylvania and New Jersey. This proposed regulation affects the Delaware Water Gap National Recreation Area and would allow fishing in any manner consistent with the State laws of Pennsylvania and New Jersey.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	4 4 4 4 4
Small Entity	: Undetermined	

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street,

Philadelphia, PA 19106, 215 597-7057

RIN: 1024-AA98

BUCK ISLAND REEF NM: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.73

Abstract: This proposed regulation pertains to Buck Island Reef National Monument and would establish criteria for the taking of lobsters in accordance with the laws of the Territory of the Virgin Islands.

Timetable:

Action	Date	FR Cite
NIDDM	06/00/05	THE REAL PROPERTY.

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AA93

BUCK ISLAND REEF NM: SUBMERGED FEATURES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.73

Abstract: This regulation pertains to Buck Island Reef National Monument and would protect coral formations from damage by park visitors.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	HELD BEIN

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AA97

VIRGIN ISLANDS NP: BOATING

Legal Authority: 16 USC 1; 16 USC 3

Current and Projected Rulemakings

CFR Citation: 36 CFR 7.74

Abstract: This proposed regulation pertains to the Virgin Islands National Park and will establish a permit system relating to mooring of boats, length of stay and other criteria.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AB00

VIRGIN ISLANDS NP: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.74

Abstract: This proposed regulation pertains to the Virgin Islands National Park and will establish criteria for the taking of lobsters in accordance with the laws of the Territory of the Virgin Islands.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW. Atlanta, GA 30303, 404 221-4916

RIN: 1024-AB01

PADRE ISLAND NATIONAL SEASHORE: EMERGENCY VEHICLES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.75(a)(2)(v)

Abstract: The final regulations published on June 30, 1983 in the Federal Register adequately cover the provision found in 36 CFR 7.75(a)(2)(v). The new Section reference will be found in 36 CFR 1.2(e) when the final regulations become effective. Section 7.75(a)(2)(v) will then be deleted. This deletion affects Padre Island National Seashore.

Timetable

Timetable.		
Action	Date	FR Cite
NPRM	06/00/85	THE PURE

Small Entity: Undetermined

Agency Contact: William M. Lukens, Jr., Superintendent, Department of the Interior, National Park Service, Padre Island, NS, 9405 S. Padre Island Dr., Corpus Christi, TX 78418, 512 937-2621

RIN: 1024-AB03

PADRE ISLAND NATIONAL SEASHORE: HUNTING

Priority: Undetermined Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.75(b)

Abstract: The service proposes to revise this section to further define where hunting is allowed and how duck blinds may be used.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: William M. Lukens, Jr., Superintendent, Department of the Interior, National Park Service, Padre Island National Seashore, 9405 South Padre Island Drive, Corpus Christi, TX 78418, 512 937-2621

RIN: 1024-AB22

GOLDEN GATE NRA: PETS

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.79

Abstract: The service proposes to establish pet policies and restrictions at Golden Gate NRA in addition to those contained in 36 CFR 2.15.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Gil Soper, Chief, Ranger Activities, Department of the Interior, National Park Service, Building 201, Fort Mason, San Francisco, CA 94124, 415 556-0560

RIN: 1024-AB31

INDIANA DUNES NL: ALCOHOLIC BEVERAGES

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.88(b)

Abstract: This proposed rulemaking would prohibit the possession and use of alcoholic beverages within the confines of all swimming beaches at Indiana Dunes National Lakeshore.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Section 1

Small Entity: No

Agency Contact: James R. Walker, Visitor Services Specialist, Department of the Interior, National Park Service, Midwest Region, 1709 Jackson St., Omaha, NE 68102, 402 221-3475

RIN: 1024-AB25

ST. CROIX NSR: WATER USE

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7.9(a)(3),(4)

Abstract: This revision would change established beginning and ending dates for water skiing at St. Croix National Scenic Riverway from Memorial Day through Labor Day to the period May 15th through September 15th. This rulemaking would also change the southern limit from mile 24.5 to 1 mile 25.0.

Timetable:

Action	n Date	
NPRM	05/00/85	

Small Entity: No

Agency Contact: James R. Walker, Visitor Services Specialist, Department of the Interior, National Park Service, Midwest Region, 1709 Jackson St., Omaha, NE 68102, 402 221-3475

RIN: 1024-AB08

DELETION OF 36 CFR PART 50 AND REVISION OF PART 7

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 50; 36 CFR 7.96; 36 CFR 7.99

Abstract: This deletion affects National Capital Region. Part 50 will be deleted and regulations peculiar to this region will be incorporated in revisions to Part 7. 7.96 will address special regulations in those NPS areas within the District of Columbia. 7.99 will address special

regulations in NPS areas in the District of Columbia, Maryland and Virginia.

The National Capital Region will then use the same general regulations as the rest of the NPS.

Timetable:

Action	Date	FR Cite
NPRM	06/01/85	

Small Entity: No

Agency Contact: Lowell Sturgill, Associate Regional Director, Operations, Department of the Interior, National Park Service, National Capital Region, 1100 Ohio Drive, SW, Washington, DC 20242, 202 426-6658

RIN: 1024-AB29

CAPE LOOKOUT NATIONAL SEASHORE: OFF-ROAD VEHICLES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.98

Abstract: This proposed regulation pertains to Cape Lookout National Seashore and will establish criteria for the operation of vehicles in off road situations consistent with existing NPS policy.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AA89

© CONCESSIONER CHILD LABOR

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 8.4

Abstract: It is proposed to amend 36 CFR by deleting Section 8.4, Child Labor, which prohibits a person under 16 years of age to be employed by a concessioner. This action will allow National Park Service concessioners to employ minors in accordance with Federal or State labor laws applicable in the state of employment. This action is without cost to any party but will benefit children and concessioners by permitting concessioners to employ children between the ages of 14 and 16. It will benefit parents working for a

concessioner by enabling the concessioner to employ their children under the age of 16 who otherwise may be unemployed or would need to be transported to a place of working outside a national park area, sometimes a considerable distance. The only other alternatives are to delete only the first sentence of Subsection 8.4 or leave the current regulation as is.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	The state of
NPRM Comment Period Begin	05/01/85	
NPRM Comment Period End	05/30/85	
Final Action	06/15/85	
Final Action Effective	07/15/85	

Small Entity: No

Agency Contact: James A. Owen, Concessions Analyst, Department of the Interior, National Park Service, Washington, DC 20240, 202 523-1741

RIN: 1024-AB34

MINERALS MANAGEMENT OF ACTIVITIES ON MINING CLAIMS

Legal Authority: 16 USC 1901 et seq Mining In The Parks Act of 1976; 16 USC 1 et seq NPS Organic Act; 16 USC 79 1978 Redwoods Act

CFR Citation: 36 CFR 9, Subpart A

Abstract: As mandated by the "Mining In The Parks Act of 1976", the NPS promulgated its existing regulations to assure that operations on valid mining claims within units of the National Park System are conducted so as to prevent or minimize damage to park resources. The experience gained by the application of these regulations over the past six years indicates that certain adjustments are now necessary to clarify and simplify the existing regulatory language and to improve the management of mineral resources within NPS units. Specifically, several sections of the current regulations either have proven difficult to interpret or pertain to a surface disturbance moratorium that expired in 1980 thus rendering them obsolete. Moreover, the recent addition of several units located in Alaska to the National Park System dictates recognition of the unique legal and natural conditions under which mineral development activities take place in that environment. NPS is also

considering expanding the scope of the existing regulations to include activities associated with non-federal mineral rights within units of the National Park System.

Timetable:

Action	Date		FR	Cite
ANPRM	07/20/84	49	FR	2941
ANPRM Comment	07/20/84	49	FR	294
Period Begin ANPRM Comment	08/20/84			
Period End 30 day extension to ANPRM comment	09/20/84			
period to				

Next Action Undetermined

Small Entity: No

Additional Information: Note: The Service is currently deciding whether it should pursue regulatory revisions to 36 CFR 9(a) at this time. Thus, previously projected timeframes are in suspense.

Agency Contact: Carol McCoy, Chief, Policy and Regulations Branch, Department of the Interior, National Park Service, Room 3223 18th and C Streets, NW, Washington, DC 20240, 202 343-4360

RIN: 1024-AB37

NATIONAL CEMETERY REGULATIONS

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 12

Abstract: These regulations were last revised in 1971 and are again in need of updating to assure appropriate levels of protection and consistent management of national cemeteries.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	MONTH PARTY -

Small Entity: No

Agency Contact: Andrew T. Ringgold, Staff Park Ranger, Department of the Interior, National Park Service, Branch of Ranger Activities, Interior Building, 18th and C Sts., NW, Washington, DC 20240, 202 343-4187

RIN: 1024-AB04

NPS UNITS IN ALASKA: CLOSURE REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 13

Abstract: This rule will provide for the closure of certain areas within Denali National Park and Preserve, Glacier Bay National Park and Preserve and Katmai National Park and Preserve to snowmachines, motorboats and aircraft use.

Timetable:

Action	Date	FR	Cite
NPRM	07/00/85		

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Bill Tanner,

Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AA71

NPS UNITS IN ALASKA: CABIN USE

Priority: Undetermined Legal Authority: 16 USC 3 CFR Citation: 36 CFR 13

Abstract: This rule will govern all authorized types of cabin use in National Park Service areas in Alaska.

Timetable:

Action	Date	FR Cite
Extension of NPRM Comment	06/01/84	49 FR 22835
Period to 08/13/84		Tille unio
NPRM	06/00/85	49 FR 13160

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Bill Tanner,

Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AA85

GLACIER BAY NP & P: PROTECTION OF HUMPBACK WHALES

Legal Authority: 16 USC 1; 16 USC 1531; 16 USC 1361

CFR Citation: 36 CFR 13

Abstract: These permanent regulations will replace the temporary regulations that expired December 31, 1983. These permanent regulations define terms,

authorize a permit system, establish vessel operating restrictions, establish a mechanism for designating whale waters and vessel limits and prohibit the harvest of certain species of fish and crustaceans which are prey species of the humpback whale.

Timetable:

Action	Date	11	FR	Cite
NPRM	04/18/84	49 F	FR	15482
Final Action	04/00/85			

Small Entity: No

Agency Contact: Rich O'Guinn, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AB02

NPS UNITS IN ALASKA: CONCESSIONS

Legal Authority: 16 USC 1 CFR Citation: 36 CFR 13

Abstract: This rulemaking will establish procedures for providing commercial visitor services in certain Alaska national park areas as provided for by the Alaska National Interest Lands Act.

Timetable:

Action	Date		FR Cite
NPRM	06/00/85	*	
Small Entity	Undetermined		

Agency Contact: William Tanner, Staff Park Ranger, Department of the Interior, National Park Service, Alaska Regional Office - NPS, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AB18

GATES OF THE ARCTIC NATIONAL PARK AND PRESERVE: DESIGNATION OF TRADITIONAL SUBSISTENCE HUNTING ZONES

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 13.64

Abstract: The service proposes to designate zones that have been used traditionally for subsistence hunting purposes within Gates of the Arctic National Park and Preserve by local rural residents.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Richard Ring, Superintendent, Department of the Interior, National Park Service, Gates of the Arctic National Park & Preserve, Box 74680, Fairbanks, AK 99707, 907 452-5363

RIN: 1024-AB32

IDENTIFICATION OF INTEGRAL VISTAS ASSOCIATED WITH FEDERAL CLASS I AREAS

Priority: Major

Legal Authority: 42 USC 7491; 16 USC 1 et seq National Park Service Organic Act

CFR Citation: 36 CFR 16, (New)

Abstract: This rule will provide guidelines for identification of integral vistas and a list of integral vistas associated with 44 of the 48 National Park Service mandatory class I areas where visibility is an important value. The alternatives under consideration include (a) no action and (b) proposal of revised list of integral vistas. Upon completion, the RIA will discuss costs and benefits of the rule. Cost-benefit analysis is difficult, however, and speculative at best, since the rule merely identifies the integral vistas, but commits the decision on whether and how much to protect any particular vista to the permitting authority (usually the state, otherwise GPA). In other words, once an integral vista is properly and timely identified, the permitting authority must balance its protection against costs of compliance, the time necessary for compliance, the energy and nonair quality environmental impacts of compliance, and the remaining useful life of any existing source, subject to such requirements.

Timetable:

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Action	Date	F	R	Cite
NPRM	01/15/81	46 F	R	3646
NPRM Comment Period Begin	01/15/81	46 F	R	3646
Prop. Guidelines/Notic of Avail.	01/15/81 ce	46 F	R	3646
NPRM Comment Period End	02/17/81			
Comment Period	04/24/81	46 F	R	23389

Current and Projected Rulemakings

Action	Date	E	FR	Cite
Comment Period reopened	04/24/81	46	FR	23389
Comment Period ends	06/08/81	46	FR	23389
(Future) Comment Period, Reproposal begin	04/00/85			
(Future) Reproposal, NPRM	04/00/85			
(Future) Comment Period Reproposal ends	06/00/85			
Final Action	11/00/85			
Final Action Effective	12/00/85			

Small Entity: No

Additional Information: Originally scheduled: October 1981. EPA regulatory deadline for final action: 12/31/85.

Analysis: Preliminary RIA 02/00/85; Final RIA 11/00/85

Agency Contact: Molly N. Ross, Assistant Division Chief, Department of the Interior, National Park Service, Air and Water Quality Division, 18th and C Streets, NW, Washington, DC 20240, 202 343-4911

RIN: 1024-AA35

FIRE ISLAND NATIONAL SEASHORE: ZONING

Priority: Undetermined Legal Authority: 16 USC 3 CFR Citation: 36 CFR 28

Abstract: This rule will be revised to add new definitions, to amend permitted and prohibited uses and to update zoning standards to reflect Seashore policy and local zoning ordinances.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Larry Hovig, Department of the Interior, National Park Service, North Atlantic Regional Office, 15 State Street, Boston, MA 02109, 617 223-1178

RIN: 1024-AA80

YOSEMITE NATIONAL PARK: ADMINISTRATION EL PORTAL LAW ENFORCEMENT AND FIRE PREVENTION

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 34

Abstract: This rule will promulgate law enforcement and fire prevention regulations for the El Portal area in Yosemite National Park. El Portal is an administrative site used by the National Park Service and is not currently covered under other regulations in Title 36.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
	The state of the s	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Phil Ward, Department of the Interior, National Park Service, Western Regional Office, 450 Golden Gate Avenue, Box 36063, San Francisco, CA 94102, 415 556-1866

RIN: 1024-AA29

NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 60

Abstract: This rule is being amended to revise: appeals for listing nominations by persons or local governments in States without approved State historic preservation programs; procedures for nominations from State and Federal agencies; and procedures for making changes to listed properties and removals from the National Register, including appeals, and to incorporate 36 CFR Part 63.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/16/81	46 FR 56183
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	AND THE RESIDENCE

Action	Date	FR Cite
NPRM Comment	06/00/85	The life in

Period End Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Hardy Pearce, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9505

RIN: 1024-AA44

DETERMINATION OF ELIGIBILITY FOR INCLUSION IN THE NATIONAL REGISTER OF HISTORIC PLACES

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 63

Abstract: This rule incorporates certain revisions responding to the National Historic Preservation Act Amendments of 1980. In addition to responding to the new law, these changes update and revise in other minor respects the procedures for determining the eligibility of properties for the National Register. This rule will be consolidated with 36 CFR Part 60. Proposed rule (36 CFR Part 1204) was published May 23, 1980 (45 FR 34909).

Timetable:

Action	Date	FR	Cite
NPRM 36 CFR 1204	05/23/80	45 FR	34909
NPRM	09/00/85		

Small Entity: No

Additional Information: Originally scheduled: July 1979.

Agency Contact: Carol Shull, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9539

RIN: 1024-AA46

CURATION OF FEDERALLY-OWNED ARCHEOLOGICAL COLLECTIONS

Priority: Undetermined

Legal Authority: 16 USC 470a; 16 USC 470dd

CFR Citation: 36 CFR 79

Abstract: This rule fulfills the Secretary of the Interior's responsibility to issue regulations on the disposition, exchange and curation of federally-owned prehistoric and historic archeological artifacts and associated records

recovered under the Antiquities Act of 1906, the Reservoir Salvage Act of 1960 as amended by the Archeological and Historic Preservation Act of 1974), the National Historic Preservation Act of 1966 (as amended) and the Archaeological Resources Protection Act of 1979. The regulation will describe Federal agency responsibilities to preserve federally-owned archeological collections and provide guidance for Federal agencies to select appropriate repositories and to ensure that appropriate Indian tribes or individuals are notified concerning the disposition of materials recovered from Indian lands.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Dr. Bennie C. Keel, Departmental Consulting Archeologist, Department of the Interior, National Park Service, Washington, DC 20240, 202 343-4101

RIN: 1024-AB13

OZARK NSR: FISHING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 783(d)(3)

Abstract: This proposed rulemaking would authorize the taking of crayfish and turtles in areas designated by the Superintendent of Ozark National Scenic Riverways consistent with Missouri fishing laws.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	- Milliones
Small Entit	y: No	

Agency Contact: James R. Walker, Visitor Services Specialist, Department of the Interior, National Park Service, Midwest Region, 1709 Jackson St., Omaha, NE 68102, 402 221-3475

RIN: 1024-AB23

CEMETERY SITES AND HISTORICAL PLACES

Priority: Undetermined Legal Authority: 16 USC 3 CFR Citation: 43 CFR 2653

Abstract: The Service is proposing to amend 43 CFR 2653.5 by deleting all references to the Service as the consulting agency concerning the cultural value and significance of existing Alaska Native cemetery sites and historical places. This revision will relieve the Service from the responsibility of being the consulting agency for sites located on all Federal lands in Alaska, thus eliminating an expensive duplication of Federal effort.

Timetable:

· illiotable		
Action	Date	FR Cite
NPRM	06/00/85	
Final Action	00/00/00	

Additional Information: Originally scheduled: October 1983.

Small Entity: Undetermined

Agency Contact: Rich O'Guinn, Department of the Interior, National Park Service, Alaska Regional Office. 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AA84

NATIONAL PARK SERVICE **ACQUISITION REGULATION**

Priority: Agency Determination

Legal Authority: 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR 1489; 48 CFR 1452.289; 48 CFR 1453.2; 48 CFR 1453.3

Abstract: The proposed regulation would establish Bureau-specific solicitation provisions, contract clauses and prescriptions for their use. These are necessary to supplement and implement the Federal Acquisition Regulation and the Department of the Interior Acquisition Regulation. This will provide standard contractual language for provisions and clauses not otherwise available in the Federal or Interior regulations that are needed by our operational contracting activities. This action should result in cost savings as this development and standardization will relieve the individual contracting activities of the responsibility of developing their own.

Timetable:

Date	FR Cite
04/01/85	AL STREET
04/01/85	
05/01/85	The Party
06/01/85	
06/01/85	
	04/01/85 04/01/85 05/01/85 06/01/85

Small Entity: No

Agency Contact: Lawrence E. Sawler, Chief, Contract Policy Branch, Department of the Interior, National Park Service, ASD 18th and C Streets, NW, Washington, DC 20240, 202 523-5021

RIN: 1024-AB35

DEPARTMENT OF THE INTERIOR (DOI)

National Park Service (NPS)

RECOVERY OF SCIENTIFIC, PREHISTORIC, HISTORIC AND ARCHAEOLOGICAL DATA: PROCEDURES FOR NOTIFICATION, REPORTING AND DATA RECOVERY

Priority: Undetermined

Legal Authority: 16 USC 469; 16 USC 470; 16 USC 470aa

CFR Citation: 36 CFR 66

Abstract: This rule is part of the Department's proposed overall rulemaking with respect to the Archeological and Historic Preservation Act of 1974. This guidance will facilitate the Department's coordination of activities authorized under the Act, and its reporting to Congress on the

Existing Regulations Under Review

scope and effectiveness of the program, as required by section 5(c) of the Act.

Timetable:

Action	Date	FR	Cite
NPRM	01/28/77	42 FR	5374
End Review	03/00/85		

Small Entity: Undetermined

Existing Regulations Under Review

Additional Information: Originally scheduled: January 1979. A completely new draft is in preparation.

Agency Contact: Bennie Keel, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4101

RIN: 1024-AA49

PRESERVATION OF AMERICAN ANTIQUITIES: DEFINITION OF AN OBJECT OF ANTIQUITY

Priority: Undetermined

Legal Authority: 16 USC 431 to 433

CFR Citation: 36 CFR 76

Abstract: This rule will implement the provisions of the American Antiquities Act of June 8, 1906, and is in response to a Federal court ruling on the vagueness of the term "object of antiquity" and failure of the Federal government to inform the public in lay terms. This rule will be redesignated

from 43 CFR Part 3. Proposed rule (43 CFR Part 3) was published April 10, 1978 (43 FR 14975). A second proposed rule will be published after 36 CFR Part 69 is published as a final rule.

Timetable:

Action	Date	FR	Cite
NPRM 43 CFR 3	04/10/78	43 FR	14975
End Review	03/00/85		

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1980.

Agency Contact: Bennie Keel, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4101

RIN: 1024-AA56

TRANSPORTATION AND UTILITY SYSTEMS IN ALASKA

Legal Authority: 16 USC 3161

CFR Citation: 43 CFR 36

Abstract: This rule will establish procedures for the review and approval of any application for a transportation or utility system in Alaska, if any portion of the system's route will be within any national conservation system unit, national recreation area or national conservation area in the State.

Timetable:

Action	Date		FR	Cite
NPRM	07/15/83	48	FR	32506
End Review	03/00/85			

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: Brian Koula, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-7957

RIN: 1024-AA58

DEPARTMENT OF THE INTERIOR (DOI) National Park Service (NPS)

Completed Actions

COMPLETED RULEMAKINGS

BLACK CANYON OF THE GUNNISON NATIONAL MONUMENT: SNOWMOBILES

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date		FR	Cite
NPRM	07/15/83	48	FR	32365
Final Action	08/31/84	49	FR	34477
Final Action Effective	09/30/84	49	FR	34477

Small Entity: No

Additional Information: Originally scheduled: July 1980.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, 303 234-3068

RIN: 1024-AA11

CURECANTI RECREATION AREA: SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date		FR	Cite
NPRM	11/18/83	48	FR	52484
Final Action	08/31/84	49	FR	34479
Final Action Effective	09/30/84	49	FR	34479

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, 303 234-3068

RIN: 1024-AA61

OPERATION OF SEAPLANE AND AMPHIBIOUS AIRCRAFT

Priority: Undetermined

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 7.20(b)(iv)

Abstract: Delete this portion of

Abstract: Delete this portion of regulation since it is no longer needed at Fire Island National Seashore.

Timetable:

Action	Date	FR Cite
Withdrawn Duplicate of	02/27/85	Dietal.
RIN 1024-AB26		

Small Entity: No

Agency Contact: John Hauptman, Superintendent, Department of the Interior, National Park Service, Fire Island National Seashore, 120 Laurel Street, Patchogue, New York 11772, 516 289-4810

RIN: 1024-AB21

OLYMPIC NATIONAL PARK: ZONING

Priority: Undetermined Legal Authority: 16 USC 3 CFR Citation: 36 CFR 29

Abstract: This rule will allow landowners within Olympic National Park to make minor changes to private lands without the threat of condemnation. The alternative to this proposal is the more costly one of condemnation of private lands for incompatible development.

Completed Actions

Timetable:

Action Date FR Cite
Delete, no longer 02/27/85

being considered

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Chuck Woodbury, Department of the Interior, National Park Service, Pacific Northwest Regional Office, Westin Building, 2001 6th Avenue, Seattle, WA 98121, 206 442-4832

RIN: 1024-AA81

DEMONSTRATIONS AND SPECIAL EVENTS

Legal Authority: 16 USC 3 CFR Citation: 36 CFR 50

Abstract: This rule will amend 36 CFR 50.19 concerning demonstrations and special events in the National Capital Parks. Specifically, the rule will define the term "Vietnam Veterans Memorial." prohibit demonstrations and special events in the memorial, and place

minor restrictions on the use of staging and sound systems near the memorial. The rule will also amend 36 CFR 50.24 and 50.52 to add the Vietnam Veterans Memorial as an area where sales are not allowed and to delete Constitution Gardens from that list.

Timetable:

Action	Date	FR	Cite
Interim Final Rule	11/12/82 - 47	FR	51126
Final Action	11/09/84 49	FR	39677

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: Sandra Alley, Associate Regional Director, Public Affairs, Department of the Interior, National Park Service, National Capital Region, 1100 Ohio Drive, SW, Washington, DC 20242, 202 426-6700

RIN: 1024-AA43

WAIVER OF FEDERAL AGENCY RESPONSIBILITIES UNDER THE NATIONAL HISTORIC PRESERVATION ACT

Legal Authority: 16 USC 470

CFR Citation: 36 CFR 78

Abstract: This rule is necessary under the National Historic Preservation Act Amendments of 1980 which require the Secretary of the Interior to establish new procedures for the waiver of the requirements of Section 110 of the Act.

Timetable:

Action	Date	FR Cite
NPRM	03/23/84	49 FR 10944
Final Action	02/25/85	50 FR 7588
Final Action Effective	03/27/85	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Steve Sheffield, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9516

RIN: 1024-AA57

[FR Doc. 85-6368 Filed 04-26-85; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI) Bureau of Indian Affairs (BIA)

APPEALS FROM ADMINISTRATIVE

ACTIONS ACTIONS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 2

Abstract: The present administrative appeal regulations are ambiguous and misleading. It is difficult to tell what issues may be appealed and to whom the appeal should be sent. Most deadlines are uncertain. Those that are certain are often unrealistic. It is also unclear when a final decision will be rendered by the Interior Board of Indian Appeals and when it will be rendered by the Assistant Secretary for Indian Affairs. Alternatives will be developed by reviewing the existing appeal regulations of other agencies. Consideration will be given to specifying which types of appeals go to the Assistant Secretary and which to the Board. The alternative of providing for the Assistant Secretary to make a

case-by-case decision whether or not to refer the matter to the Board will also be considered. The primary benefit should be reduced frustration for both appellants and the BIA officials who handle the appeals. The greatest cost may be that both appellants and BIA officials may have to comply with more specified procedures and meet more deadlines in order for the system to work.

Timetable:

Action	Date	FR Cite
NPRM	01/15/85	Culpule W.
NPRM Comment Period Begin	01/15/85	
NPRM Comment Period End	03/15/85	
Small Entity: U	ndetermined	

Current and Projected Rulemakings

Agency Contact: David Etheridge, Attorney-Adviser, Department of the Interior, Bureau of Indian Affairs, Office of the Solicitor, Washington, DC 20240, 202 343-8526

RIN: 1076-AB21

PREFERENCE IN EMPLOYMENT

Legal Authority: 25 USC 43; 25 USC 46; 25 USC 44; 25 USC 348; 25 USC 472; 25 USC 479

CFR Citation: 25 CFR 5

Abstract: The revision of this rule would extend the expired date of July 17, 1985 for a period of time to permit the Osage Tribal Council the additional time to organize and to establish current membership standards for purposes of Indian preference employment for their tribal members in the Bureau of Indian Affairs.

Timetable: Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Action will be taken to extend time limitation only upon request from the Osage Tribe and approval by the Deputy Assistant Secretary.

Agency Contact: Mercedes Lewis.
Personnel Staffing Specialist,
Department of the Interior, Bureau of
Indian Affairs, 1951 Constitution Ave.,
NW, Washington, DC 20245, 202 3439306

RIN: 1076-AB60

LAW AND ORDER ON INDIAN RESERVATIONS

Priority: Undetermined

Legal Authority: 25 USC 2; 25 USC 9; 25

USC 13

CFR Citation: 25 CFR 11

Abstract: This part is being revised to preclude Courts of Indian Offenses from adjudicating intra-tribal governmental disputes absent consent of an Indian tribe (11.22). Consideration is also being given to revising this part to adopt state substantive law in place of the offenses presently enumerated in this part. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
End Review	12/30/84	and better
NPRM	03/00/85	
Small Entity:	Undetermined	

Additional Information: Originally

scheduled: January 1981.

Agency Contact: George Skibine, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-7885

RIN: 1076-AA01

ESTATES OF INDIANS OF THE FIVE CIVILIZED TRIBES

Priority: Undetermined Legal Authority: 5 USC 301 CFR Citation: 25 CFR 16

Abstract: This rule, which is scheduled for review, sets forth procedures in connection with the performance by State courts of certain functions which affect properties in which restricted interest owned by an Indian of the Five Civilized Tribes. In addition, this Part includes certain other responsibilities of the Secretary, such as escheat of estates of deceased Indians of the Five Civilized Tribes.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	TEXT -105
Final Action	06/00/85	
Small Entity:	Undetermined	

Additional Information: Originally scheduled: October 1983.

Agency Contact: William J. Bucholz, Chief, Division of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20245, 202 343-2398

RIN: 1076-AA87

ESTATES OF INDIANS OF THE FIVE CIVILIZED TRIBES

Legal Authority: 5 USC 301 CFR Citation: 25 CFR 16

Abstract: This rule amends existing regulations to reflect the consolidation of the Muskogee Field Office of the Solicitor with the Tulsa Regional Office of the Solicitor.

Timetable:

Action	Date		FR	Cite
NPRM	01/11/84	49	FR	1381
NPRM Comment Period Begin	01/11/84	49	FR	1381
NPRM Correction	01/19/84	49	FR	2267
NPRM Comment Period End	02/21/84			
Final Action	05/00/85			

Small Entity: No

Agency Contact: Larry R. Blair, Acting Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, Code 450, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-6434

RIN: 1076-AB19

ACTION ON WILLS OF OSAGE INDIANS

Priority: Undetermined Legal Authority: PL 95-496 CFR Citation: 25 CFR 17

Abstract: This rule is being revised to permit the Field Solicitor of the

Department to: (1) approve/disapprove wills of persons of Osage Indian blood providing for the disposition of restricted property; (2) issue orders and decisions; (3) issue subpoenas and to administer oaths to witnesses testifying at hearings; and (4) send appeals from decisions to the Regional Solicitor of the Department.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Additional Information: Original

Additional Information: Originally scheduled: January 1981.

Agency Contact: Paul Baird, Director, Office of Hearings & Appeals, Department of the Interior, Bureau of Indian Affairs, Southwest Region, P.O. Box 3156, Tulsa, OK 74101, 202 343-9405

RIN: 1076-AA03

SOCIAL WELFARE-FINANCIAL ASSISTANCE INDIAN CHILD WELFARE

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 20; 25 CFR 23

Abstract: Public Law 97-394 requires the Bureau of Indian Affairs to impose a rateable reduction in General Assistance (GA) grant payments to eligible Indian clientele. When implemented, the rateable reduction will vary among states in that it will be identical in amount to the reductions established by states in the Administration of their respective Aid to Families with Dependent Children programs. In the past, the Bureau has made GA grant payments at the full need levels established by the states. The effect of applying a rateable reduction will be reduced program costs.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1381
NPRM Comme Period End	nt 02/21/84	
Final Action	04/00/85	
THE RESIDENCE		

Small Entity: No

DOI-BIA

Current and Projected Rulemakings

Agency Contact: Dr. Eddie F. Brown, DSW, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Code 450 - Room 312-S, Washington, DC 20245, 202 343-6434

RIN: 1076-AA77

• FINANCIAL ASSISTANCE AND SOCIAL SERVICES PROGRAM

Priority: Major

Legal Authority: PL 98-473; 25 USC 13

CFR Citation: 25 CFR 20

Abstract: BIA will amend rule according to directions of Congress, Public Law 98-473. No alteratives are being considered because of legal opinion from Office of the solicitor. The action's potential cost is unknown at this time. Public Law 98-473 requires the BIA to promulgate regulations for BIA's assistance program which would clearly and generally define eligibility for general public welfare assistance or the availability of general public welfare assistance from a state.

Timetable:

Action	Date	FR Cite
NPRM	07/30/85	THE SHAPE
Final Action	09/30/85	

Small Entity: No

Agency Contact: Dr. Eddie F. Brown, DSW, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Code 450 - Room 312-S, Washington, DC 20245, 202 343-6434

RIN: 1076-AB44

INDIAN CHILD WELFARE ACT -MULTI YEAR DEVELOPMENT GRANTS

Legal Authority: 25 USC 1952; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 23.37

Abstract: Indian Child Welfare Act This rule will be amended to reflect the
requirements to implement the Indian
Child Welfare Act program. The
Submission of MultiYear
Developmental Grants will enable
eligible applicants to operate three year
projects. This amendment reflects a
change from an annual submission to
submissions on a three year basis.

Ti			

Action	Date	FR	Cite
NPRM	01/11/84	49 FR	1381
Final Action	09/00/85		

Small Entity: No

Agency Contact: Dr. Eddie F. Brown, DSW, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Code 450 - Room 312-S, Washington, DC 20245, 202 343-6434

RIN: 1076-AA85

• FEDERAL SCHOOLS FOR INDIANS (REVISION)

Priority: Agency Determination

Legal Authority: 34 Stat. 1018; 35 Stat. 783; 40 Stat. 564; 25 USC 288; 25 USC 289

CFR Citation: 25 CFR 31, (Revision)

Abstract: The purpose of the proposed revision is to clarify and define the clause "adequate free public school facilities" for non-Indian and Indian children of less than one-fourth blood who wish to attend Bureau-funded day and boarding schools. This proposed revision will also address criteria by which these students may attend Bureau-funded schools and tuition payments related thereto. Costs related to this part will be assumed by the public school district in the form of tuition payments, at no cost to the Bureau. Tuition fees charged will not exceed the tuition cost charged by the State or County in which the Bureau school is located.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	37H180.JD
Final Action	07/31/85	

Small Entity: No

Agency Contact: Sam Johnson, Chief, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, 18 & C Sts. NW, Washington, DC 20240, 202 343-6364

RIN: 1076-AB47

SCHOOL BOARDS

Priority: Agency Determination

Legal Authority: 25 USC 2001 et seq

CFR Citation: 25 CFR 35

Abstract: The purpose of this rule is to define and delineate the duties and

responsibilities of local Indian School Boards in accordance with Federal statutes and regulations. This rule will provide Bureau-wide consistency for the overall exercise of authority and control of Bureau and tribally operated schools.

Timetable:

Action	Date	FR	Cite
NPRM	06/30/85	-	102

Small Entity: No

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4872

RIN: 1076-AB03

MINIMUM ACADEMIC STANDARDS FOR THE BASIC EDUCATION OF INDIAN CHILDREN AND NATIONAL CRITERIA FOR DORMITORY SITUATIONS

Priority: Agency Determination

Legal Authority: 25 USC 2001; 25 USC 2002; PL 95-561

CFR Citation: 25 CFR 36

Abstract: This rule will prescribe minimum academic standards for the basic education of Indian children in Bureau schools and provide the national criteria for use in the operations of dormitories by the Bureau. This Part has been redesignated from 25 CFR Part 31e.

Timetable:

Action	Date	FR Cite
NPRM	03/23/83	100
NPRM Comment Period Begin	03/23/83	
NPRM Comment Period End	05/09/83	
Final Action	06/30/85	

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4872

RIN: 1076-AA08

Current and Projected Rulemakings

PRE-KINDERGARTEN PROGRAM STANDARDS

Priority: Agency Determination Legal Authority: 25 USC 450F CFR Citation: 25 CFR 37

Abstract: The development of Pre-kindergarten Program Standards will formalize and provide consistency to the Bureau's Pre-kindergarten program operation. The regulations will address eligibility requirements, minimum performance standards, administrative and organizational requirements, eurriculum, instruction, staff development, parental involvement, student achievement, student support services and evaluation. Equitable distribution of funds and duplication of program efforts will be two potential cost benefits due to this action.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85	- August	

Small Entity: Undetermined

Additional Information: This action is linked to RIN 1076-AA08.

Agency Contact: Sam Johnson, Chief, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6364

RIN: 1076-AB01

EDUCATION PERSONNEL

Priority: Agency Determination

Legal Authority: 25 USC 2011; 25 USC 2015

CFR Citation: 25 CFR 38, (Revision)

Abstract: The review of this rule is to update and/or delete the requirements that apply to all individuals appointed or converted to contract education positions in the Bureau of Indian Affairs. The review applies to employees with continuing tenure in both the competitive and excepted service who incumber education positions.

Timetable:

Action	Date	FR Cite
End Review	08/15/84	
NPRM	06/30/85	

Small Entity: Undetermined

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and

of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4872

RIN: 1076-AB02

INDIAN SCHOOL EQUALIZATION PROGRAM

Priority: Agency Determination

Legal Authority: PL 95-561; 25 USC 2008

CFR Citation: 25 CFR 39

Abstract: This rule, which contains the funding mechanism for Bureau operated and contract elementary and secondary schools, has been reviewed and will be revised when academic and dormitory standards are finalized in 25 CFR Part 36.

Timetable:

Action	Date	FR Cite
End Review	03/30/84	COVER DESIGNATION
Interim Final Rule	09/04/84	49 FR 34820
Correction	09/13/84	
Revise Rule	06/30/85	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4872

RIN: 1076-AA09

THE INDIAN SCHOOL EQUALIZATION PROGRAM (SCHOOL CLOSURE AND CONSOLIDATION)

Priority: Agency Determination

Legal Authority: 92 Stat 2320; 42 Stat 208

CFR Citation: 25 CFR 39

Abstract: The addition of regulations for "School Closures and Consolidations" will address a uniform procedure for school closure and consolidation in the Bureau-operated and funded schools. The new rule would provide the Bureau advance planning time in the development of its future budgets.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	RANGE IN
Final Action	09/30/85	

Small Entity: No

Agency Contact: Nancy Garrett, Deputy Director, OIEP, Department of the Interior, Bureau of Indian Affairs, 18th & C Sts. NW, Washington, DC 20240, 262 343-2123

RIN: 1076-AB48

ADMINISTRATION OF THE HIGHER EDUCATION PROGRAM

Priority: Agency Determination

Legal Authority: 25 USC 13; PL 67-85

CFR Citation: 25 CFR 40

Abstract: This rule will revise established policies and provide uniform procedures to govern the higher education program administered under the authority of 25 U.S.C. 13. This rule applies only to educational grants; Bureau educational loans are governed by 25 CFR Part 91. This Part has been redesignated from 25 CFR Part 32.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: Esther Whalen, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4871

RIN: 1076-AA10

GRANTS TO TRIBALLY CONTROLLED COMMUNITY COLLEGES AND NAVAJO COMMUNITY COLLEGE

Priority: Agency Determination

Legal Authority: 25 USC 1815; 25 USC 640

CFR Citation: 25 CFR 41, (Revision)

Abstract: The Secretary proposes to revise the current regulations which are used to govern the administration of grants to the Tribally Controlled Community Colleges. The revision is mandatory since the current regulations do not apply to the new requirements which were made under the Amendments Act. The revision will

govern the new requirements which include: 1. Planning Grants; 2. Forward Funding; 3. Facility Construction; 4. Endowments; and 5. New Method of Counting Students.

Timetable:

Action	Date	FR Cite	
NPRM	06/00/85		

Small Entity: No

Agency Contact: Edward Lonefight, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-7387

RIN: 1076-AA11

CONSTITUTIONAL AND CIVIL RIGHTS OF INDIAN STUDENTS

Priority: Agency Determination

Legal Authority: PL 95-561; 25 USC 2017

CFR Citation: 25 CFR 42

Abstract: This rule will set forth policies, requirements and procedures to ensure the protection of the constitutional and civil rights of students attending Bureau or contract schools and dormitories. This Part has been redesignated from 25 CFR Part 31i. This rule is also scheduled for review.

Timetable:

Action	Date	FR	Cite
NPRM	05/22/79	44 FR	29855
Begin Review	05/01/84		
End Review	08/15/84		
NPRM	00/00/00		

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Sam Johnson, Chief, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6364

RIN: 1076-AA12

SPECIAL EDUCATION

Priority: Agency Determination Legal Authority: PL 94-142 CFR Citation: 25 CFR 45

Abstract: This rule will establish standards for the provision of special education and related services to Indian children in schools operated by or under the authority of the Bureau.

This Part has been redesignated from 25 CFR Part 31k.

Timetable:

Action	Date	FR Cite
NPRM	09/29/80	45 FR 64472
NPRM Comment Period Begin	09/29/80	
NPRM Comment Period End	11/30/80	
Final Action	09/30/84	
Final Action Effective	07/10/85	

Small Entity: No

Additional Information:

DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: January 1980.

Public Compliance Cost: Base Year for Dollar Estimates: 1981

Agency Contact: Charles Cordova, Chief, Branch of Exceptional Education, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6675

RIN: 1076-AA14

ADMINISTRATION OF THE INDIAN ADULT EDUCATION PROGRAMS

Priority: Agency Determination Legal Authority: 25 USC 13

CFR Citation: 25 CFR 46

Abstract: These proposed regulations are designed to provide standardized administrative procedures for administering and operating Indian adult education programs.

Timetable:

Action	Date	FR Cite
NPRM	05/30/85	

Small Entity: No

Agency Contact: Donald Standing Elk, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4871

RIN: 1076-AA15

PREPARATION OF ROLLS OF

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 61, (Revision)

Abstract: The regulations contained in 25 CFR Part 61 are general regulations that govern the compilation of rolls of Indians by the Secretary of the Interior when required to do so under statutory authority. This rulemaking action will revise the regulations to add certain portions which will govern the preparation of specific rolls under statutory authority, delete other portions that govern the preparation of certain rolls which have subsequently been completed and for which there is no further need or applicability, and make general revisions of an administrative nature including the elimination of sex-based and gender specific terminology. This Part has been redesignated from 25 CFR Part 41.

Timetable:

Action	Date	FR Cite		
NPRM	04/01/85			
NPRM Comment Period Begin	04/01/85			
NPRM Comment Period End	06/01/85	Ball Hills		
Final Action	07/01/85			

Small Entity: No

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB07

PREPARATION OF A ROLL OF EASTERN CREEK INDIANS

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 1401 et seq; 5 USC 301

CFR Citation: 25 CFR 63

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the one-time compilation of a roll of Eastern Creek Indian descendants eligible to share in a per capita distribution of an apportioned share of judgment funds awarded the Creek Nation of Indians in Indian Claims Commission Docket 275. The roll has been completed and approved and the per capita payment made. Therefore, there is no further need for or applicability of this rule.

Current and Projected Rulemakings

This Part has been redesignated from 25 CFR Part 43.

Timetable:

Action	Date	FR Cite
Final Action	07/01/85	
Final Action	07/31/85	
Effective		

Small Entity: Undetermined

Additional information: Originally scheduled: October 1984.

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB25

PREPARATION OF A ROLL OF PYRAMID LAKE PAIUTE INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 64

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the onetime compilation of a roll of members of the Pyramid Lake Paiute Tribe eligible to share in the distribution of judgment funds awarded the Pyramid Lake Paiute Indians by the Indian Claims Commission in Docket No. 87-B. The roll has been completed and approved and the distribution of judgment funds made. Therefore, it has been determined that there is no further need for or applicability of this rule. This Part has been redesignated from 25 CFR Part 43a.

Timetable:

Action	Date	FR Cite
Final Action	07/01/85	Salpin III
Final Action Effective	07/31/85	

Small Entity: No

Additional Information: Originally Scheduled: October 1984.

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB27

PREPARATION OF A ROLL OF MOHAVE DESCENDANTS ENROLLED AS MEMBERS OF THE COLORADO RIVER INDIAN TRIBES

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 67

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the onetime compilation of a roll of certain members of the Colorado River Indian Tribes who were lineal descendants of the aboriginal Mohave Tribe eligible to share in the per capita distribution of an apportioned share of judgment funds awarded the Mohave Indians by the Indian Claims Commission in Dockets Nos. 283 and 295. The roll has been completed and approved and the per capita payment made. Therefore, it has been determined that there is no further need for or applicability of this rule. This Part has been redesignated from 25 CFR Part 43e.

Timetable:

Action	Date	FR Cite
Final Action	07/01/85	- X
Final Action Effective	07/31/85	

Small Entity: No

Additional Information: Originally Scheduled: October 1984

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB30

PREPARATION OF A ROLL OF ALASKA NATIVES

Priority: Undetermined

Legal Authority: 43 USC 1601 et seq; PL

CFR Citation: 25 CFR 69

Abstract: This rule is being amended to provide procedures for the redetermination of permanent residence of Alaska Natives enrolled pursuant to Public Law 92-203 in accordance with section 1(c) of Public Law 94-204. This Part has been redesignated from 25 CFR

Timetable:		
Action	Date	FR Cite
NPRM	00/00/00	ALCOHOLD TO THE

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1981.

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-3594

RIN: 1076-AA18

PREPARATION OF A ROLL OF PERSONS OF GRAND RIVER OTTAWA INDIAN BLOOD TO BE USED AS THE BASIS TO DISTRIBUTE JUDGMENT FUNDS

Legal Authority: PL 94-540

CFR Citation: 25 CFR 72

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the onetime compilation of a roll of persons who possess Grand River Ottawa Indian blood to be used to distribute the judgment funds awarded the Grand River Band of Ottawa Indians in Indian Claims Commission Docket 40-K. The roll has been completed and approved and the per capita payment made. Therefore, it has been determined that there is no further need for or applicability of this rule. This Part has been redesignated from 25 CFR Part 43n.

Timetable:

Action	Date	FR Cite
Final Action -	07/01/85	THE REAL PROPERTY.
Final Action Effective	07/01/85	

Small Entity: No

Additional Information: Originally Scheduled: October 1984

Agency Contact: Kathleen L. Slover. Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB33

ENROLLMENT OF INDIANS OF THE RINCON, SAN LUISENO BAND OF MISSION INDIANS IN CALIFORNIA

Legal Authority: 5 USC 301; 25 USC 2, 25 USC 9

CFR Citation: 25 CFR 74

Abstract: this rule governed the enrollment of persons in the Rincon, San Luiseno Band of Mission Indians of California as of July 21, 1957. The rule also provides procedures for maintaining a current membership roll. As a result of review, it has been determined that there is no further need for this rule and it can be revoked. This Part has been redesignated from 25 CFR Part 46.

Timetable:

Action	Date	FR Cite
Final Action	07/01/85	
Final Action	07/31/85	
Effective	A STATE OF THE PARTY OF THE PAR	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB55

ENROLLMENT OF INDIANS OF THE SAN PASQUAL BAND OF MISSION INDIANS IN CALIFORNIA

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 76

Abstract: This rule governed the enrollment of persons in the San Pasqual Band of Mission Indians in California as of January 1, 1959. The rule also provides procedures for maintaining a current membership roll. As a result of review, it has been determined that there is a continued need for this rule. However, the regulations do need to be revised. This rulemaking action will revise the regulations to make general revisions of an administrative nature including the elimination of sex-based and gender specific terminology and to provide procedures for the preparation of a current roll to serve as the basis for the distribution of judgment funds. This Part has been redesignated from 25 CFR Part 48.

Tim		

ction	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB59

PREPARATION OF A MEMBERSHIP ROLL OF THE PRIBILOF ISLANDS ALEUT COMMUNITIES OF ST. PAUL AND ST. GEORGE

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 77

Abstract: This rule governed the one-time compilation of a roll of members of the Pribilof Islands Aleut Communities of St. Paul and St. George eligible to share in a per capita distribution of judgment funds awarded the Aleut Communities of the Pribilof Islands by the U.S. Court of Claims in Dockets 352 and 369-A. The roll has been completed and approved and the per capita payment made. Therefore, there is no further need for or applicability of the rule and the rule is being revoked.

Timetable:

Action	Date	FR Cite
Final Action	07/01/85	
Final Action	07/31/85	
Effective		

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1984.

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB36

USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS

Priority: Undetermined

Legal Authority: 5 USC 301; 87 Stat 466; 87 Stat 467; 87 Stat 468; 96 Stat 2512; 96 Stat 2513; 96 Stat 2514

CFR Citation: 25 CFR 87

Abstract: The regulations govern the preparation of proposed plans for the use or distribution of all judgement funds awarded to Indian tribes and groups by the Indian Claims Commission, the United States Court of Claims or the United State Claims Court, excepting any tribe or group whose trust relationship with the Federal Government has been terminated and for which there exists legislation authorizing the disposition of its judgment funds; and of all funds deriving from judgments entered prior to the date of the Act for which there has been no enabling legislation. The regulations are being revised to eliminate gender-specific terminology. incorporate the provisions of the Act of January 12, 1983 and for clarification. The revisions will make the regulations current to existing laws and should enable parties affected to more easily understand the regulations. The proposed revisions are a result of a review of the rules completed on July 16, 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	
Final Action	09/30/85	

Small Entity: No

Agency Contact: John A. Shapard, Branch Chief, Department of the Interior, Bureau of Indian Affairs, Branch of Acknowledgment & Research, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3568

RIN: 1076-AB20

LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Legal Authority: 25 USC 1451; PL 93-262

CFR Citation: 25 CFR 101

Abstract: This part is being revised to improve the processing of U.S. Direct Loan applications, improving the collection procedures currently used, and expediting the processing of expert assistance loans.

Timetable:

Action	Date	FR	Cite
Begin Review	06/01/84		
End Review	09/30/84		
NPRM	07/00/85		

Small Entity: Undetermined

Agency Contact: Richard Nephew, Assistant Chief, Div of Financial Assistance, Department of the Interior, Bureau of Indian Affairs, Division of Financial Assistance, Main Interior Building - (Room 4062), 18th & C Streets, NW Washington, DC 20245, 202 343-3651

RIN: 1076-AB04

ANNUITY AND OTHER PER CAPITA

Legal Authority: 5 USC 301; PL 98-64 CFR Citation: 25 CFR 111, (Revision)

Abstract: Procedures will describe standards by which per capita payments to Indians out of Tribal Trust Revenue may be made by either the Secretary of the Interior or by Tribal governments.

Information on cost or benefits, if applicable, is unknown at this point.

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	
NPRM Comment Period Begin	04/01/85	
NPRM Comment Period End	04/30/85	
Final Action	05/30/85	
Final Action Effective	05/30/85	

Small Entity: No

Agency Contact: Barbara Davis, Trust Fund Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Trust Responsibilities, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-2963

RIN: 1076-AB45

INDIVIDUAL INDIAN MONEY ACCOUNTS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 43 USC 1457

CFR Citation: 25 CFR 115

Abstract: This rule, which is scheduled for review, describes the operation of the Individual Indian Monies Accounts maintained by the Bureau for individual Indians and groups.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	
Final Action	03/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Donald M. Gray, Chief, Branch of Finance & Accounting, Department of the Interior, Bureau of Indian Affairs, 500 Gold S.W. - P.O. Box 127, Albuquerque, NM 87103, 505 474-3496

RIN: 1076-AA89

LICENSED INDIAN TRADERS

Priority: Undetermined

Legal Authority: 25 USC 2, 25 USC 9, 5

USC 301

CFR Citation: 25 CFR 140

Abstract: On April 25, 1980, the Bureau published a proposed rule that would have amended the regulations governing Indian traders on most Indian reservations. That proposal would have restricted application of the regulations to businesses located in isolated communities where there is an absence of competition. Most comments received were strongly opposed to the proposal and supportive of diligent enforcement of the trader regulations on all Indian reservations. In response to those comments, the Bureau has proposed to modernize the trading regulations by adopting as its regulations the consumer protection statutes of the state where the business is located. This Part has been redesignated from 25 CFR Part 251. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite	
NPRM	01/06/81	46 FR 1298	
Final Action	06/00/85		

Small Entity: Undetermined

Additional Information:

DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: April 1981.

Agency Contact: Ralph R. Personeau. Chief, Division of Law Enforcement Services, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-5786

RIN: 1076-AA24

LAND ACQUISITIONS

Legal Authority: PL 97-459

CFR Citation: 25 CFR 151

Abstract: The Bureau proposes to publish amendments to Part 151 dealing with acquisition of fractional interests in land. Simultaneously, this rule will be reviewed to determine if all provisions are current and up-to-date.

Timetable:

Action	Date	FR Cite
End Review	04/13/84	THE RESERVE
NPRM	07/00/84	
NPRM Comment Period End	10/16/84	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: William J. Bucholz. Chief, Div. of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW. Washington, DC 20240, 202 343-2398

RIN: 1076-AA81

LEASING AND PERMITTING

Priority: Undetermined

Legal Authority: 25 USC 380; 25 USC 393; 25 USC 394; 25 USC 395; 25 USC 397; 25 USC 402; 25 USC 403; 25 USC 403; 25 USC 403a to c; 25 USC 415; 25 USC 415a to d; 25 USC 477; 25 USC 635

CFR Citation: 25 CFR 162

Abstract: This rule will reorganize Part 162 into three new subheadings: (1) How to Acquire Leases; (2) Special Provisions and Requirements of Leases; and (3) Special Provisions for Specific Reservations. These revisions will facilitate the use of the regulations for easier reference. This Part has been redesignated from 25 CFR Part 131.

Timetable:

Action	Date	137	FR	Cite
NPRM	10/27/78	43	FR	50210
Final Action	06/00/85			

Small Entity: No

Additional Information: 25 CFR 162
Has been revised for publication as a
Final Rule and sent to the Solicitor's
Office March 1984 for their final
comments.

Originally scheduled: July 1979.

Affected Sectors: None

Agency Contact: William J. Bucholz, Acting Chief, Department of the Interior, Bureau of Indian Affairs, Division of Real Estate Services, 18th and C Streets, NW, Washington, DC 20240, 202 343-2398

RIN: 1076-AA29

GRAZING REGULATIONS FOR FORMER NAVAJO-HOPI JOINT USE AREA LANDS

Priority: Agency Determination

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 640d; 25 USC 640d-28

CFR Citation: 25 CFR 168

Abstract: This rule will be revised to clarify the Secretary's responsibilities over grazing control and range restoration activities in the area formerly known as the Joint Use Area under the July 9, 1980 amendments to the Navajo-Hopi Settlement Act, 25 U.S.C. 640d-640d-28. The rule will also be revised to correct vague and/or ambiguous language contained in certain provisions of the existing rule. This Part has been redesignated from 25 CFR Part 153.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/15/84	mask
Final Action	08/00/85	

Small Entity: Undetermined

Additional Information: In May 1982, the District Court for the District of Arizona invalidated the regulations and ordered the Bureau to publish new regulations. The Bureau published interim regulations on Hopi Partitioned Funds on September 8, 1982. During the past year several negotiating meetings have been held with the Navajo Tribe to obtain concurrence to include Navajo Partitioned Land in the regulations. The Navajo Tribe wants separate regulations and the Bureau has drafted new regulations for Navajo Partitioned Lands.

Agency Contact: Sam Miller, Range Management Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20245, 202 343-2807

RIN: 1076-AA33

ROADS OF THE BUREAU OF INDIAN AFFAIRS

Legal Authority: 25 USC 13; 25 USC 318(a); PL 97-424, Sec 105(a)(3); 23 USC 109(o); 23 USC 112(b); 23 USC 114(c); 23 USC 202(e); 23 USC 204; 23 USC 217

CFR Citation: 25 CFR 170

Abstract: With the Surface Transportation Assistance Act of 1982, Indian reservation road construction is funded from the Highway Trust Fund with authorizations for Fiscal Years 1983, 1984, 1985 and 1986. Other provisions include a requirement for proper maintenance of roads, applications of the "Buy Indian" and Indian Self Determination Acts, and joint program management by the Secretaries of Interior and Transportation. These changes in the law make changes in regulations imperative. The no-action alternative would leave program managers with outdated guidelines. Cost of the action will be minimal and it imposes no burden on the public. Benefits will be a better ordered road construction and maintenance program on Indian reservations, greater management efficiency, and clarity of procedures for federal managers, legislators and tribal officials. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
NPRM	09/30/85	Direct Breeze

Small Entity: No

Agency Contact: James T. Ball, Planning Engineer, Div. of Transportation, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-6043

RIN: 1076-AB05

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

Legal Authority: 5 USC 301; 62 Stat. 273

CFR Citation: 25 CFR 176

Abstract: This rule contains regulations to be followed for the operation of the

electric power system at the Flathead Indian Irrigation Project, Montana.

Timetable:

Action	Date		FR Cite
NPRM	09/30/85	47	FR 50850
NPRM Comment Period End	11/30/85		

Small Entity: No

Additional Information: Originally scheduled: April 1981.

Agency Contact: Mort S. Dreamer, Civil Engineer - Irrigation and Power, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-5696

RIN: 1076-AA73

USE OF WATER ON INDIAN RESERVATIONS

Priority: Undetermined

Legal Authority: 25 USC 1a; 25 USC 2; 25 USC 9; 25 USC 381; 25 USC 415

CFR Citation: 25 CFR 179

Abstract: This rule will state the criteria the Secretary will follow in determining whether to approve water codes enacted by Indian tribes which would regulate the use of waters on Indian reservations. This Part has been redesignated from 25 CFR Part 260.

Timetable:

- II		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information:

DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: April 1981.

Agency Contact: Merli F. Hehnke, Natural Resources Specialist,

Current and Projected Rulemakings

Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-3960

RIN: 1076-AA37

CONTRACTS FOR PROSPECTING AND MINING ON INDIAN MINERAL LANDS

Legal Authority: 25 USC 396; 25 USC 396d; 25 USC 415; 25 USC 476; 25 USC 477

CFR Citation: 25 CFR 211

Abstract: The regulations in this Part govern contracts for the prospecting and mining of Indian-owned minerals, other than oil and gas. Revisions will be made which would combine rules for the review and approval of mineral development contracts on both tribal and allotted lands into one Part. This Part has been redesignated from 25 CFR Part 171.

Timetable:

Action	Date		FR	Cite
NPRM	08/11/80	45	FR	53164
NPRM	07/12/83	48	FR	31978
End Review	02/24/84			
Final Action	03/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Tommy Riggs (see Agency Contact heading for phone and address). Originally scheduled: May 1978.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Minerals, 730 Simms St. Lakewood Office Plaza, Rm 239, Golden, CO 80401, 303 234-6961

RIN: 1076-AA38

LEASING OF ALLOTTED LANDS FOR

Legal Authority: 25 USC 396; 35 Stat. 396

CFR Citation: 25 CFR 212

Abstract: As a result of review, it has been determined that this Part is no longer necessary and should be revoked. The rules which currently govern the leasing of oil and gas on Indian allotted lands will be replaced by a new 25 CFR Part 218. This Part has been redesignated from 25 CFR Part 172.

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Action	Date		FR	Cite
NPRM	08/11/80	45	FR	53164
NPRM	07/12/83	48	FR	31978
End Review	02/24/84			
Final Action	03/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Tommy Riggs (see Agency Contact heading for phone and address). Originally scheduled: April 1981.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Minerals, 730 Simms St., Lakewood Ofc. Plaza, Rm. 239, Golden, CO 80401, 303 234-6961

RIN: 1076-AA39

OPERATION, RECLAMATION AND CONSERVATION ON MINERAL LANDS

Legal Authority: 25 USC 380; 25 USC 396; 25 USC 396d; 25 USC 415; 25 USC 476; 25 USC 477; 42 USC 4332

CFR Citation: 25 CFR 216

Abstract: This rule will provide for mining and exploration plans, performance plans and other operational aspects of mining on Indian lands, including compliance with the National Environmental Policy Act. This Part has been redesignated from 25 CFR Part 177. This part is also scheduled for review.

Timetable:

Action	Date		FR	Cite
NPRM	08/11/80	45	FR	53164
Final Action	10/31/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Tommy Riggs (see Agency Contact heading for phone and address). Originally scheduled: May 1978.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Minerals, 730 Simms St., Lakewood Ofc. Plaza, Rm. 239, Golden, CO 80401, 303 234-6961

RIN: 1076-AA40

OIL AND GAS MINERAL AGREEMENTS

Priority: Undetermined

Legal Authority: PL 97-382; 52 Stat. 347; 35 Stat. 783

CFR Citation: 25 CFR 225

Abstract: The Bureau proposes to publish regulations that will govern mineral agreements for the development of Indian owned oil and gas resources pursuant to the Indian Mineral Development Act of 1982, Public Law 97-382, which authorizes the tribes to enter into negotiated agreements rather than go through the previously required competitive advertising procedure.

Timetable:

Action	Date		FR	Cite
NPRM	07/12/83	48	FR	31978
Final Action	03/00/85			

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Mineral Resources, 730 Simms Street, Lakewood Office Plaza, Room 239, Golden, CO 80401, 303 234-6961

RIN: 1076-AA82

COMMERCIAL FISHING ON RED LAKE INDIAN RESERVATION

Legal Authority: 25 USC 2; 5 USC 301 CFR Citation: 25 CFR 242

Abstract: Regulations provide for the Tribe to harvest fish commercially. No

other entities are involved.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	Hall Red

Small Entity: No

Additional Information: Except for two sex-based references, the regulation is/has been agreeable to all.

Government Levels Affected: Local, Federal

Agency Contact: Gary L. Rankel, Chief. Branch of Fish, Wildlife & Recreation, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-4088

RIN: 1076-AB13

REINDEER IN ALASKA

Legal Authority: 48 USC 250(k)

Current and Projected Rulemakings

CFR Citation: 25 CFR 243

Abstract: This regulation is being revised to enable the BIA to regulate the sale of reindeer products as well as reindeer.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Gary L. Rankel, Chief, Branch of Fish, Wildlife & Recreation, Department of the Interior, Bureau of Indian Affairs, Div. of Land & Water Res., 1951 Constitution Ave., NW, Washington, DC 20245, 202 343-4088

RIN: 1076-AB16

WIND RIVER RESERVATION GAME CODE

Priority: Agency Determination

Legal Authority: 43 USC 1457; 25 USC 2; 25 USC 9; 65 Stat. 1262; 18 USC 1165; 16 USC 3371; 18 Stat. 685

CFR Citation: 25 CFR 244, (New)

Abstract: The interim rule will provide regulations governing hunting of big and small game on the Wind River Indian Reservation in Wyoming, to conserve, protect and increase the currently depleted populations. No alternative actions for addressing the problem are being considered. The program will be confined to a localized area, and economic effects will be relatively insignificant. Benefits will be conservation of existing populations through reduced hunting mortality. Costs for personnel and equipment to enforce the regulations are estimated at \$235,000 for the first year and \$200,000 annually thereafter, to be derived by reallocation of existing funding.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/15/84	OTHER CITY
Final Action	09/15/85	

Small Entity: No

Agency Contact: Gary Rankel, Chief, Branch of Fish, Wildlife & Recreation, Department of the Interior, Bureau of Indian Affairs, Main Interior - 18th and C Sts., NW, Washington, DC 20245, 202 343-4088

RIN: 1076-AB43

OFF-RESERVATION TREATY FISHING

Priority: Undetermined

Legal Authority: 25 USC 2; 25 USC 9; 5

USC 301

CFR Citation: 25 CFR 249

Abstract: This rule, which is scheduled for review, governs protection of off-reservation nonexclusive fishing rights; promotes proper management, conservation and protection of fisheries resources; and provides for determination of restrictions on the manner of nonexclusive fishing privileges.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	ALC DESCRIPTION OF THE PERSON NAMED IN
NPRM	10/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Gary L. Rankel, Chief, Branch of Fish, Wildlife & Recreation, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4088

RIN: 1076-AB00

OFF-RESERVATION TREATY FISHING - FRASER RIVER CONVENTION; SOCKEYE AND PINK SALMON FISHERY

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 249

Abstract: This rule is an annual amendment covering the treaty Indian fishery in waters subject to the Fraser River Convention. Regulations provided by the rule assure fulfillment of obligations to treaty tribes and to Canada. The alternative of no regulation would leave the treaty Indian fishery unregulated, and was not considered. The rule is beneficial in that it will allow for the implementation of treaty guaranteed rights in a manner consistent with U.S. obligations to Canada. The rule will not result in a major increase in costs or prices for consumers, individual industries. Federal, State, or local government agencies, or geographic regions.

Timetable:

Action	Date	FR	Cite
Interim Final Rule	07/09/84 49	FR	27937

Action	Date	FR Cite
Final Action	09/00/85	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -

Small Entity: No

Agency Contact: Gary Rankel, Chief, Branch of Fish, Wildlife & Recreation, Department of the Interior, Bureau of Indian Affairs, Main Interior - 18th and C Sts., NW, Washington, DC 20245, 202 343-4088

RIN: 1076-AB12

PRESERVATION OF ANTIQUITIES

Priority: Undetermined

Legal Authority: 16 USC 470aa

CFR Citation: 25 CFR 261

Abstract: Part 261 is authorized by the Antiquities Act of 1906 (16 U.S.C. 432) which has been largely superseded by the Archeological Resources Protection Act (16 U.S.C. 470aa). This Part has been redesignated from 25 CFR Part 132.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: George Farris, Chief, Environmental Service Staff, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20245, 202 343-6574

RIN: 1076-AA44

HERITAGE PRESERVATION

Priority: Undetermined

Legal Authority: 16 USC 469; 16 USC 470aa; 16 USC 470f; 42 USC 1996

CFR Citation: 25 CFR 262

Abstract: This rule will establish procedures for implementing the requirements of legislation relating to cultural resources. Subpart A will implement the requirements of the National Historic Preservation Act as it pertains to Bureau actions which may affect properties that are listed on the National Register of Historic Places. Subpart B will implement the requirements of the Archaeological Resources Protection Act, particularly the requirement that no archaeological resources may be excavated without a

Current and Projected Rulemakings

permit. This Part has been redesignated from 25 CFR Part 281.

Timetable:

Action	Date	FR Cite
NPRM Subpart	A 09/15/80	45 FR 60923
NPRM	10/00/85	

Small Entity: Undetermined

Additional Information:

DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17. 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: April 1981.

Agency Contact: George Farris, Chief, Environmental Services Staff, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20245, 202 343-6574

RIN: 1076-AA45

CONTRACTS UNDER INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Priority: Agency Determination

Legal Authority: 25 USC 450; 41 USC

CFR Citation: 25 CFR 271

Abstract: A proposed rule, published in 47 FR 40326 on September 13, 1982, changed regulations to provide assistance to tribes from contracts to grants or cooperative agreement and for other purposes. The public comments to the proposed rule were overwhelmingly unfavorable. Consequently, the Bureau intends to publish a reproposed rule to (1) strengthen administrative controls over contracts, (2) eliminate obsolete and unnecessary requirements, and (3) to clarify or simplify the regulatory provisions.

Timetable:

Action	Date	FR Cite
NPRM	09/13/82	47 FR 40326
NPRM	09/00/85	
Final Action	12/31/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: Myron Rock,

Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4796

RIN: 1076-AA47

CONTRACTS UNDER INDIAN SELF-DETERMINATION ACT (SUBPART G-NEW SCHOOL STARTS AND PROGRAM EXPANSIONS)

Priority: Agency Determination

Legal Authority: 88 Stat. 2203; 42 Stat. 208

CFR Citation: 25 CFR 271

Abstract: The purpose of the addition of the new rule "New Starts and Program Expansions," is to establish uniform application procedures and approval criteria for tribes seeking to operate new schools or to expand existing education programs through funding by the Indian School Equalization Formula. This rule would provide further clarification and refine existing criteria established in Part 271 of Public Law 93-638 which do not address tribal operation of schools on an indepth basis.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	STREET, STREET
Final Action	09/30/85	

Agency Contact: Nancy Garrett, Deputy Director, OIEP, Department of the Interior, Bureau of Indian Affairs, 18th & C Sts. NW, Washington, DC

20245, 202 343-2123

Small Entity: No

RIN: 1076-AB49

GRANTS UNDER INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Priority: Agency Determination

Legal Authority: 25 USC 450h

CFR Citation: 25 CFR 272

Abstract: The purpose of this rule is (1) to provide for changes in administrative processes, (2) to establish procedures and definitions consistent with other parts of this chapter, and (3) to ensure that self-determination grants are consistent with legislative intent.

Timetable:

Action	Date		FR	Cite
NPRM	09/13/82	47	FR	40338
NPRM	09/00/85			
Final Action	12/31/85			

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: Eddie Edwards, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4096

RIN: 1076-AA48

EDUCATION CONTRACTS UNDER JOHNSON-O'MALLEY ACT

Priority: Agency Determination

Legal Authority: 25 USC 455 to 457

CFR Citation: 25 CFR 273

Abstract: A proposed rule was published in 47 FR 40340 on September 13, 1982 to provide consistency with 25 CFR Part 271. That is, to provide assistance to tribes by grant or cooperative agreement rather than by contract. The public comments were unfavorable to the proposed revision, consequently the Bureau intends to publish a reproposed rule to (1) strengthen administrative controls over contracts, (2) clarify the relationship between tribes and Indian education committees, and (3) to otherwise organize the subparts for easier use.

Timetable:

Action	Date	FR C
Final Action implementing one subsection (school lunch provision)	12/23/82	47 FR 57
Final Action remainder	12/00/83	
NPRM	09/30/84	
Final Action	12/31/85	

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Small Entity: No

Additional Information: Originally scheduled: May 1978.

Agency Contact: Sam Johnson, Chief. Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW. Washington, DC 20240, 202 343-6364

RIN: 1076-AA49

SCHOOL CONSTRUCTION CONTRACTS OR SERVICES FOR TRIBALLY OPERATED PREVIOUSLY PRIVATE SCHOOLS

Priority: Agency Determination

Legal Authority: 25 USC 458; 25 USC 458d; PL 93-638; PL 95-561; PL 96-46

CFR Citation: 25 CFR 274

Abstract: A proposed rule was published in 47 FR 40348 on September 13, 1982, to change from contracts to grants and cooperative agreements as the method of providing assistance to tribes. The public comments were unfavorable to the proposed revision. Consequently the Bureau intends to publish a reproposed rule to (1) strengthen administrative controls over school construction contracts. (2) to include the Office of Indian Education Programs in the application and approval procedures and (3) remove unnecessary administrative language. This part is also scheduled for review.

Timetable:

Action	Date	20	FR	Cite
NPRM	09/13/82	47	FR	40348
NPRM	09/00/85			
Final Action	12/31/85			

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Harvey Jacobs (202) 343-4493 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: Richard Glynn, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4576

RIN: 1076-AA50

STAFFING

Priority: Agency Determination

Legal Authority: 42 USC 4762; 25 USC

450i; 26 USC 48

CFR Citation: 25 CFR 275

Abstract: This part outlines methods available to tribes for utilizing the services of Bureau employees.
Revisions will be made to include the Office of Indian Education Programs in the application and approval procedures for the awards under Public Law 93-638.

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Action	Date	FR Cite
NPRM	09/13/82	47 FR 40352
NPRM	09/00/85	
Interim Final Rule	12/31/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Harvey Jacobs [202] 343-5517 (see Agency Contact heading for address). Originally scheduled: January 1981.

Agency Contact: Pat Fulgham, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-9306

RIN: 1076-AA51

UNIFORM ADMINISTRATIVE REQUIREMENTS FOR CONTRACTS AND GRANTS

Priority: Agency Determination Legal Authority: PL 93-638 CFR Citation: 25 CFR 276

Abstract: This rule establishes the requirements for the uniform administration of contracts and grants to Indian Tribal Governments pursuant to P.L. 93-638.

Timetable:

Action	Date	FR	Cite
NPRM	09/13/82	47 FR	40353
NPRM	09/00/85		
Final Action	12/31/85		

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1981.

Agency Contact: Peter Campanelli, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-3498

RIN: 1076-AA52

SCHOOL CONSTRUCTION CONTRACTS FOR PUBLIC SCHOOLS UNDER INDIAN SELFDETERMINATION AND EDUCATION ASSISTANCE ACT

Priority: Agency Determination

Legal Authority: 25 USC 458c(b); 41 USC

501

CFR Citation: 25 CFR 277

Abstract: A proposed rule was published in 47 FR 40353 on September 13, 1982, the purpose of which was to

change the method of award to tribes from contracts and grants and cooperative agreements. The public comments were unfavorable to such a change. Consequently, the Bureau intends to publish a reproposed rule to (1) strengthen controls over school construction contracts, (2) to provide changes in administrative processes and (3) to remove unnecessary administrative language.

Timetable:

Action	Date	FR	Cite
NPRM	09/13/82	47 FR	40356
NPRM	09/00/85		
Final Action	12/31/85		

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: Frank Latta, Department of the Interior, Bureau of Indian Affairs, P.O. Box 1788, Albuquerque, NM 87103, 505 766-2985

RIN: 1076-AA53

SPECIAL ECONOMIC DEVELOPMENT AND CORE MANAGEMENT FOR SMALL TRIBES

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 278

Abstract: This Part will contain regulations which offer grants to Indian tribes for business development, development of natural resources, and which encourage non-Federal investment and promote sound business principles and offer core management grants to small tribes to permit such tribes to establish and maintain competent and responsible management capabilities.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	07/12/83	48	FR	32006
Final Action	04/01/85			

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Woodrow Sneed, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-1401

RIN: 1076-AA54

Current and Projected Rulemakings

BUY INDIAN ACT CONTRACTING

Legal Authority: 25 USC 47; 36 Stat. 891

CFR Citation: 48 CFR 1480

Abstract: This rule will be codified as the new 48 CFR Part 1480 instead of the old 41 CFR Part 14H to establish policies and procedures concerning the Bureau of Indian Affairs acquisition management system. This issuance pertains to contracts (excluding road construction in the State of Oklahoma and all other construction nationwide) entered pursuant to the Act of June 25, 1910 (25 U.S.C. 47), which is usually referred to as the "Buy Indian Act."

Timetable:

Action	Date		FR	Cite
NPRM	10/08/82	47	FR	44678
Reproposed Rule	08/01/84			
Final Action	12/31/85			

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Peter A. Campanelli, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-5125

RIN: 1076-AA56

DEPARTMENT OF THE INTERIOR (DOI) Bureau of Indian Affairs (BIA)

• CARE OF INDIAN CHILDREN IN CONTRACT SCHOOLS

Priority: Undetermined

Legal Authority: 5 USC 301 CFR Citation: 25 CFR 22

Abstract: 25 CFR 22 is being reviewed as scheduled under the Bureau's Regulatory Reform Act.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	09/30/85	

Small Entity: Undetermined

Agency Contact: Sam Johnson, Chief, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, 18th & C Sts. NW, Washington, DC 20245, 202 343-6364

RIN: 1076-AB50

• FEDERAL SCHOOLS FOR INDIANS

Priority: Undetermined

Legal Authority: 41 Stat. 410, Sec 1; 25 USC 282

CFR Citation: 25 CFR 31

Abstract: 25 CFR 31 is being reviewed as scheduled under the Bureau's Regulatory Reform Act.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	09/30/85	
Small Entity:	Undetermined	

Agency Contact: Sam Johnson, Chief, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, 18 & C Sts. NW, Washington, DC 20245, 202 343-6364

RIN: 1076-AB46

TRANSFER OF INDIAN EDUCATION FUNCTIONS

Priority: Undetermined

Legal Authority: 92 Stat 2143; 92 Stat 2391; 25 USC 2006

CFR Citation: 25 CFR 33

Abstract: 25 CFR 33 is being reviewed as scheduled under the Bureau's Regulatory Reform Act.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	09/30/85	

Small Entity: Undetermined

Agency Contact: Sam Johnson, Chief, Divison of Education Programs, Department of the Interior, Bureau of Indian Affairs, 18th & C Sts. NW, Washington, DC 20245, 202 343-6364

RIN: 1076-AB52

PREPARATION OF A ROLL TO SERVE AS THE BASIS FOR THE DISTRIBUTION OF JUDGEMENT FUNDS AWARDED TO THE PEMBINA BAND OF CHIPPEWA INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1241 et seq

CFR Citation: 25 CFR 68

Abstract: This rule, which is scheduled for review, governs the one-time compilation of a roll of lineal descendants of members of the Existing Regulations Under Review

Pembina Band of Chippewa Indians as it was constituted in 1863 pursuant to the Act of July 29, 1971. The roll is to serve as the basis for a distribution of an apportioned share of judgment funds awarded the Pembina Band of Chippewa Indians. This Part has been redesignated from 25 CFR Part 43g.

Timetable:

Action	Date	FR	Cite
Begin Review	01/01/85		Mary II
End Review	10/01/85		

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB57

PREPARATION OF A ROLL OF ALASKA NATIVES

Legal Authority: 43 USC 1601 et seq; PL 94-204

CFR Citation: 25 CFR 69

Abstract: This rule, which is subject to review, governs the preparation of a roll of Alaska Natives pursuant to the Alaska Native Claims Settlement Act, as amended. Persons whose names are included on the Alaska Native roll are eligible to participate in benefits under ANCSA. This Part has been redesignated from 25 CFR Part 43h.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/85	The state of
End Review	10/01/85	

Existing Regulations Under Review

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB56

REVISION OF THE MEMBERSHIP ROLL OF THE EASTERN BAND OF CHEROKEE INDIANS, NORTH CAROLINA

Legal Authority: PL 85-154 CFR Citation: 25 CFR 75

Abstract: This rule, which is subject to review, governed the revision authorized by the Act of August 21, 1957, Pub. L. 85-154, (71 Stat. 374), of the membership roll of the Eastern Band of Cherokee Indians, North Carolina, prepared and approved in accordance with the Act of June 4, 1924 (43 Stat. 376), and the Act of March 4, 1931 (46 Stat. 1518). The rule also provides procedures for maintaining a current membership roll. This Part has been redesignated from 25 CFR Part 47.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/85	
End Review	10/01/85	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB54

• PAYMENT OF ATTORNEY FEES WITH APPROPRIATED FUNDS

Legal Authority: 25 USC 13; 25 USC 450 et seq

CFR Citation: 25 CFR 89.40 to 43

Abstract: There is a question of whether child custody proceedings under the Indian Child Welfare Act and requests for non-litigation services should comply with part 89. There is also a question of whether Indian allotees are eligible to receive appropriated funds. These issues will be addressed via the rulemaking process.

Timetable:

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: M. Franklin Keel, Staff Assistant, Department of the Interior, Bureau of Indian Affairs, Office of Trust Responsibilities, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-5474

RIN: 1076-AB53

LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Legal Authority: 25 USC 1451; PL 93-262

CFR Citation: 25 CFR 101

Abstract: This Part is being revised to improve the processing of U.S. direct loan applications, improving the collection procedures currently used, and expediting the processing of expert assistance loans.

Timetable:

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Agency Contact: Joe Weller, Chief, Division of Financial Assistance, Department of the Interior, Bureau of Indian Affairs, Division of Financial Assistance, Main Interior Bldg. Room 4062, 18th and C St. NW Washington, DC 20245, 202 343-5324

RIN: 1076-AB17

DEPOSIT AND EXPENDITURE OF INDIVIDUAL FUNDS OF MEMBERS OF THE OSAGE TRIBE OF INDIANS WHO DO NOT HAVE CERTIFICATES OF COMPETENCY

Priority: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 117

Abstract: Procedures for management of funds (deposits, charges, compensations to be paid out, etc.) for members of the Osage Tribe who do not have certificates of competency, for minors; compensation for guardians and attorneys; protection of these individuals' trust resources. No alternatives are under active consideration. Regulations will be

reviewed for any necessary updates, clarity, etc. No cost or benefit estimates applicable at this time.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	03/01/85	

Small Entity: No.

Agency Contact: Barbara Davis, Trust Funds Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Trust Responsibilities, Main Interior, Washington, DC 20245, 202 343-2963

RIN: 1076-AB18

MANAGEMENT OF OSAGE JUDGEMENT FUNDS FOR EDUCATION AND SOCIO-ECONOMIC PROGRAMS

Priority: Undetermined

Legal Authority: 86 Stat 1295 CFR Citation: 25 CFR 122

Abstract: 25 CFR 122 is being reviewed

Abstract: 25 CFR 122 is being reviewed as scheduled under the Bureau's Regulatory Reform Act.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	10000
End Review	09/30/85	

Small Entity: Undetermined

Agency Contact: Sam Johnson, Chief,
Division of Education Programs,
Department of the Interior, Bureau of
Indian Affairs, 18th & C Sts. NW,
Washington, DC 20245, 202 343-6364

RIN: 1076-AB51

ALASKA NATIVE FUND

Legal Authority: PL 92-203; PL 95-178

CFR Citation: 25 CFR 123

Abstract: This part which prescribes the process for distribution of the Alaska Native Fund is scheduled for review.

Timetable:

Action	Date	FR Cite
Begin Review	09/00/84	THE REL
End Review	09/00/85	

Small Entity: No

Existing Regulations Under Review

Agency Contact: Betty Wilkinson, Financial Manager, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Washington, DC 20245, 202 343-4595

RIN: 1076-AB15

BUSINESS PRACTICES ON THE NAVAJO, HOPI AND ZUNI RESERVATIONS

Legal Authority: 5 USC 301 CFR Citation: 25 CFR 141

Abstract: This rule which prescribes the process for regulation of reservation businesses for the protection of Indian consumers on the Navajo, Hopi and Zuni Reservations is scheduled for review.

Timetable:

Action	Date	FR Cite
Begin Review	09/00/84	
End Review	09/00/85	

Agency Contact: Jack L. Spencer, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-5786

Small Entity: Undetermined

RIN: 1076-AB14

OPERATION OF U.S.M.S. "NORTH STAR" BETWEEN SEATTLE, WASHINGTON AND STATIONS OF THE BUREAU OF INDIAN AFFAIRS AND OTHER GOVERNMENT AGENCIES, ALASKA

Priority: Undetermined

Legal Authority: 5 USC 301 CFR Citation: 25 CFR 142

Abstract: The review of this rule was originally assigned an "End Review Date" of October 1984. During the 1985 Shipping Season, which extends from April through October 1985, the BIA will be conducting a test of the Department of Defense Coolbarge system. During that period, all Bureau-sponsored cargo will be shipped via Coolbarge and the USMS "Northstar" will be temporarily removed from service. If the test proves to be successful, then, the Northstar Operation (the use of the Bureau-held ship) will be permanently discontinued in favor of Coolbarge. After completing the test evaluation, decisions will be

made regarding Northstar vs.
Coolbarge. After the policy decisions are made, the regulation will be deleted or revised as appropriate to reflect and describe the new concept of Operation. The estimated completion date should be changed to October 1986.

Timetable:

Action	Date	FR Cite
End Review	10/00/86	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Gerald Taylor, Seattle Liaison Office, Department of the Interior, Bureau of Indian Affairs, Federal Building, Seattle, WA 98104, 206 764-3328

RIN: 1076-AA96

LEASING OF RESTRICTED LANDS OF MEMBERS OF FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING

Priority: Undetermined

Legal Authority: Sec. 2, 35 Stat. 312; Sec. 18, 41 Stat. 426; Sec. 1, 45 Stat. 495; Sec. 1, 47 Stat. 777; 25 USC 356; Secs. 3, 11, 35 Stat. 313, 316; Sec. 8, 47 Stat. 779

CFR Citation: 25 CFR 213

Abstract: This rule is being revised to insure consistency with existing law and to improve operating procedures. Issues to be addressed include authority to lease inherited restricted land, the processing of lease payments through the Minerals Management Service, and the approval process for division orders. There are no alternatives being considered and the potential cost is unknown.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Ms. Pat Wilkenson. Realty Specialist, Department of the Interior, Bureau of Indian Affairs, Muskogee Area Office, Old Federal Building, Muskogee, Oklahoma 74401, 918 736-2292

RIN: 1076-AB41

LEASING OF OSAGE RESERVATION LANDS, OKLAHOMA, FOR MINING EXCEPT OIL AND GAS

Priority: Undetermined

Legal Authority: Sec. 3, 34 Stat. 543

CFR Citation: 25 CFR 214

Abstract: This rule is being reviewed and updated to take account of changes in mineral market conditions, interest rates, and various aspects of the local situation on the Osage Reservation since the rule was originally published.

Timetable:

Next Action Undetermined

Small Entity: No

Agency Contact: Noel Barker, Realty Specialist, Department of the Interior, Bureau of Indian Affairs, Osage Agency, Pawhuska, Oklahoma 74056, 918 287-2481

RIN: 1076-AB42

INDIAN FISHING: HOOPA VALLEY INDIAN RESERVATION

Priority: Undetermined

Legal Authority: 25 USC 2; 25 USC 9; 5 USC 301; Reorganization Plan No. 3 of 1950; 64 Stat. 1262

CFR Citation: 25 CFR 250

Abstract: This rule, which contains the regulations for the Hoopa fishery, will be revised to remove burdensome requirements.

Timetable:

Action	Date	FA	Cite
NPRM	06/24/83	48 FR	29004
Final Action	07/15/85		

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Gary L. Rankel, Chief, Branch of Fish, Wildlife & Recreation, Department of the Interior, Bureau of Indian Affairs, Main Interior, 18th & C Streets, N.W., Washington, DC 20245, 202 343-4088

RIN: 1076-AA83

Completed Actions

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Indian Affairs (BIA)

COMPLETED RULEMAKINGS PREFERENCE IN EMPLOYMENT

Legal Authority: 25 USC 43; 25 USC 46; 25 USC 44; 25 USC 348; 25 USC 472; 25 USC 479

CFR Citation: 25 CFR 5

Abstract: The revision of this rule will extend the expired date of July 17, 1984, for one year to permit the Osage Tribal Council the additional time to organize and to establish current membership standards for purposes of Indian preference employment for their tribal members in the Bureau of Indian Affairs.

Timetable:

Action	Date	FR Cite	
Final Action Final Action Effective	10/04/84 10/04/84	49 FR 39157	

Small Entity: No

Agency Contact: Mercedes Lewis.
Personnel Staffing Specialist,
Department of the Interior, Bureau of
Indian Affairs, 1951 Consitution
Avenue, NW, Washington, DC 20245.
202 343-9306

RIN: 1076-AB22

LICENSED INDIAN TRADERS

Legal Authority: PL 96-277; EO 12328

CFR Citation: 25 CFR 140

Abstract: Public Law 96-277 changed the procedure under which employees of the Federal government may enter into trading with Indians. Previously. the law allowed for trades between Federal employees and Indians only in certain cases which could be approved. for ample cause, on an individual basis by the Secretary of the Interior. Public Law 96-277 and E.O. 12328 provide that trading by employees of the Bureau of Indian Affairs and the Indian Health Service may enter into trading with Indians on a case-by-case basis when requested in accordance with regulations published by the Secretary of the Interior.

Timetable:

Action	Date	FR	Cite
NPRM	10/07/83	48 FR	45789
NPRM Comment Period Begin	11/07/83		
Final Action	06/21/84	49 FR	121
Final Action Effective	07/23/84	49 FR	121

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: John G. Combs, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-8718

RIN: 1076-AA80

GUIDANCE ON THE APPLICATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT TO BUREAU DECISIONS

Priority: Undetermined

Legal Authority: 42 USC 4321 to 4347

CFR Citation: 25 CFR 263

Abstract: This rule will provide guidance to tribal governments and other persons and entities that propose the Bureau take an action which must be preceded by the preparation of either an environmental impact statement or an environmental assessment. This Part has been redesignated from 25 CFR Part 280.

Timetable:

Action	Date	FR Cite
Withdrawn	02/27/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1981.

Agency Contact; George Farris, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6574

RIN: 1076-AA46

COMPLETED REVIEWS

MAINTENANCE AND CONTROL OF STUDENT RECORDS IN BUREAU SCHOOLS

Priority: Agency Determination

Legal Authority: 25 USC 295; PL 93-579; PL 93-380, Sec 438; PL 94-142

CFR Citation: 25 CFR 43. (Revision)

Abstract: 25 CFR 43 has been reviewed. Review of the rule was signed off by Assistant Secretary - Indian Affairs on 09/28/84. Determination was made that no revision was indicated at this time.

Timetable:

Action	Date	FR Cite
End Review	09/28/84	
Small Entity	Undetermined	

Agency Contact: Harvey Jacobs,

Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6364

RIN: 1076-AB06

ENROLLMENT OF INDIANS OF THE RINCON, SAN LUISENO BAND OF MISSION INDIANS IN CALIFORNIA

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 74

Abstract: This rule governed the enrollment of persons in the Rincon, San Luiseno Band of Mission Indians of California as of July 21, 1957. The rule also provides procedures for maintaining a current membership roll. As a result of review, it has been determined that there is no further need for this rule and it can be scheduled for revocation. This Part has been redesignated from 25 CFR Part 46.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/30/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover,
Department of the Interior, Bureau of

Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB34

ENROLLMENT OF INDIANS OF THE SAN PASQUAL BAND OF MISSION INDIANS IN CALIFORNIA

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 76

Abstract: This rule governed the enrollment of persons in the San Pasqual Band of Mission Indians in California as of January 1, 1959. The rule also provides procedures for maintaining a current membership roll. As a result of review, it has been determined that there is a continued need for this rule. However, the regulations do need to be revised not only to make general revisions of an administrative nature including the elimination of sex-based and gender specific terminology, but also to provide procedures for the preparation of a current roll to serve as the basis for the distribution of judgment funds. This

Completed Actions

Part has been redesignated from 25 CFR Part 48.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/30/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB35

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

PREPARATION OF ROLLS OF INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 61, (Revision)

Abstract: The regulations contained in 25 CFR part 61 are general regulations that govern the compilation of rolls of Indians by the Secretary of the Interior when required to do so under statutory authority. As a result of review, it has been determined that there is a continued need for this rule. However, as had already been determined, there is need for considerable revision to add certain portions which will govern the preparation of specific rolls under statutory authority, delete other portions that governed the preparation

of certain rolls which have subsequently been completed and for which there is no further need or applicability, and make general revisions of an administrative nature including the elimination of sex-based and gender specific terminology. This Part has been redesignated from 25 CFR Part 41.

Timetable:

THE RESERVE OF THE PERSON NAMED IN COLUMN		THE RESERVE OF THE PARTY OF THE
Action	Date	FR Cite

End Review 07/09/84

Small Entity: No

Agency Contact: Kathleen L. Slover. Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB58

[FR Doc. 85-6368 Filed 04-26-65; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI)

Minerals Management Service (MMS)

Current and Projected Rulemakings

SUSPENSION AND DEBARMENT AS **ADDITIONAL PENALTY**

Priority: Undetermined

Legal Authority: 30 USC 181 et seq

CFR Citation: Not yet determined

Abstract: The Minerals Leasing Act and Federal Oil and Gas Royalty Management Act authorize assessing significant penalties for the failure to pay royalties. These penalties include financial penalties, criminal sanctions, and the authority to revoke leases. Although debarring authority is not explicitly granted, we believe we have that authority. It is needed because the other remedies may not be effective. The process approval is complicated and time consuming. There may be little incentive for a company to comply at the outset. Debarment would provide that incentive. The alternative considered is operating only under the present penalty regulations at 30 CFR 241.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	BY SHAPE
Small Entit	ty: Undetermined	

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7511

RIN: 1010-AA72

ADMINISTRATION OF 20 PERCENT SET ASIDE

Priority: Undetermined

Legal Authority: 15 USC 751

CFR Citation: Not yet determined

Abstract: Regulation for 20 percent set aside administration is needed for oversight of section 8(b)(7) of the Outer Continental Shelf Lands Act. The alternative is no oversight. The potential benefits and costs of this action have not been determined.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Small Entity	v: Undetermined	

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7511

RIN: 1010-AA73

DEVELOPMENT AND PRODUCTION OPERATIONS FOR NONENERGY MINERALS ON THE OUTER CONTINENTAL SHELF

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: Not yet determined

Abstract: Proposes the desirability of new regulations to govern Production and Development Operations on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to specify requirements in a lease document. Promulgation of regulation is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices. The regulation will require that hard mineral operations are conducted in a manner that will ensure

safety and protection of the environment.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/85	

Small Entity: Undetermined

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Orders, and Stds, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7916

RIN: 1010-AA81

SUSPENSION OF OPERATIONS FOR LEASES IN WATER DEPTHS OF 400 TO 900 METERS

Legal Authority: 43 USC 1334 CFR Citation: 30 CFR 250.12

Abstract: Amends the regulations to require the granting of an automatic suspension of operations to permit time to carry out the activities described in an approved development and production plan for leases in the Alaska, Atlantic, and Pacific OCS Regions in water depths of 400 to 900 meters (the amendment has already been made for the Gulf of Mexico OCS Region). It is expected to cut costs and increase Federal revenues by eliminating some of the uncertainties of operating in deeper water. Alternatives considered include maintaining the current policy of discretionary suspensions and granting longer primary terms in deeper water.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	

Small Entity: No

Agency Contact: John Mirabella, General Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7916

RIN: 1010-AA69

ROYALTY REGULATIONS FOR COAL AND OTHER SOLID MINERALS

Priority: Undetermined

Legal Authority: 30 USC 192 et seq; 25 USC 2102

CFR Citation: 30 CFR 201 to 249

Abstract: The proposed regulation will revise old and develop new sections to cover Royalty Management's increased responsibilities required by Federal Law. This would clarify existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	THE REAL PROPERTY.

Small Entity: Undetermined

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 653, Bldg 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA58

MISCELLANEOUS AMENDMENTS TO ROYALTY MANAGEMENT REGULATIONS

Priority: Undetermined

Legal Authority: 30 USC 181 et seq: 30 USC 1701 et seq: 30

CFR Citation: 30 CFR 202; 30 CFR 212; 30 CFR 218

Abstract: The proposed amendments would ensure consistency with other Royalty Management regulations and would conform to present practices. The amendments include the following: (1) Extend the 6-year record retention to cover solid minerals; (2) Eliminate references in regulations to provide a monthly statement of account to lessee: and (3) Provide for a change from Treasury rate to IRS interest rate applicable to assessments under solid minerals and geothermal. The potential costs and benefits of this action have not been determined. The alternative is to continue the present system of inconsistency within Royalty Management regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7511

RIN: 1010-AA80

VALUATION OF OIL FOR ROYALTY PURPOSES FROM FEDERAL AND INDIAN LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206; 25 CFR 211; 25 CFR 212

Abstract: Consistent oil valuation for royalty computation purposes from Federal and Indian leases will be prepared in response to a Linowes Commission recommendation that the Minerals Management Service issue detailed, definitive product valuation guidelines.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	11/29/82	47 FR 53822
Notice of Proposed Guidelines	12/21/82	47 FR 56871
NPRM	09/00/85	OF THE AND INC.

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Royalty Standards and Measurements Division, Denver Federal Center, MS 653, Bldg 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA30

VALUATION OF GAS AND GAS PRODUCTS FOR ROYALTY PURPOSES FROM INDIAN LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: This guideline will provide consistent valuation procedures for Royalty computations for gas and gas products from Indian leases. This guideline is being prepared in response to a Linowes Commission recommendation for detailed, definitive product valuation guidelines which contain clear terms and procedures.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	(Familia) (S)
Small Entity:	Undetermined	

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 653, Bldg. 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA40

COMPUTATION OF OIL AND GAS TRANSPORTATION ALLOWANCE

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: These regulations will establish consistent procedures for the determination of the oil and gas transportation deduction for the purpose of royalty computations. The regulations are in response to a Linowes Commission finding that current procedures are inconsistent throughout the royalty program.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	NO SERVICE

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Royalty Standards & Measurements Div., Denver Federal Center, MS 653, Bldg 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA45

COMPUTATION OF GAS PROCESSING DEDUCTIONS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: These regulations will provide consistent procedures for the determination of the gas processing deduction for the purpose of royalty computations. The regulations are in response to a Linowes Commission finding that current procedures are inconsistent throughout the royalty program.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	A Paris
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Royalty Standards & Measurements Div., Denver Federal Center, MS 653, Bldg 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA46

VALUATION OF GAS AND GAS PRODUCTS FOR ROYALTY PURPOSES, FROM FEDERAL LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: Consistent gas and gas products valuation regulations for Royalty computation purposes, from Federal leases will be prepared. These regulations are in response to a Linowes Commission recommendation that Minerals Management Service issue detailed, definitive product valuation regulations. These regulations will provide clear terms and procedures and will help clarify areas which are ambiguous. This was previously part of RIN 1010-AA30.

Timetable:

Action	Date		FR	Cite
Notice of Proposed Guidelines	11/29/82	47	FR	53822
Notice of Proposed Guidelines	12/21/82	47	FR	56871
NPRM	09/00/85			

Small Entity: Undetermined

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 653, Bldg 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA54

MEDIAN VALUE CALCULATION FOR DETERMINING OFFSHORE NATURAL GAS ROYALTIES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: Median value calculation for determining offshore natural gas royalties is being considered. Present method allows inconsistencies resulting from unclear procedures. The potential benefits and costs of the action have not been determined. The alternative is to leave existing rules unchanged.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	and today.

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7511

RIN: 1010-AA79

SUBMITTAL OF SALES CONTRACTS, DIVISION ORDERS AND SIMILAR DOCUMENTS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 207; 30 CFR 210

Abstract: Delete Part 207 and revise and consolidate into Part 210. This action will consolidate requirements for submittal of Sales contracts, Division Orders, and similar documents. There is no change in costs and benefits from this streamlining action.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	THE REAL PROPERTY.

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA60

ROYALTY-IN-KIND CRUDE OIL

Legal Authority: 30 USC 181 et seq; 43 USC 1331 et seq; 30 USC 1701 et seq

CFR Citation: 30 CFR 208; 30 CFR 209

Abstract: The royalty-in-kind provisions of these rules, some of which were transferred from the Department of Energy, will be revised in order to simplify and streamline the Federal Government's process for selling its royalty crude. The contents of existing 30 CFR 208 and 30 CFR 209 will be combined at new 30 CFR 208. 30 CFR 209 will be removed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Orie Kelm, Chief. Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA31

INFORMATION COLLECTION - SOLID MINERALS

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC 359; 25 USC 296d

CFR Citation: 30 CFR 210; 30 CFR 218

Abstract: The Department of the Interior intends to promulgate an interim rule requiring coal and other solid mineral operators/lessees to provide information to start-up and operate the Auditing and Financial System (AFS) for solid minerals produced on Federal and Indian lands. The data collected will be used to document payments, maintain royalty accounts, and for audits.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	THE PERSON NAMED IN
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	05/00/85	
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA62

IMPLEMENTATION AND OPERATION OF THE PRODUCTION ACCOUNTING AND AUDITING SYSTEM (PAAS)

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq; 30 USC 181 et seq

CFR Citation: 30 CFR 216

Abstract: The proposed regulations set out the specific reports required from operators of Federal and Indian Leases for the implementation and operation of the Production Accounting and Auditing System. This will ensure tighter controls on Federal lands and thus result in additional revenues for the Government.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	
NPRM Comment Period Begin	03/01/85	
NPRM Comment Period End	03/31/85	

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA55

ROYALTY PAYMENTS ON TAKE OR PAY CONTRACTS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 218

Abstract: This action will reaffirm the Department's authority that royalties are due on proceeds under provisions of natural gas contracts on Federal and Indian lands. The potential costs and benefits of this action have not been determined. The alternative is not to promulgate this rule which would leave industry unclear as to what their obligations are under take or pay contracts.

Timetable:

I IIII CTUDIO		The latest
Action	Date	FR Cite
NPRM	06/00/85	Directornes
Small Entit	ty: Undetermined	

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, Mail Stop 653, Bldg. 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA75

DESIGNATION OF A SINGLE PAYOR FOR EACH FEDERAL AND INDIAN LEASE

Priority: Undetermined

Legal Authority: 30 USC 181 et seq

CFR Citation: 30 CFR 218

Abstract: The Department of the Interior is considering the establishment of a single payor requirement for each Federal and Indian lease. This was a specific recommendation by the Secretary's Advisory Committee on Minerals Accountability. The potential costs and benefits of this action have not been determined.

Timetable:

Action	Date		FR	Cite
ANPRM	12/06/84	49	FR	47624
ANPRM Comment Period Begin	12/06/84			
ANPRM Comment Period End	01/07/85			
NPRM	09/00/85			

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7511

RIN: 1010-AA76

AUDIT STANDARDS FOR COOPERATIVE AGREEMENTS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 228

Abstract: This regulation will establish minimal acceptable standards necessary for a state or Indian Tribe to enter into a cooperative agreement with the Minerals Management Service; and

the information necessary to carry out the activities authorized under the terms of the cooperative agreement.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	N. WHITE

Small Entity: Undetermined

Agency Contact: Milton K. Dial, Chief, Royalty Compliance Division, Department of the Interior, Minerals Management Service, Denver, Federal Center, Building 85, Lakewood, CO 80225, 303 231-3011

RIN: 1010-AA56

PENALTY CEILING

Priority: Undetermined

Legal Authority: 30 USC 181 et seq

CFR Citation: 30 CFR 241

Abstract: The amendment will eliminate penalty ceiling in 30 CFR 241.20 and will make it consistent with 30 CFR 241.51. There is no cost or benefit from this action. The alternative considered is to leave the inconsistency in the regulations.

Timetable:

Action	Date	FR C	Cite
NPRM	09/00/85		

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7511

RIN: 1010-AA74

AIR QUALITY

Legal Authority: 43 USC 1334 CFR Citation: 30 CFR 250.57

Abstract: This rule will be amended to establish an exemption from air quality review for Outer Continental Shelf exploration activities located more than 20 miles from shore and more than 50 miles from shore for development and production activities. Alternatives considered include having no exemption and varied mileage criteria for different activities. Exemptions would cut-down significantly the amount of paperwork required to conduct operations.

Timetable:

Action	Date	FR Cite
NPRM	06/10/83	48 FR 26837
NPRM Comment Period Begin	06/10/83	
NPRM Comment Period End	08/10/83	

Next Action Undetermined

Small Entity: No

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Orders, and Stds, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, 703 866-7916

RIN: 1010-AA33

OIL AND GAS AND SULPHUR OPERATIONS ON THE OUTER CONTINENTAL SHELF (OCS)

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250, (Revision)

Abstract: The rules at 30 CFR 250 will be revised by consolidating regulations, OCS Orders. Notices to Lessees, and related offshore operating requirements into a unified body of regulations; eliminating burdensome and counterproductive requirements; adding performance standards; and simplifying and streamlining these rules to the maximum extent practicable. Other alternatives considered were not revising the regulations and revising only those regulations identified by industry.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	06/00/85	
Final Action	09/00/85	night longs
	E. 1892), Q.C. City	

Small Entity: Undetermined

Additional Information: Merged in whole or in part into one rulemaking: 1010-AA11, 30 CFR 250.70 and .80, Penalties; 1010-AA13, 30 CFR 250.3, Disclosure of Information; 1010-AA25, OCS Order No. 2, para. 8, Safety Requirements for Drilling Operations in a H2S Environment; 1010-AA26, OCS Order No. 6, Well Completion of Oil & Gas Wells; 1010-AA28, OCS Order No. 11, Oil & Gas Production Rates, Prevention Waste, & Protection of

Correlative Rights; 1010-AA32, 30 CFR 250.45, Reports of Accidents & Malfunctions; 1010-AA34, 30 CFR 250.75, Self-Inspection; 1010-AA47, 30 CFR 250.80-2, Remedies & Penalties; 1010-AA48, 30 CFR 250, Environmental Reports; 1010-AA49, 30 CFR 250, Protection of Cultural Resources; 1010-AA50, 30 CFR 250.35, Effects of Drilling & Reworking on Lease Term; 1010-AA51, OCS Order No. 5, Production Safety Systems; 1010-AA52; OCS Order No. 9, Pipelines.

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, 703 860-7916

RIN: 1010-AA53

NONDISCRIMINATION IN OUTER CONTINENTAL SHELF CONTRACTING

Legal Authority: 43 USC 1863 CFR Citation: 30 CFR 250

Abstract: The proposed rule would prohibit unlawful discrimination in contracting activities conducted in support of oil and gas exploration, development, and production on the Outer Continental Shelf (OCS). The rules would also provide a process whereby persons who believed they had been denied a contract because of unlawful discrimination would have a forum. Violators would be subject to the same penalties that are available for other OCS rule violations. These proposed rules would implement the purposes of section 604 of the OCS Lands Act Amendments of 1978. Alternatives considered span from the issuance of a policy statement and no rules to a proposal of extensive affirmative action rules similar to those rescinded in the past. Very few complaints are expected to arise as there has been no evidence of discrimination to date. Therefore, the costs are expected to be minimal.

Timetable:

Action	Date	FR Cite
NPRM	10/19/84	49 FR 41077
NPRM Comment Period Begin	10/19/84	
NPRM Comment Period End	11/19/84	
Final Action	03/30/85	

Small Entity: No

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, 703 860-7916

RIN: 1010-AA63

REMOVAL OF POSTPRODUCTION PLATFORMS

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250

Abstract: Information is being solicited concerning requirements governing removal of postproduction platforms. Changes could provide more latitude for disposition of platforms following the completion of OCS oil and gas operations. Benefits could include increased development of marine life, improvements in private and commercial fishing, and reduced costs to industry. Alternative is to leave existing rules unchanged.

Timetable:

Action	Date	FR Cite
ANPRM	11/13/84	49 FR 44924
ANPRM	11/13/84	
Comment Period Begin		
ANPRM	01/13/85	
Comment		
Period End		

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Mary McDonald, Program Analyst, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7916

RIN: 1010-AA66

SUSPENSION OF OPERATIONS AND LEASE CANCELLATION

Legal Authority: 43 USC 1334 CFR Citation: 30 CFR 250.12

Abstract: Amends the regulations to require the granting of an automatic suspension of operations to permit time to carry out the activities described in an approved development and production plan for a Gulf of Mexico lease in water depths of 400 to 900 meters. Alternatives considered include maintaining the current policy of discretionary suspensions and granting longer primary terms in deeper water.

The amendment is expected to cut costs and increase Federal revenues by eliminating some of the uncertainties of operating in deeper water.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/24/84	49 FR 17449
Final Action	08/00/85	

Small Entity: No

Agency Contact: Jane A. Roberts, Legislative and Regulatory Specialist, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, 703 860-7916

RIN: 1010-AA64

AIR QUALITY

Priority: Undetermined

Legal Authority: 43 USC 1334 CFR Citation: 30 CFR 250.57

Abstract: Amendments to the DOI Air Quality regulation for oil and gas operations will be proposed for Outer Continental Shelf areas adjacent to California. The changes would provide additional safeguards for those pollutants which could be critical to air quality in the region. A determination of potential costs and benefits cannot be made until responses to the Advance Notice of Proposed Rulemaking are analyzed.

Timetable:

Action	Date	FR Cite
ANPRM	01/07/85	49 FR 838
ANPRM Comment Period Begin	01/07/85	
ANPRM Comment Period End	03/08/85	
NPRM	09/00/85	

Small Entity: Undetermined

Agency Contact: John Mirabella, General Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, 703 860-7916

RIN: 1010-AA61

EXPLORATION FOR NONENERGY MINERALS ON THE OUTER CONTINENTAL SHELF

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 251 or new part to be determined

Abstract: Proposes the desirability of new regulations to govern exploration on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to specify requirements in a permitting document rather than in regulations. Promulgation of regulations is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices. The rules will require that hard mineral operations will be conducted in a manner which will ensure safety and protection of the environment.

Timetable:

Action	Date	FR Cite
ANPRM	12/07/84	49 FR 47871
ANPRM Comment Period Begin	12/07/84	
ANPRM Comment Period End	04/08/85	
NPRM	01/20/86	

Small Entity: Undetermined

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Orders, and Stds, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7916

RIN: 1010-AA71

SHARING OF PROPRIETARY INFORMATION WITH STATES

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 252.7; 30 CFR 251.14; 30 CFR 250.4

Abstract: Elaborates more fully MMS policy with regard to sharing proprietary information with states which is required by sections 8(g) and 26(d) of the OCS Lands Act. The elaboration of the MMS policy will have no economic effect. The alternative is to not promulgate this amendment.

Current and Projected Rulemakings

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Orders, and Stds, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7916

RIN: 1010-AA67

© ISSUANCE OF LEASES FOR NONENERGY MINERALS ON THE OUTER CONTINENTAL SHELF

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 256 or new part to be determined

Abstract: Proposes the desirability of new regulations to govern lease issuance on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to not have leasing requirements in regulations.

Promulgation of regulation for leasing of hard mineral resources is not expected to add to the cost to industry. Regulations will ensure uniform leasing policy for all interested parties.

Timetable:

Action Date FR Cite
ANPRM 05/00/85

Small Entity: Undetermined

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Orders, and Stds, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7916

RIN: 1010-AA82

· APPEALS PROCEDURES

Priority: Undetermined

Legal Authority: 25 USC 396; 25 USC 396a; 30 USC 181 to 287; 30 USC 351 to 359; 30 USC 1001 to 1025; 30 USC 1701 to 1757; 43 USC 1331 to 1356

CFR Citation: 30 CFR 290

Abstract: Revisions to 30 CFR 290 are needed to assure that the administrative appeals procedures are compatible with the newly adopted civil penalty regulations of 30 CFR 241, are in accord with current organizational configurations, and contain new provisions concerning filing dates and the submission of confidential information. Persons exercising administrative appeals rights would be required to identify information that they claim is exempt from public disclosure and to provide second copies of appeals documents. The procedural revisions should increase efficiencies in processing appeals and reduce risks of inadvertent disclosure of private information. The maximum estimated total cost of the proposed revisions is not expected to exceed \$5,000 per year for all affected persons.

Timetable:

Action	Date	FR Cite
NIDDM	05/00/95	

Small Entity: Undetermined

Agency Contact: C. Eric Hager, Staff Assistant (Appeals), Department of the Interior, Minerals Management Service, Mail Stop 623, 12203 Surnrise Valley Drive, Reston, VA 22091, 703 860-7251

RIN: 1010-AA68

DEPARTMENT OF THE INTERIOR (DOI) Minerals Management Service (MMS)

ACCOUNTING ADJUSTMENT DATE Sm.

Priority: Undetermined

LIMITATION

Legal Authority: 30 USC 1701 et seg

CFR Citation: 30 CFR 218

Abstract: Limiting of accounting adjustments to 120 days after month of production by lessee is being considered. At present, accounting adjustments are made years later for very small amounts. There is a need to reduce the accounting entries to the account, which will generate a cost benefit. The potential costs and benefits of this action have not been rectified. The alternatives of longer and shorter times have been considered, as well as maintaining the present system.

Timetable:

Action	Date	FR Cite
Begin Review	11/01/84	
End Review	06/00/85	

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 860-7511

RIN: 1010-AA77

DIRECT PAYMENT OF ROYALTIES TO INDIAN TRIBES OR ALLOTTEES

Priority: Undetermined

Legal Authority: 25 USC 396; 25 USC 476; 25 USC 477; 25 USC 509

CFR Citation: 30 CFR 218; 25 CFR 211; 25 CFR 212

Abstract: The Minerals Management Service is considering direct payment of minerals royalties to Tribes or allottees. Annually, about \$175 million is distributed to approximately 20,000 individual allottees and Tribes. The payments are sent by the payor to MMS and from MMS to the Bureau of Indian Affairs for distribution. The present system increases the risk of making late or wrong payment and is

Existing Regulations Under Review

extremely expensive and inefficient to administer. Also, accountability is difficult to establish under the present system.

Timetable:

Action Date FR Cite
Begin Review 11/01/84
End Review 06/00/85

Small Entity: Undetermined

Agency Contact: Orie Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, [Mail Stop 66), Reston, VA 22091, 703 860-7511

RIN: 1010-AA78

DEPARTMENT OF THE INTERIOR (DOI) Minerals Management Service (MMS)

Completed Actions

COMPLETED RULEMAKINGS ROYALTY MANAGEMENT REGULATIONS FOR INDIAN LANDS

Priority: Undetermined

Legal Authority: 25 USC 2101 et seq; 30 USC 1701 et seq; Secretarial Order No. 3087, as amended

CFR Citation: 30 CFR 201 to 203; 30 CFR 206; 30 CFR 210; 30 CFR 212; 30 CFR 217 to 219; 30 CFR 228; 30 CFR 241; 30 CFR 243; 25 CFR 211; 25 CFR 212

Abstract: Royalty Management regulations affecting Indian lands will be revised following the implementation by the Bureau of Indian Affairs (BIA) of new 25 CFR 211 and 225 rules currently proposed. The royalty management regulations will be revised or modified to reflect the changes required by the Federal Oil and Gas Royalty Management Act of 1982 and Secretarial Order No. 3087 (Organizational Structuring of the Department of the Interior Minerals Management Functions).

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
Withdrawn	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Orie L. Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA39

ROYALTY MANAGEMENT REGULATIONS FOR FEDERAL LANDS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq; Secretarial Order No. 3071; Secretarial Order No. 3087, as amended

CFR Citation: 30 CFR 201 to 203; 30 CFR 206; 30 CFR 210; 30 CFR 212; 30 CFR 217 to 219; 30 CFR 228 to 229; 30 CFR 241; 30 CFR 243

Abstract: All royalty management regulations affecting Federal lands will be redesignated from Title 43 and will be revised or modified to reflect the changes required by the Federal Oil and Gas Royalty Management Act of 1982 and Secretarial Order Nos. 3071 and 3087 (Organizational Structuring of

the Department of the Interior Minerals Management Functions).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Withdrawn	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Orie L. Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA43

VALUATION GUIDELINES FOR COMPUTATION OF ROYALTIES FROM COAL

Priority: Undetermined

Legal Authority: 30 USC 192 et seq; Secretarial Order No. 3087; Secretarial Order No. 3071

CFR Citation: 30 CFR 206

Abstract: This guideline will provide consistent valuation procedures for coal for the purpose of royalty computations. The guideline is being prepared in response to a Linowes Commission recommendation for detailed, definitive product valuation guidelines which contain clear terms and procedures.

Timetable:

Action	Date	FR Cite
Notice of Proposed	02/00/85	
Guidelines Withdrawn	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, Bldg. 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA42

REGULATIONS FOR THE VALUATION OF OIL, GAS, AND GAS PRODUCTS FOR ROYALTY PURPOSES FROM FEDERAL AND INDIAN LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq: 25 USC 2102

CFR Citation: 30 CFR 206; 25 CFR 211; 25 CFR 212

Abstract: Existing rules will be revised to consolidate, and streamline the oil, gas and gas products valuation regulations for Federal Onshore, Offshore, and Indian leases, now in 30 CFR, Part 206, and 25 CFR, Parts 211 and 212. These revisions are being made in response to a Linowes Commission recommendation to establish a consistent product valuation policy which is less burdensome to the public, and will result in additional revenues for the Government.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	ENGLISH.
Withdrawn	02/00/85	

Small Entity: Undetermined

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, Building 85, Lakewood, CO 80225, 303 231-3184

RIN: 1010-AA59

IMPLEMENTATION OF THE FEDERAL OIL AND GAS ROYALTY MANAGEMENT ACT OF 1982

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 210; 30 CFR 212; 30 CFR 217 to 219; 30 CFR 228 to 229; 30 CFR 241; 30 CFR 243

Abstract: These parts have been revised to implement the new requirements of royalty management functions authorized by the Act and to deal primarily with the collection, accounting and distribution of royalty and rental payments from Federal and Indian lands.

Timetable:

Action	Date	FR Cite
NPRM	09/20/83	48 FR 42902
Final Action	09/21/84	49 FR 37336
Final Action Effective	10/22/84	

Small Entity: No

Additional Information: Originally scheduled: October 1983.

DOI-MMS

Completed Actions

Agency Contact: Orie Kelm, Chief. Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA41

AUDIT STANDARDS FOR DELEGATION OF AUTHORITY

Priority: Undetermined

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 229

Abstract: This regulation establishes minimum acceptable standards for states to receive delegations of authority to carry out activities of the Federal Royalty Management System. It allows states to conduct audits and investigations with respect to all Federal lands within the state (and

Indian lands with permission of the affected tribe or allottee).

Timetable:

Action	Date	FR Cite		
Interim Final Rule	10/21/84	49 FR 40024		
Final Action	01/18/85	50 FR 2663		

Small Entity: Undetermined

Agency Contact: Milton K. Dial. Chief. Royalty Compliance Division, Department of the Interior, Minerals Management Service, Denver, Federal Center, Building 85, Lakewood, CO 80225, 303 231-3011

RIN: 1010-AA57

VIABLE CORAL COMMUNITIES

Legal Authority: 43 USC 1334 CFR Citation: 43 CFR 6224

Abstract: The regulations at 43 CFR 6224 concerning protection and

management of viable coral communities were rescinded. These regulations are unenforceable due to a decision by the U.S. Court of Appeals for the Fifth Circuit. The rescission of these regulations will have no economic effect.

Timetable:

Action	Date		FR	Cite
Final Action	11/29/84	49	FR	46891
Final Action Effective	12/31/84			

Small Entity: No

Agency Contact: John Mirabella. General Engineer, Department of the Interior, Minerals Management Service Mail Stop 646, Reston, VA 22091, 703 860-7916

RIN: 1010-AA65

(FR Doc. 85-6368 Filed 04-26-85; 8:45 ami

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DEPARTMENT OF THE INTERIOR (DOI)

Office of Surface Mining Reclamation and Enforcement (OSM)

Current and Projected Rulemakings

PERMANENT REGULATORY PROGRAM **DEFINITION OF ADVERSE PHYSICAL** IMPACT

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5; 30 CFR 816.106(b); 30 CFR 817.106(b)

Abstract: This regulation addresses the result of a joint motion approved by the District Court for the District of Columbia on December 3, 1984. The final regulation will remove the definition of adverse ph physical impact; remove the limitations imposed by 30 CFR 816.106(b) and 817.106(b); and require that all reasonably available spoil in the immediate vicinity of the remining operation be used to backfill the highwall to the maximum extent technically practicable. In view of the joint motion this is the only alternative being considered. There will be little if any potential costs because of the very limited application of this rule. Therefore, benefits which will result will also be very limited. The proposed rule asks for public comment on this very issue.

Timetable:

Action	Date	FR Cite
NPRM	05/15/85	Act of the second
NPRM Comment Period Begin	05/15/85	
NPRM Comment Period End	07/25/85	
Final Action	11/19/85	

Small Entity: Undetermined

Agency Contact: Raymond E. Aufmuth, Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington. DC 20240, 202 343-4022

RIN: 1029-AA52

PERMANENT REGULATORY PROGRAM REQUIREMENTS FOR PERMITS FOR SPECIAL CATEGORIES OF MINING

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5; 30 CFR

785.19(d)

Abstract: This proposed rule would comply with a ruling by the District Court for the District of Columbia which stated that the definition of farming and agricultural activities were

not equal as it related to Alluvial Valley Floors as defined in OSM's regulations. The Court ordered that the definition be repromulgated in a manner consistent with Congressional intent. Pursuant to the Court ruling, additional guidance would be provided as to what the "essential hydrologic functions" are of AVF's.

Timetable:

Action	Date	FR Cite
NPRM	06/14/85	
NPRM Comment Period Begin	06/14/85	
NPRM Comment Period End	08/23/85	

Small Entity: Undetermined

Agency Contact: Ranvir Singh, Chief, Hydrologic Support Branch, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington DC 20240, 202 343-2156

RIN: 1029-AA54

 SURFACE COAL MINING AND **RECLAMATION OPERATIONS** PERMANENT REGULATORY **PROGRAM - CONTROL**

Priority: Agency Determination

DOI-OSM

Current and Projected Rulemakings

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5; 30 CFR 773.15; 30 CFR 773.17; 30 CFR 778.13

Abstract: The proposed rule would require the regulatory authority to make findings prior to permit issuance that the applicant and persons or business entities closely connected to the applicant do not have any outstanding unabated violations, delinquent AML reclamation fee accounts, or unpaid final civil penalties.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: George M. Stone, Jr., Chief, Branch of Compliance, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-4225

RIN: 1029-AA56

PERMANENT PROGRAM PERFORMANCE STANDARDS SURFACE AND UNDERGROUND ACTIVITIES ROADS

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5; 30 CFR 816.150; 30 CFR 816.151; 30 CFR 817.150; 30 CFR 817.151

Abstract: The regulation will address the sections that were remanded back to OSM by the action of the Court and modify some provisions that are confusing in the existing file. The changes will provide additional guidance to the surface coal mine operator in fulfilling the performance standards of the Act. Costs will not be increased because the regulations will amplify existing requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/05/85	
NPRM Comment Period Begin	07/05/85	
NPRM Comment Period End	09/13/85	

Small Entity: Undetermined

Agency Contact: Robert Wiles, General Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-1506

RIN: 1029-AA60

PERMANENT REGULATORY PROGRAM DEFINITION OF SUPPORT FACILITIES

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5

Abstract: The proposed rule will amend the definition of the term support facilities as a result of the District Court for the District of Columbia's opinion of July 6, 1984. The proposed regulation would bring additional support facilities under the Permanent Program Regulations of the Surface Mining Control and Reclamation Act and amend the definition of support facility to connote a functional relationship with a regulated facility. This proposed rule would impose only minor costs to the coal industry since relatively few operations will be affected.

Timetable:

Action	Date	FR Cite
NPRM	05/22/85	
NPRM Comment Period Begin	05/22/85	
NPRM Comment Period End	08/01/85	
Final Action	11/26/85	

Small Entity: Undetermined

Agency Contact: Raymond E. Aufmuth. Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-4022

RIN: 1029-AA61

EXEMPTION FOR COAL EXTRACTION INCIDENTAL TO THE EXTRACTION OF OTHER MINERALS

Legal Authority: 30 USC 1201 CFR Citation: 30 CFR 702

Abstract: The Surface Mining Act exempts mining operations that extract other minerals where coal does not exceed 16 2/3 percent of tonnage of minerals removed for sale. Evidence of abuse of this exemption has been given

to Congress by legitimate operators. Coal mine operators are using the exemption to avoid compliance with the Surface Mining Act's environmental protection performance standards. Proposed regulations would require operations claiming exemption to apply for exemption and report on their operations. The costs of compliance for these operations is undetermined. Benefits would be to the public in terms of protection of health, safety, and environment from detrimental effects of mining. Legitimate noncoal operators would be able to compete fairly with those operations now using the exemption to undersell their legitimate competitors.

Timetable:

Action	Date	FR Cite
NPRM	05/30/85	THE RESERVE
NPRM Comment Period Begin	05/30/85	
NPRM Comment Period End	07/30/85	
Final Action	10/30/85	
Final Action Effective	11/30/85	

Small Entity: Undetermined

Agency Contact: Jim Fary, Program Management Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-7960

RIN: 1029-AA53

RESTRICTION ON FINANCIAL INTERESTS OF STATE EMPLOYEES

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 705.5

Abstract: This rule will address whether the Office of Surface Mining should retain the exemption for members of multiple interest boards in the definition of the term "employee" in 30 CFR 705.5 for purposes of determining restrictions on financial interests of State regulatory authority employees. In the event the exemption is retained, the Office of Surface Mining would propose to define multiple interest boards qualifying for the exemption.

Current and Projected Rulemakings

Timetable:				
Action	Date		FR	Cite
NPRM	09/06/79	44	FR	52098
NPRM Comment Period Begin	05/30/84	49	FR	22498
NPRM Comment Period End	07/31/84			
Second NPRM	05/01/85			
Final Action	08/12/85	3		

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Ann L. Chapman, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-3326

RIN: 1029-AA41

EXEMPTION FOR COAL EXTRACTION INCIDENTAL TO GOVERNMENT FINANCED CONSTRUCTION

Legal Authority: 30 USC 1202; 30 USC 1211; 30 USC 1278

CFR Citation: 30 CFR 707

Abstract: The current limiting language in 30 CFR Part 707 can have at least three adverse results for the Abandoned Mine Lands (AML) Program. The inability to remove incidental amounts of coal encountered during reclamation activities can result in: 1) the loss of a valuable energy resource, 2) a no-cost subsidy of a future mining operation, and 3) a windfall profit to the mineral owner. In addition, the Federal and State governments are unable to reduce the costs of their AML projects. Participation in the incidental recovery of coal and resulting reduction in reclamation costs would allow the Federal and State AML programs to accomplish more reclamation at a substantial saving. To correct these deficiencies and to allow greater flexibility for the AML Program to remove incidental amounts of coal encountered during AML-financed reclamation activities, the clarification and expansion of the scope of Part 707 is being proposed.

Timetable:

Action	Date	FR Cite
NPRM	04/28/85	
NPRM Comment Period Begin	04/28/85	

Action	Date	FR Cite
NPRM Comment Period End	05/28/85	
Final Action	07/28/85	
Final Action Effective	08/28/85	

Small Entity: Undetermined

Agency Contact: Jim Fary, Program Management Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-7960

RIN: 1029-AA58

MAINTENANCE OF STATE
PROGRAMS AND PROCEDURES FOR
SUBSTITUTING FEDERAL
ENFORCEMENT OF STATE
PROGRAMS AND WITHDRAWING.
APPROVAL OF STATE PROGRAMS

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 733

Abstract: This rule will be revised to provide the Director, Office of Surface Mining, with additional options when problems are identified in the administration of approved State programs. The Office will propose a shortened, streamlined process for taking action when a site-specific problem arises in a State.

Timetable:

Action	Date	FR Cite
NPRM	03/29/85	S TOTAL
Final Action	08/08/85	
Small Entitue	Undetermined	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Mary Tisdale, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA42

PERMIT APPLICATION FEE SCHEDULE FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS UNDER FEDERAL, FEDERAL LANDS NOT UNDER COOPERATIVE AGREEMENT, AND INDIAN LANDS PROGRAMS

Legal Authority: 30 USC 1257

CFR Citation: 30 CFR 701; 30 CFR 736; 30 CFR 740; 30 CFR 746; 30 CFR 750; 30 CFR 772

Abstract: The proposed rule would govern the collection by OSM of application fees for permits to conduct surface coal mining and reclamation operations, and for permits to conduct coal exploration, as well as fees for processing mining plans and for midterm review of surface coal mining and reclamation permits. Recipients of these services would be required to reimburse OSM for the actual cost incurred by the Department in providing the service.

Timetable:

Action	Date	FR Cite
NPRM	02/13/85	STATE OF THE PARTY OF
Final Action	07/11/85	

Small Entity: No

Agency Contact: Murray Newton, Acting Chief, Branch of Regulatory Programs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA48

 SURFACE COAL MINING AND RECLAMATION OPERATIONS; PERMANENT REGULATORY PROGRAM; FEDERAL PROGRAM FOR A STATE; PROCEDURAL REQUIREMENTS

Legal Authority: 30 USC 1251; 30 USC 1253 to 1269; 30 USC 1271; 30 USC 1272; 30 USC 1295

CFR Citation: 30 CFR 736.11

Abstract: OSM will propose revisions to its rules governing standards and procedures for the promulgation, implementation, revision, and termination of a Federal program for a State for coal exploration and surface coal mining operations on non-Federal and non-Indian lands within that State.

Timetable:

VA 1920 TO 1971	A CONTRACTOR OF THE PARTY OF TH	and the second second
Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Murray Newton, Chief, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5866

RIN: 1029-AA71

FEDERAL LANDS PROGRAM

Legal Authority: 30 USC 1201 et seq; 30 USC 181 et seq

CFR Citation: 30 CFR 740; 30 CFR 745; 30 CFR 746

Abstract: Various language changes will be proposed in 30 CFR 740, 745, and 746 in response to a ruling by the District Court for the District of Columbia with respect to the definition of "mining plans", the applicability of the Federal lands program, and for technical accuracy and to clarify ambiguous language that has surfaced since publication of the rules in February 1983.

Timetable:

Action	Date	FR Cite
NDDM	05/15/85	

Small Entity: Undetermined

Agency Contact: Murray Newton, Acting Chief, Branch of Regulatory Programs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA49

CRITERIA FOR DESIGNATING AREAS AS UNSUITABLE FOR SURFACE COAL MINING OPERATIONS

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 762.5

Abstract: The objection to the definitions of the terms "fragile lands" and "historic lands" in 762.5 is their requirement that damage from proposed mining to historic and other values must be irreparable or permanent before lands can be classified as fragile or historic and therefore, eligible for consideration as being unsuitable for mining. The court order requires only a finding of significant damage, in

accordance with Section 522(a)(3)(b) of the Act. In as much as the required wording "significant damage" is used in 762.11(b)(2) in the fragile-or-historiclands criterion for designating lands as unsuitable, rather than using the wording of the two definitions, the proposed rule change would remove the degree-of-damage requirement from the definitions and thereby remove the wording objected to. In addition, the two terms would be combined into the one term "fragile or historic lands" that is used in the Act and also in 762.11(b)(2). The cost and benefits would remain unchanged because a finding of only significant damage and the combined term are already in place in 762.11(b)(2).

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	
NPRM Comment Period Begin	06/30/85	
NPRM Comment Period End	09/06/85	

Small Entity: Undetermined

Agency Contact: Marston Chase, Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5587

RIN: 1029-AA62

REQUIREMENTS FOR PERMITS AND PERMIT PROCESSING PERMIT APPLICATIONS MINIMUM REQUIREMENTS FOR LEGAL FINANCIAL CIVIL PENALTIES

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 773, (Revision); 30 CFR 778, (Revision); 30 CFR 845, (Revision)

Abstract: The existing rules pertaining to the requirements for permit and permit processing, Permit applications and civil penalties are to be amended. The proposed revisions expressly establish an affirmative obligation on permittees and permit applicants to pay uncontested penalties and abate uncontested violations. Permittees and applicants for permits must meet these obligations prior to the issuance of a permit and as a condition of continued operation under existing permits.

Timetable:

-		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Government Levels Affected: State, Federal

Agency Contact: George M. Stone, Jr., Chief, Branch of Compliance, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-4550

RIN: 1029-AA66

SURFACE MINING PERMIT APPLICATIONS MINIMUM REQUIREMENTS FOR INFORMATION ON ENVIRONMENTAL RESOURCES

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 779.20; 30 CFR 780.16; 30 CFR 783.20; 30 CFR 784.21; 30 CFR 816.97(a); 30 CFR 816.97(b); 30 CFR 817.97

Abstract: OSM is amending Fish and Wildlife performance standards at 30 CFR 816.97 to comply with the District Court's decision of October 1, 1984, which pertains to protection of endangered and threatened species and the exclusion of wildlife from toxic ponds. In addition, OSM is amending the Fish and Wildlife permitting requirements at 30 CFR 779.20 and 780.16 to provide greater flexibility and clarity.

Timetable:

Action	Date	FR Cite
NPRM	05/30/85	
NPRM Comment Period Begin	05/30/85	
NPRM Comment Period End	08/10/85	

Small Entity: Undetermined

Agency Contact: Charles Wolf, Supvy. Biological Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-1501

RIN: 1029-AA59

PERMIT APPLICATION-MINIMUM REQUIREMENTS FOR INFORMATION ON ENVIRONMENTAL RESOURCES; MINIMUM REQUIREMENTS FOR RECLAMATION AND OPERATION PLAN

Priority: Undetermined

Legal Authority: 30 USC 1257 et seq

CFR Citation: 30 CFR 779.25(i); 30 CFR 780.14(c); 30 CFR 780.25(a),(!)(i); 30 CFR 783.25(i); 30 CFR 784.16(a),(!)(i); 30 CFR 784.23(c)

Abstract: The proposed changes will address a revision to the Act which authorizes a licensed land surveyor to prepare the permit package as a lead official.

Timetable:

Action	Date	FR Cite
NPRM	10/02/84 49	FR 38958
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Stan Zeccolo.
Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-4022

RIN: 1029-AA50

O UNDERGROUND MINING PERMIT APPLICATIONS
MINIMUM REQUIREMENTS FOR RECLAMATION AND OPERATION PLAN
SUBSIDENCE CONTROL PLAN

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 784.20

Abstract: In remanding Section 817.21(c)(2) for further comment following the Permanent Surface Mining Regulation Litigation II, the court also found that the 1979 rule requiring the subsidence control plan to include the results of the pre-subsidence survey and description of proposed monitoring measure were deleted in the 1982 proposed and 1983 final rule without adequate notice. Because this regulation related to Section 817.121(c)(2) concerning the protection of surface structures, the court ordered the Secretary to request additional public comments on this deletion in conjunction with the comments of 817.121(c)(2). No other alternative to the repromulgation of this rule is being

considered because of the court order. Depending upon the number and types of comments received, this 1983 rule may or may not be changed.

Consequently, the action's potential costs and benefits cannot be assessed.

Timetable:

Action	Date	FR Cite
NPRM	04/26/85	STATE OF THE PARTY OF
NPRM Comment Period Begin	04/26/85	
NPRM Comment Period End	07/05/85	

Small Entity: Undetermined

Agency Contact: Chuan Y. Chen, Chief, Branch of Regulatory Standards, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5950

RIN: 1029-AA63

PERMANENT PROGRAM
 PERFORMANCE STANDARDS
 SURFACE AND UNDERGROUND
 MINING ACTIVITIES
 BACKFILLING AND GRADING

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816.100; 30 CFR 816.102(g); 30 CFR 816.104(a); 30 CFR 816.105(a); 30 CFR 817.100; 30 CFR 817.102; 30 CFR 817.104; 30 CFR 817.105

Abstract: The regulation will address the sections that were remanded back to OSM by the action of the Court. The regulation will provide additional guidance to the surface coal mine operator in fulfilling the performance standards of the Act. Costs will not be increased because the regulations will amplify existing requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/21/85	
NPRM Comment Period Begin	06/21/85	
NPRM Comment Period End	08/30/85	

Small Entity: Undetermined

Agency Contact: Robert Wiles, General Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5981

RIN: 1029-AA57

PERMANENT REGULATORY
PROGRAM: SUBSIDENCE CONTROLPERFORMANCE STANDARDSUNDERGROUND MINING ACTIVITIES

Priority: Undetermined

Legal Authority: 30 USC 1211(g)

CFR Citation: 30 CFR 817.121(d); 30 CFR 817.121(e)

Abstract: The proposed rule would change the requirements for mining under specified structures and facilities and bodies of water.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Small Entit	y: Undetermined	

Agency Contact: C. Y. Chen, Mining Engineer, Department of the Interior, Office of Surface Mining Reclamation

and Enforcement, 1951 Constitution

Ave. NW, Washington, DC 20240, 202

343-2160 RIN: 1029-AA47

PERMANENT PROGRAM
PERFORMANCE STANDARDS
UNDERGROUND MINING ACTIVITIES
SUBSIDENCE CONTROL

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 817,121(c)(2)

Abstract: Following Permanent Surface Mining Regulation Litigation II, the court remanded portions of the subsidence control rule relating to the protection of surface structures and facilities to Office of Surface Mining to repromulgate the rule for notice and comment, holding that the final 1983 rule represents a radical change from the 1982 proposed rule. No other alternative to the repromulgation of the 1983 rule is being considered because of the court order. Depending upon the number and type of comments received the 1983 final rule relating to the protection of surface structures and facilities may or may not be changed.

Consequently, the action's potential costs and benefits cannot be assessed.

Timetable:

Action	Date	FR Cite
NPRM	-04/26/85	
NPRM Comment Period Begin	04/26/85	
NPRM Comment Period End	07/05/85	

Small Entity: Undetermined

Agency Contact: Chuan Y. Chen, Chief, Branch of Regulatory Standards, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5950

RIN: 1029-AA65

SPECIAL PERMANENT PROGRAM PERFORMANCE STANDARDS OPERATIONS ON PRIME FARMLAND

Priority: Agency Determination

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 823.11(a); 30 CFR 823.11(b)

Abstract: These regulations are being revised as ordered by the District Court for the District of Columbia. They will amend OSM's permanent program performance standards with respect to prime farmlands by allowing last cut lakes to remain after mining is complete only where they are beneficial or necessary to agricultural activity and allowing for a support facility exemption only for underground mines. These changes are mandated by Court Order, thus, no alternatives to this action are being considered.

Timetable:

Action	Date	FR Cite	
NPRM	05/08/85		
NPRM Comment Period Begin	05/08/85	THE WAS DOING	
NPRM Comment Period End	07/18/85		

Small Entity: Undetermined

Agency Contact: Donald Smith,
Physical Scientist, Department of the
Interior, Office of Surface Mining
Reclamation and Enforcement, 1951
Constitution Avenue, NW, Washington,
DC 20240, 202 343-4023

RIN: 1029-AA64

SURFACE COAL MINING AND RECLAMATION OPERATIONS; PERMANENT REGULATORY PROGRAMS; PERMANENT PROGRAM INSPECTION AND ENFORCEMENT PROCEDURES

Legal Authority: 30 USC 1267

CFR Citation: 30 CFR 840; 30 CFR 842; 30 CFR 843

Abstract: The proposed rule would clarify inspection requirements of surface coal mining and reclamation operations under initial and permanent regulatory programs and nomenclature designations of the Office of Surface Mining field operating Units.

Timetable:

Action	Date	FR	Cite
NPRM	05/17/85		TA SPIT
Final Action	09/30/85		
Small Entity:	Undetermined		

Agency Contact: Daniel E. Stocker, Chief, Branch of Inspection, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW. Washington.

RIN: 1029-AA67

DC 20240, 202 343-5384

BLASTER TRAINING AND CERTIFICATION FOR BLASTERS AND MEMBERS OF BLASTING CREWS FOR FEDERAL PROGRAMS AND FEDERAL LANDS NOT UNDER COOPERATIVE AGREEMENTS

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 855

Abstract: The proposed rule will establish a program to train and certify persons who use or are in charge of crews that use explosives in connection with surface coal mining on Federal lands not under cooperative agreements and for Federal programs.

Timetable:

Action	Date	FR Cite
NPRM Interim Final Rule	09/11/84 00/00/00	49 FR 35714

Small Entity: No

Agency Contact: James M. Kress, Acting Chief, Branch of Regulatory Programs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA51

• RECLAMATION ON PRIVATE LAND

Legal Authority: 30 USC 1238 CFR Citation: 30 CFR 882

Abstract: To address concerns raised by Inspector General and states in regulations implementing Lien
Provisions of Surface Mining Control
Act. Provisions for documenting lien waivers and defining unclear terms will be proposed, State and Federal reclamation programs will expend more time and resources documenting their decisions to waive liens but possibility for windfall profits to private landowners from expenditure of federal funds will be decreased. Satisfaction of liens will result in recovery of federal funds.

Timetable:

Action	Dat	e FR Cite	9

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jim Fary, Program Management Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington. DC 20240, 202 343-7960

RIN: 1029-AA68

STATE RECLAMATION PLAN AMENDMENTS

Legal Authority: 30 USC 1235

CFR Citation: 30 CFR 884; 30 CFR 886

Abstract: The revised rule provides that the Director may request that a State initiate procedures to amend its reclamation plan and that the Director may establish, after consultation with the State, a timetable which is consistent with established administrative and legislative procedures in the State for submitting an amendment to the reclamation plan. Failure to amend the reclamation plan within the specified time could result in either the suspension of the AMLR Plan, reduction, suspension or

termination of existing grants or the withdrawal from consideration of all future grant applications. States may have minor administrative costs in amending their approved reclamation plans. Benefits would include more efficient and cost effective reclamation procedures.

Timetable:

Action	Date	FR Cite
NPRM	01/04/85	Services
NPRM Comment Period Begin	01/04/85	
NPRM Comment Period End	02/04/85	
Final Action	04/15/85	
Final Action Effective	05/15/85	

Small Entity: Undetermined

Agency Contact: Jim Fary, Program Management Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-7960

RIN: 1029-AA70

SUBSIDENCE INSURANCE PROGRAM GRANTS

Priority: Agency Determination

Legal Authority: HR RES 648; PL 98-473;

30 USC 1231

CFR Citation: 30 CFR 887, (New)

Abstract: Proposed regulations implementing Congressional amendment to Surface Mining Control Act that authorizes up to \$3 million to States for the establishment of state

administered self-sustaining subsidence insurance programs. If all eligible states avail themselves of the opportunity, the costs to the AML Reclamation Fund will be \$69 million. Benefits are, if land is insured, approximately \$100 million in savings to the AML reclamation program. If land is not insured, then the AML Trust Fund will lose up to a maximum of \$69 million dollars. The subsidence insurance program will result in considerable savings to home owners and commercial and industrial entities who will be able to insure their property from damage caused by subsidence in abandoned underground coal mines.

Timetable:

Action	Date	FR Cite
NPRM	04/28/85	The same
NPRM Comment Period Begin	04/28/85	
NPRM Comment Period End	05/28/85	
Final Action	07/28/85	
Final Action Effective	08/28/85	

Small Entity: Undetermined

Agency Contact: Jim Fary, Program Management Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-7960

RIN: 1029-AA55

STATE-FEDERAL COOPERATIVE AGREEMENTS

Legal Authority: 30 USC 1201 et seq.

CFR Citation: 30 CFR Subchapter T

Abstract: This Subchapter will incorporate the State-Federal Cooperative Agreements for the permanent regulatory programs on Federal lands in various States. The affected Parts in Title 30 are indicated in parentheses after each State.

Supplemental Timetable:

Alabama(901)

NPRM 01/23/85

North Dakota(934)

NPRM 06/21/82 (47 FR 26769) Final Action 09/15/83 (48 FR 41387)

Ohio(935)

NPRM 09/07/83 (48 FR 40396) Final Action 04/13/84 (49 FR 14735)

Utah(944)

NPRM 03/31/82 (47 FR 13738) Final Action 06/00/85

Virginia(946)

NPRM 06/27/83 (48 FR 29545) Final Action 06/00/85

West Virginia(948)

NPRM 06/17/83

Final Action 03/09/84 (49 FR 8913)

Wyoming(950)

NPRM 02/02/84 (49 FR 4106)

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: Murray Newton, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-

RIN: 1029-AA40

DEPARTMENT OF THE INTERIOR (DOI)

Office of Surface Mining Reclamation and Enforcement (OSM)

Completed Actions

COMPLETED RULEMAKINGS REIMBURSEMENTS TO STATES

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 725

Abstract: This rule will be reviewed to determine the extent of revision that will be required to update the grants sections. Recent policy mandated by the Department's Inspector General, the General Accounting Office and the Office of Management and Budget dictates that additions be made to this

Part and that numerous sections be updated and revised.

Timetable:

02/27/85	
	02/27/85

Small Entity: Undetermined

Agency Contact: Carole L. Battle, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-3146

RIN: 1029-AA44

STATE RECLAMATION GRANTS

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 886

Abstract: This rule will be reviewed to determine the extent of revision that

DOI-OSM

Completed Actions

will be required to update the grants sections of the abandoned mine land regulations. Recent policy mandated by the Department's Inspector General, the General Accounting Office and the Office of Management and Budget dictates that additions be made to this Part and that numerous sections be updated and revised.

Timetable:

Action	Date	FR Cite
No action expected in next year	02/27/85	

Small Entity: Undetermined

Agency Contact: Carole L. Battle, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-3146

RIN: 1029-AA46

GRANTS FOR PROGRAM DEVELOPMENT AND ADMINISTRATION AND ENFORCEMENT

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 735

Abstract: This rule will be reviewed to determine the extent of revision that will be required to update the grants sections. Recent policy mandated by the Department's Inspector General, the General Accounting Office and the Office of Management and Budget dictates that additions be made to this Part and that numerous sections be updated and revised.

Timetable:

Action	Date	FR Cite
No action	02/27/85	No. of Concession,
expected in next year	P suitible	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Carole L. Battle, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-3146

RIN: 1029-AA45

PERMANENT FEDERAL PROGRAM FOR INDIAN LANDS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 750 to 759, Subchapter E

Abstract: This rule will apply the permanent surface mining program requirements to Indian lands.

Timetable:

Action	Date		FR	Cite
NPRM	10/24/83	48	FR	49174
Final Action	09/28/84	49	FR	38462
Final Action Effective	09/28/84	49	FR	38462

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: H.B. Simpson, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-

RIN: 1029-AA28

STATE PROGRAM APPROVALS

Legal Authority: 30 USC 1201 et seq CFR Citation: 30 CFR Subchapter T

Abstract: This Subchapter contains approvals of programs for regulatory authority in States to administer the Surface Mining Control and Reclamation Act. The affected Parts in Title 30 are indicated in parentheses after each State.

Timetable:

Action	Date	FR Cite
All Rules now	10/01/84	NAME OF

Supplemental Timetable:

Massachusetts(921) - Federal Program NPRM 04/01/83 (48 FR 14006) Final Action 09/12/83 (48 FR 41000)

Rhode Island(939) - Federal Program NPRM 12/22/82 (47 FR 57246) Final Action 09/12/83 (48 FR 40990)

Tennessee (942)

NPRM 06/29/84 (49 FR 26898) Final Action 10/01/84 (49 FR 38874)

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: Murray Newton, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5866

RIN: 1029-AA38

[FR Doc. 85-6368 Filed 04-26-85; 8:45 am] BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Reclamation (RB)

RECLASSIFICATION AS IRRIGABLE OF HIGH LAND COLUMBIA BASIN PROJECT, WASHINGTON

Priority: Undetermined

Legal Authority: Sec. 8, 57 Stat 14; 16 USC 835

CFR Citation: 43 CFR 416

Abstract: Prescribe policies and procedures under which arable high

land within an irrigation district, when included in farm units or water delivery units, or in designated areas served therefrom, on the Columbia Basin Project, Washington, may be reclassified as irrigable. Such reclassification will permit the lands to receive water and be subject to assessment by the district.

Current and Projected Rulemakings

Action	Date	FR Cite
Begin Review	10/01/84	Control of the last
End Review	01/31/85	
Revocation of Rule	03/00/85	

DOI-RB

Current and Projected Rulemakings

Agency Contact: Terence Cooper, Staff Specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, 202 343-5204

RIN: 1006-AA10

NEWLANDS RECLAMATION
PROJECT, NV; TRUCKEE RIVER
STORAGE PROJECT, NV; & WASHOE
RECLAMATION PROJECT; NV-CA
(TRUCKEE & CARSON RIVER BASINS,
CA-NV); PYRAMID LAKE INDIAN
RESERVATION, NV, ETC

Priority: Undetermined

Legal Authority: 43 USC 373; 33 USC 466; 16 USC 703 to 711; 16 USC 715 to 715r; 32 Stat 388; 70 Stat 775; 72 Stat 705

CFR Citation: 43 CFR 418, (Revision)

Abstract: Allocation of water for irrigation, Indian tribes and endangered species in an area of water shortage as required by the Secretary of the Interior by Court Order orders. See Pyramid Lake Paiute Tribe of Indians v. Morton, 353 F. Supp. 252 (D.D.C. 1973) and Carson-Truckee Water Conservancy District v. Watt, 549 F. Supp. 704 (D. Nev. 1982).

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	West Town
NPRM Comment Period Begin	03/00/85	
NPRM Comment	04/00/85	

Action Date FR Cite

Small Entity: Undetermined

Rule

Additional Information: TITLE CONT: Stillwater Area, NV.

Affected Sectors: 01 AGRICULTURAL PRODUCTION-CROPS; 09 FISHING, HUNTING, AND TRAPPING

Agency Contact: Roy H. Boyd, Chief, Water Operations Branch, Department of the Interior, Bureau of Reclamation, 18th & C Streets, NW, Washington, DC 20240, 202 343-5471

RIN: 1006-AA08

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Reclamation (RB)

SALE OF LANDS IN FEDERAL RECLAMATION PROJECTS

Priority: Undetermined

Legal Authority: 32 Stat 390; 46 Stat 368; 64 Stat 40; 43 USC 373; 43 USC 424; 43 USC 375; 41 Stat 605; 46 Stat 367; 53 Stat 1197; 64 Stat 39

CFR Citation: 43 CFR 402

Abstract: Provides guidelines for the sale of withdrawn public domain lands and acquired non-Federal lands located within authorized Federal Reclamation Projects to settlers.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	10/31/85	

Small Entity: Undetermined

Additional Information: Reviewing Rule to determine what if any changes are needed to bring this rule and the acreage provisions of the 1982 Reclamation Reform Act into concurrence. Solicitor's office is preparing legal guidance.

Agency Contact: Terence Cooper, Staff Specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, 202 343-5204

RIN: 1006-AA12

UNPRODUCTIVE LAND: ELIMINATION OR EXCHANGE

Priority: Undetermined

Legal Authority: 43 USC 1201; 43 USC

CFR Citation: 43 CFR 403

Abstract: Provides the procedures for the eliminating from irrigated project lands of lands permanently unproductive, for exchanging entries, for making additional entries, amending water rights, extending time for making repayments of construction, operation and maintenance charges and for the taking over of a project by the Water User's Organization.

Timetable:

Action	Date	FR Cite
Begin Review	12/01/84	THE PROPERTY.
End Review	03/00/85	

Small Entity: Undetermined

Agency Contact: Terence Cooper, Staff Specialist - Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, 202 343-5204

RIN: 1006-AA11

EXCHANGE OR AMENDMENT OF FARM UNITS ON FEDERAL RECLAMATION PROJECTS

Priority: Undetermined

Legal Authority: 43 USC 373; 43 USC

45

CFR Citation: 43 CFR 406

Existing Regulations Under Review

Abstract: Provides methodology for the exchanging of certain unpatented farm units or private lands on a Federal irrigation project for farm units available on the same or any other such project. The exchange is limited to certain classes of qualified applicants whose lands classification indicates insufficient productivity to support a family unit.

Timetable:

Action	Date	FR Cite
Begin Review	01/02/85	LAC STREET
End Review	03/31/85	
Small Entity:	Undetermined	

Agency Contact: Terence Cooper, Staff Specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, 202 343-5204

RIN: 1006-AA09

ASSESSMENT BY IRRIGATION DISTRICTS OF LANDS OWNED BY THE UNITED STATES, COLUMBIA BASIN PROJECT, WASHINGTON

Priority: Undetermined

Legal Authority: 16 USC 835c-1; 16 USC 835c-4

CFR Citation: 43 CFR 413

Abstract: This rule, which is scheduled for review, contains the provisions which govern the levy and enforcement of assessments by or on behalf of irrigation districts against lands owned

DOI-RB

Existing Regulations Under Review

by the United States within the Columbia Basin Project.

Timetable:

Action Date FR Cite

End Review

04/00/85

Small Entity: Undetermined

Additional Information: Once all Federally owned lands within the Columbia Basin Project have been sold the rule will be deleted. The final disposal involves circumstances beyond our complete control. No changes in the rule are now contemplated.

Agency Contact: Frank E. Ellis, Department of the Interior, Bureau of Reclamation, 18th and C Streets, NW, Washington, DC 20240, 202 343-5671

RIN: 1006-AA07

OFF-ROAD VEHICLE USE

Priority: Undetermined

Legal Authority: 43 USC 391 et seq

CFR Citation: 43 CFR 420

Abstract: This rule governs the use of off-road vehicles on Bureau Lands and provides for the opening of only those lands where the use of such vehicles will not adversely affect associated project features or facilities. The provisions of this rule will be expanded

to cover the use of ultralight vehicles, since, by definition, these vehicles are excluded from control of the Federal Aviation Administration.

Timetable:

Action Date FR Cite
NPRM 06/18/85

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: R. Steven Warner, Chief, Land Management Tech. Services Branch, Department of the Interior, Bureau of Reclamation, Bldg 67, Federal Center, Denver, CO 80225, 303 776-8072

RIN: 1006-AA06

DEPARTMENT OF THE INTERIOR (DOI) Bureau of Reclamation (RB)

Completed Actions

COMPLETED RULEMAKINGS SURFACE MANAGEMENT OF RECLAMATION LANDS

Priority: Undetermined

Legal Authority: 43 USC 154; 43 USC 371 et seg

CFR Citation: 43 CFR 401

Abstract: This rule will provide the basic requirements for mineral exploration on and removal from Bureau lands. This rule also will ensure that projects are adequately protected and will provide uniformity within Bureau field offices for the requirements in managing these lands.

Timetable:

Action Date FR Cite
Withdrawn 01/28/85

Small Entity: Undetermined

Additional Information: The information collection requirements contained in this rule will be submitted

to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 et seq. Originally scheduled: April 1983.

Agency Contact: Terence Cooper, Staff Assistant Land Resources, Department of the Interior, Bureau of Reclamation, 18th and C Streets, NW, Washington, DC 20240, 202 343-5204

RIN: 1006-AA04

COMPLETED REVIEWS

OCCUPANCY OF CABIN SITES ON PUBLIC CONSERVATION AND RECREATION AREAS

Priority: Undetermined

Legal Authority: 43 USC 373; 43 USC 682; 43 USC 1201; 43 USC 869; 16 USC 664; 16 USC 686; 16 USC 690; 16 USC 725; 43 USC 315; 16 USC 3

CFR Citation: 43 CFR 21

Abstract: Establishes when, and by what standards, use of conservation

and recreation areas under private cabin permits must be modified or discontinued so as to allow the public use of such areas, and the procedures for renewing, extending, phasing out or terminating private cabin permits.

Timetable:

Action Date FR Cite

End Review No 09/17/84
changes
recommendedRule Adequate
as Printed

Small Entity: Undetermined

Agency Contact: Terence Cooper, Staff Specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, 202 343-5204

RIN: 1006-AA13

[FR Doc. 85-6368 Filed 04-26-35; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI) Bureau of Land Management (BLM)

PUBLIC LAND RECORDS

Legal Authority: 5 USC 301; 43 USC 2; 44 USC 3101; 43 USC 13; 43 USC 751; 43 USC 1201; 43 USC 2457; 43 USC 1740

CFR Citation: 43 CFR 1813

Abstract: This rule will amend the existing regulations by updating them to reflect and accommodate the transition from the Manual Record System (Tract Books, Master Plats, etc.), to an Automated Records System.

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	03/00/85	a si develo
Small Entity:	Undetermined	

DOI-BLM

Current and Projected Rulemakings

Agency Contact: Malcolm Schnitker, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-8693

RIN: 1004-AA77

OPENING AND CLOSING LANDS

Priority: Undetermined

Legal Authority: 43 USC 1740; 43 USC

1201

CFR Citation: 43 CFR 2090; 43 CFR 2091

Abstract: This rule will amend the existing regulations to: (1) clarify how and when specific actions close or open public lands; (2) provide the procedure under which information concerning opening and closing of public lands will be published in the Federal Register; and (3) eliminate confusion about when lands are open or closed by specifying if and when the record notation rule will apply.

Timetable:

Action	Date	FR Cite
NIDDAA	04/00/05	Marine Marine

Small Entity: Undetermined

Agency Contact: Jim Powell, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-6846

RIN: 1004-AA78

DESERT LAND ENTRIES

Priority: Undetermined

Legal Authority: 43 USC 321 to 323

CFR Citation: 43 CFR 2520

Abstract: This rule will revise the existing regulation to streamline and simplify its provisions, while removing burdensome and obsolete provisions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: Undetermined

Agency Contact: John Mezes,

Department of the Interior, Bureau of Land Management, 1800 C Street, NW. Washington, DC 20240, 202 343-8693

RIN: 1004-AB11

INDIAN ALLOTMENTS

Priority: Undetermined

Legal Authority: 25 USC 334

CFR Citation: 43 CFR 2530

Abstract: This rule would revise the existing regulations to remove obsolete and burdensome provisions and clarify and simplify the remaining provisions.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Small Entity	: Undetermined	

Agency Contact: John Mezes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-8693

RIN: 1004-AB10

ALASKA STATE SELECTION

Legal Authority: 94 Stat. 2437

CFR Citation: 43 CFR Subpart 2627

Abstract: This rule will be amended to provide a change in selection procedures for the State of Alaska as provided for in the amendments to the Alaska Statehood Act.

Timetable:

Action	Date		FR	Cite
NPRM	11/18/83	48	FR	48400
Final Action	04/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: January 1981.

Agency Contact: La Velle Black, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-6511

RIN: 1004-AA12

FAA AIRPORT GRANTS

Priority: Undetermined

Legal Authority: 49 USC 2215

CFR Citation: 43 CFR 2640; 43 CFR 2641

Abstract: This rule will amend the existing regulations to incorporate changes made by the Airport and Airway Improvement Act of 1982 and other procedural changes to improve the operation of the regulations.

Timetable:

Action	Date	FR	Cite
NPRM	03/00/85	3	- 15
Small Entity	Undetermined		

Small Entity: Undetermined

Agency Contact: Mark Etchart, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-8693

RIN: 1004-AA76

ALASKA NATIVE SELECTIONS

Priority: Undetermined

Legal Authority: 43 USC 1601 et seq CFR Citation: 43 CFR 2650; 43 CFR 2651

Abstract: This rule will establish a new method of charging acreage against Alaska Native Entitlement pursuant to the Alaska Native Claims Settlement Act. It will also establish a procedure for use by Alaska Native Corporations in selecting additional lands to fulfill any additional entitlement due to the change in the method of charging acreage.

Timetable:

Action	Date		FR	Cite
NPRM	07/07/84	49	FR	31457
NPRM Comment Period End	11/23/84	49	FR	41266
Final Action	03/00/85			

Small Entity: No

Agency Contact: LaVelle Black, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-6511

RIN: 1004-AA75

CONVEYANCE OF FEDERALLY-OWNED MINERAL INTERESTS

Priority: Undetermined

Legal Authority: 43 USC 1719(b)

CFR Citation: 43 CFR 2720

Abstract: This rule will be amended to make minor revisions to the existing regulations on conveyancing of Federally-owned mineral interests and to provide segregation of lands covered by an application.

Timetable:

Action	Date	FR Cite
NPRM	02/07/85	all mark
NPRM Comment Period End	04/08/85	
Final Action	10/00/85	

Current and Projected Rulemakings

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: David Hemstreet, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-8731

RIN: 1004-AA15

RECREATION AND PUBLIC PURPOSES ACT: CONVEYANCES

Legal Authority: 43 USC 869 et seq; 43 USC 1721

CFR Citation: 43 CFR 2740; 43 CFR 2910

Abstract: These rules will be amended to facilitate acquisition of public lands by States, State instrumentalities and subdivisions, including counties and municipalities, for recreational or public purposes. These amendments would not affect procedures as they relate to non-profit associations other than to require a nonrefundable application service fee.

Timetable:

Action	Date	FR Cite
NPRM	09/28/82 47	FR 42684
Final Action	03/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: John Mezes, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-8731

RIN: 1004-AA16

RIGHTS-OF-WAY: PRINCIPLES AND PROCEDURES

Legal Authority: 43 USC 1746; 30 USC 185

CFR Citation: 43 CFR 2800

Abstract: This rule will be amended to revise the schedule used in the cost reimbursement process for processing and monitoring right-of-way grants (2803.1-1; 2883.1-1).

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Action	Date	FR Cite
NPRM	01/17/83	48 FR 2110
NPRM	03/00/85	
Final Action	10/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1982.

Agency Contact: Derrell Barnes, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-5441

RIN: 1004-AA17

RIGHTS-OF-WAY; PRINCIPLES AND PROCEDURES; OIL AND NATURAL GAS PIPELINES AND RELATED FACILITIES, GENERAL

Priority: Undetermined

Legal Authority: 43 USC 1746; 30 USC

181 et seg

CFR Citation: 43 CFR 2800; 43 CFR 2880

Abstract: This rule will amend the existing right-of-way regulations to provide a clear and streamlined procedure for setting the annual rental for rights-of-way.

Timetable:

Action	Date		FR	Cite
ANPRM	05/04/84	49	FR	19049
ANPRM	07/03/84	49	FR	19049
Comment Period Begin				
Second ANPRM	01/18/85	50	FR	2697
Second ANPRM Comment Period Ends	03/19/85	50	FR	2697
NPRM	08/00/85			

Small Entity: Undetermined

Agency Contact: Derrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-5441

RIN: 1004-AA74

RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES

Priority: Undetermined

Legal Authority: 43 USC 1732; 43 USC

1740

CFR Citation: 43 CFR 2800

Abstract: This rulemaking will provide procedures for the administration of rights-of-way granted under statutes that were repealed by the Federal Land Policy and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-5441

RIN: 1004-AA99

RIGHTS-OF-WAY, PRINCIPALS AND PROCEDURES

Priority: Undetermined

Legal Authority: 43 USC 1746 CFR Citation: 43 CFR 2800

Abstract: This rule will be amended to provide for improved administration of rights-of-way under the Federal Land Policy and Management Act.

Timetable:

Date	FR Cite
05/00/85	
	TOTAL STATE OF THE PARTY OF THE

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-5441

RIN: 1004-AB00

RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Priority: Undetermined

Legal Authority: 30 USC 185 CFR Citation: 43 CFR 2880

Abstract: This rule will be amended to provide for improved administration of rights-of-way under the Mineral Leasing Act.

DOI-BLM

Current and Projected Rulemakings

Timetable:

Action Date FR Cite

NPRM 06/00/85 Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-5441

RIN: 1004-AA98

RECREATION AND PUBLIC PURPOSES ACT LEASES

Priority: Undetermined

Legal Authority: 43 USC 869 et seq

CFR Citation: 43 CFR 2910; 43 CFR 2912

Abstract: The rule will amend the existing regulations to implement policy changes as they relate to the granting of public lands for recreation and public purposes under the Recreation and Public Purposes Act.

Timetable:

Action	Date	FR	Cite
NPRM	03/00/85	-	min

Small Entity: Undetermined

Agency Contact: John Mezes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-8693

RIN: 1004-AA73

AIRPORT LEASES

Priority: Undetermined

Legal Authority: 43 USC 1201; 43 USC 1734; 43 USC 1740

CFR Citation: 43 CFR Subpart 2911

Abstract: This rule would be revised to: remove from the regulations those provisions repealed by the Federal Land Policy and Management Act of 1976 relating to withdrawals of beacon lights and air navigation facilities; to impose an increased application service fee; and to update the provisions relating to the setting of rental charges for lands leased for airport purposes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1983.

Agency Contact: Mark Etchart, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-8693

RIN: 1004-AA49

EXPLORATION ACTIVITY; OIL AND GAS LEASING

Priority: Undetermined

Legal Authority: 16 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 to 359; 40 USC 760 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 3040; 43 CFR 3100

Abstract: This rulemaking will make corrections and minor modifications to the existing regulations. It will also provide clarification on the issue of future interest.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	18
Small Entity	: Undetermined	

Agency Contact: Valliere Cacy, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2228

RIN: 1004-AA97

● EXPLORATION ACTIVITY; OIL AND GAS LEASING, OIL AND GAS LEASING - NATIONAL PETROLEUM RESERVE - ALASKA; GEOTHERMAL RESOURCE LEASING - GENERAL

Legal Authority: 30 USC 181 et seq; 30 USC 301 to 306; 30 USC 351 to 359; 43 USC 1701 et seq; PL 96-514; 40 Op. Atty. Gen. 41

CFR Citation: 43 CFR 3040; 43 CFR 3100; 43 CFR 3130; 43 CFR 3200

Abstract: This rule would amend the existing regulations as they relate to bond coverage for oil and gas and geothermal resources, including the raising of bond amounts.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Small Entity	r No	

Agency Contact: Mona Schermerhorn, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2190

RIN: 1004-AB13

OIL AND GAS LEASING

Priority: Undetermined

Legal Authority: 30 USC 181 et seq: 30 USC 351 to 359

CFR Citation: 43 CFR 3100; 43 CFR 3110; 43 CFR 3120

Abstract: This rule will amend the recently codified regulations to include procedural changes that have developed as a result of operations under the regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Valence !

Small Entity: Undetermined

Agency Contact: Valliere Cacy, Department of the Interior, Bureau of Land Management, 1800 C Street NW, Washington, DC 20240, 202 653-2190

RIN: 1004-AA72

COMBINED HYDROCARBON LEASING

Priority: Undetermined

Legal Authority: 30 USC 181 et seq; 30 USC 351 et seq; 43 USC 1701 et seq; 95 Stat. 1070

CFR Citation: 43 CFR 3140

Abstract: This rule would be amended to provide definitions of and procedures for meeting the production in paying quantities and the diligent development of tar sand requirements for all combined hydrocarbon leases.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	03/11/83	50 FR 1300
NPRM	01/10/85	50 FR 1300
Final Action	09/00/85	

Small Entity: Undetermined

Agency Contact: Edward E. Coggs, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-2892

RIN: 1004-AA70

ONSHORE OIL AND GAS OPERATIONS - NONCOMPLIANCE AND ASSESSMENTS

Priority: Undetermined

Legal Authority: 30 USC 188; 30 USC 189; 30 USC 359; 30 USC 1701 et seq; 25 USC 396; 25 USC 396d

CFR Citation: 43 CFR 3163

Abstract: This rule will amend the recently codified regulations implementing the Federal Oil and Gas Royalty Management Act to address concerns raised about the impact of the regulations on industry.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce, (202) 343-8735.

Agency Contact: Gilbert O. Lockwood, Department of the Interior, Bureau of Land Management, 1800 C Street, NW. Washington, DC 20240, 202 653-2200

RIN: 1004-AB05

ONSHORE OIL AND GAS ORDER NO. 3 - PROTECTION OF OIL AND GAS AND OTHER MINERAL DEPOSITS AND SURFACE AND SUBSURFACE WATER RESOURCES

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC 359

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.3; 43 CFR 3162.5

Abstract: This order is being issued under the revised oil and gas regulations as found in 43 CFR Part 3160. The order details the requirements for the handling, storing or disposing of water produced from oil or gas wells. It also details measures required for protection of fresh water or other minerals encountered. It replaces NTL-2B. This order is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: Undetermined

Additional Information: Onshore Oil and Gas Orders are used in place of the previously issued or proposed Notice to Lessees and Operators (NTL) which were issued by the Conservation Division of the U.S. Geological Survey.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2147

RIN: 1004-AA66

ONSHORE OIL AND GAS ORDER NO. 2 - HYDROGEN SULFIDE OPERATIONS

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC

353

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.3; 43 CFR 3162.5

Abstract: This order is being issued under the revised oil and gas regulations as found in 43 CFR Part 3160. The order details the requirements for protecting workers and the public from hydrogen sulfide. It specifies documentation needed prior to operation and measures required during drilling and production. This order is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR	Cite	
NPRM	10/15/84	49 FR	40354	
NPRM Comment Period End	01/14/85	49 FR	48576	
Final Action	08/00/85			

Small Entity: No

Additional Information: Onshore Oil and Gas Orders are used in place of the previously issued or proposed Notice to Lessees and Operators (NTL) which were issued by the Conservation Division of the U.S. Geological Survey.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2147

RIN: 1004-AA67

ONSHORE OIL AND GAS OPERATIONS - ONSHORE OIL AND GAS ORDER NUMBER 4-MEASUREMENT OF CRUDE OIL AND NATURAL GAS

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC 359; 25 USC 396; 25 USC 396(d)

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.7

Abstract: This document is being issued under the oil and gas operations regulations as found in 43 CFR Part 3160. The order details the requirements for the accurate measurement and recording of the volumes of natural gas, crude oil and lease condensation produced and sold from Federal and Indian (except Osage) leases. This includes such production from other leases which is allocated to a covered lease. This order is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Undetermined

Additional Information: Onshore Oil and Gas Orders are used in place of the previously issued or proposed Notice to Lessees and Operators (NTL) which were issued by the Conservation Division of the Geological Survey.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2147

RIN: 1004-AA96

GEOTHERMAL RESOURCES UNIT AGREEMENTS - UNPROVEN AREAS

Legal Authority: 30 USC 1001 to 1025

CFR Citation: 43 CFR 3280

Abstract: This rule, which contains the provisions governing the formation and operation of geothermal unit plans of development, will be revised to eliminate unnecessary and outdated provisions.

Timetable:

Action	Date	FR Cite
NPRM	09/00/86	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735. Originally scheduled: October 1983.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-2147

RIN: 1004-AA63

COAL MANAGEMENT: GENERAL; COAL MANAGEMENT PROVISIONS AND LIMITATIONS

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359 et seq; 30 USC 521 to 531 et seq; 30 USC 1201 et seq; 43 USC 1701 et seq; 90 Stat. 1083 to 1092

CFR Citation: 43 CFR 3400; 43 CFR 3470

Abstract: These rules will be revised to provide policies and procedures that would be followed in issuing and using certificates of bidding rights.

Timetable:

Action Date FR Cite
NPRM 11/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1983.

Agency Contact: Carole Smith, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-6821

RIN: 1004-AA58

COAL MANAGEMENT - GENERAL

Priority: Undetermined

Legal Authority: 30 USC 181 et seq: 30 USC 351 to 359

CFR Citation: 43 CFR 3400

Abstract: This rule will amend the existing regulations covering the procedures for leasing and management of Federal coal to reflect certain recommendations of the Commission on Fair Market Value Policy for Federal Coal Leasing.

Timetable:

Action Date FR Cite
NPRM 04/00/85

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Dan Dick (202) 343-4437.

Agency Contact: Tom Walker, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-4636

RIN: 1004-AA95

COAL MANAGEMENT - GENERAL

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359

CFR Citation: 43 CFR 3400

Abstract: This rule will amend the existing regulations covering the procedures for leasing and management of Federal coal to reflect certain recommendations of the Office of Technology Assessment.

Timetable:

Action Date FR Cite
NPRM 06/00/85

Small Entity: No

Additional Information: This rulemaking was split from an existing RIN, 1004-AA95, Coal Management - General.

Agency Contact: Tom Walker, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-4636

RIN: 1004-AB14

COAL LEASE AND COAL LAND EXCHANGES; ALLUVIAL VALLEY FLOORS

Legal Authority: 30 USC 1260(b)(5)

CFR Citation: 43 CFR Subpart 3436

Abstract: This rule will be revised to delete the provision requiring alluvial valley floor exchange proponents to bear all the administrative costs connected with such exchanges.

Timetable:

Action Date FR Cite
NPRM 11/00/85

Small Entity: No

Additional Information: Additional Agency Contact: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address).

Agency Contact: Carole Smith, Department of the Interior, Bureau of Land Management, 18th & C Streets, NW, Washington, DC 20240, 202 343-6821

RIN: 1004-AA64

LEASING OF SOLID MINERALS OTHER THAN COAL AND OIL SHALE

Priority: Undetermined

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359

CFR Citation: 43 CFR Group 3500

Abstract: This rulemaking is being totally revised by format only to facilitate ease of understanding and to promote clarity and efficiency. The rulemaking will divide the minerals covered into specific titles.

Timetable:

Action Date FR Cite
NPRM 03/00/85
Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACTS: Zareh Mozian (202) 343-3258; Robert C. Bruce (202) 343-8735.

Agency Contact: Marcia Rohn,
Department of the Interior, Bureau of
Land Management, 1800 C Street, NW,
Washington, DC 20240, 202 343-3258

RIN: 1004-AB01

OPERATING REGULATIONS FOR EXPLORATION, DEVELOPMENT AND PRODUCTION

Priority: Undetermined

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3570

Abstract: This rule will revise the existing regulations to streamline them and to have them reflect current policy and industry operating practices relating to the leasing of minerals other than oil and gas.

Timetable:

Action Date FR Cite
NPRM 11/00/85

Small Entity: Undetermined

Agency Contact: Harry Moritz, Department of the Interior, Bureau of Land Management, 1800 C Street, NW. Washington, DC 20240, 202 343-7722

RIN: 1004-AA68

MULTIPLE USE: MINING: MINING CLAIMS UNDER THE GENERAL MINING LAWS

Priority: Undetermined

Legal Authority: 30 USC 22 et seq; 30 USC 521 to 540; 30 USC 601 to 615; 30 USC 621 to 625; 43 USC 2; 43 USC 1732; 43 USC 1740; 61 Stat. 681

CFR Citation: 43 CFR Group 3700; 43 CFR Group 3800

Abstract: These two groups of regulations will be combined into a

Current and Projected Rulemakings

single group, with the language being revised to remove burdensome, cumbersome and unnecessary provisions. In addition, the language will be updated and clarified and some provisions will be revised to meet the needs of today's conditions.

Timetable:

Action	Date	FF	Cite
Notice of Intent to Proposed	12/27/82	47 FF	57521
Rulemaking NPRM	05/00/85		

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce, (202) 343-8735.

Agency Contact: Eugene Carlet, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-8537

RIN: 1004-AB04

FEDERAL OIL SHALE MANAGEMENT

Priority: Major

Legal Authority: 30 USC 181 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 3900

Abstract: This major rule will establish procedures for conducting a competitive leasing program, including procedures for issuing competitive oil shale leases. leasing multimineral deposits, issuing exploration licenses, and managing oil shale leases. Oil shale is a resource that has significant potential to increase the domestic energy supply and to reduce the Nation's dependence on foreign sources of energy. The rule is needed to establish procedures that will allow orderly development of this resource. Annual Federal costs of administering the oil shale leasing program described in the rule are estimated to be \$3.5 million to \$4.0 million. Total production from Federal leases is expected to range from 120,000 barrels per day to 400,000 barrels per day by the year 2000. The annual production costs associated with Federal oil shale leases are estimated to range from \$1.2 billion to \$3.1 billion. The shift in balance of payments resulting from the Federal program is estimated to be \$5.5 billion to \$7.0 billion in 1990. The rule, therefore, has been determined to be major because it is anticipated to have greater than a

\$100 million annual impact on the economy. Copies of the (cont)

Timetable:

Action	Date	FR Cite
NPRM	02/11/83	48 FR 6510
Second NPRM	08/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: Preliminary Regulatory Impact Analysis were available from the Agency Contacts upon publication of the proposed rule. Copies of the Final Regulatory Impact Analysis will be available from the Agency Contacts upon publication of the final rule. ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1982.

Analysis: Preliminary RIA 02/11/83 (48 FR 6510); Final RIA 12/00/84

Agency Contact: Elizabeth Owen, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-3258

RIN: 1004-AA04

GRAZING ADMINISTRATION -EXCLUSIVE OF ALASKA

Legal Authority: 43 USC 315; 43 USC 1181(d); 43 USC 1701 et seq; PL 98-473

CFR Citation: 43 CFR 4100; 43 CFR 4130; 43 CFR 4140; 43 CFR 4170

Abstract: This rule will amend the existing regulations to incorporate the provisions of the Department of the Interior Appropriations Act for Fiscal Year 1985 covering subleasing of grazing leases and permits.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	west to not
Constitute	No	

Small Entity: No

Agency Contact: Billy Templeton, Department of the Interior, Bureau of Land Management, 1800 C Street, NW. Washington, DC 20240, 202 653-9193

RIN: 1004-AB12

GRAZING ADMINISTRATION EXCLUSIVE OF ALASKA

Priority: Undetermined

Legal Authority: 43 USC 315; 43 USC 1181(d); 43 USC 1701 et seq

CFR Citation: 43 CFR 4110; 43 CFR 4130

Abstract: This rulemaking will amend the existing regulations to clarify questions concerning livestock and base property leases.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	27-38 gi
Final Action	07/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: R. O. Miller, (202) 343-8735

Agency Contact: Billy Templeton, Department of the Interior, Bureau of Land Management, 1800 C Street, NW. Washington, DC 20240, 202 653-9193

RIN: 1004-AA94

WILD FREE-ROAMING HORSE AND BURRO PROTECTION: MANAGEMENT AND CONTROL

Legal Authority: 16 USC 1331 to 1340; 43 USC 1701 et seq

CFR Citation: 43 CFR 4700

Abstract: This part will be revised in order to reorganize the regulations into a logical, consistent format and to remove needless self-regulation more appropriate for the Bureau Manual. In addition, related rules will be consolidated (aircraft and motor vehicles - 4730 and 4740; removal of horses and burros - 4720, 4740 and 4750), and rules which have no foundation in the law will be eliminated (problem animals - (4740.3(c); fencing of private land - 4750.3]). Procedures for adoption and title transfer will be clarified, and burdensome requirements for veterinarian certifications will be eased by canceling the requirement or allowing certification from any qualified official (4740.4-2 and 4740.5). The costs to those who choose to participate in the adoption program should be lessened by these revisions.

Timetable:

Action	Date		FR	Cite
NPRM	12/18/84	49	FR	49252
NPRM Comment Period End	02/19/85	49	FR	49252

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Ted Hudson (202)

343-8735 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: Richard Starke, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-9215

RIN: 1004-AA31

SALES OF FOREST PRODUCTS; GENERAL

Priority: Agency Determination Legal Authority: PL 98-478 CFR Citation: 43 CFR 5400

Abstract: This rule will provide the procedures for implementing the requirements of Public Law 98-478, the Federal Timber Contract Payment Modification Act.

Timetable:

Action	Date	FR Cite
NPRM	12/05/84	49 FR 47511
NPRM Comment Period Begin	12/05/84	49 FR 47511
NPRM Comment Period End	02/05/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Charles Frost, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-8864

RIN: 1004-AB08

PROTECTION OF SPECIAL STATUS PLANTS

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq

CFR Citation: 43 CFR 6850

Abstract: This rule will provide the procedure for protecting rare plants located on the public lands. The uncontrolled collection of these rare plants will endanger their existence.

Timetable:

Action	Date	FR Cite
THE HOLD IN		THE ONE
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: William H. Radtkey, Department of the Interior, Bureau of Land Management, 1800 C Street, NW. Washington, DC 20240, 202 653-9202

RIN: 1004-AB09

CULTURAL RESOURCE MANAGEMENT

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq; 16 USC 470 et seq; 42 USC 4321; 16 USC 432; 16 USC 470aa et seq; 42 USC 1996; 16 USC 433; 36 CFR 800.11

CFR Citation: 43 CFR 8100; 43 CFR 8110; 43 CFR 8111; 43 CFR 8140; 43 CFR 8141; 43 CFR 8142; 43 CFR 8143

Abstract: The rule will adapt a Governmentwide compliance procedure to a Bureau-specific procedure, with substantial streamlining, reduction of outside consultation, quicker management decisions that are more rapidly carried out, public land users being allowed to proceed with land or resource use with less delay and cultural resources being protected as effectively as under the existing review system of review.

Timetable:

Action	Date	FR	Cite
NPRM	08/00/85		
Small Entit	ty: Undetermined		

Agency Contact: John G. Douglas, Department of the Interior, Bureau

Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-9353

RIN: 1004-AA69

• PROCEDURES - FOSSIL FOREST RESEARCH NATURAL AREA

Legal Authority: 16 USC 1131 to 1136; 43 USC 1701 et seq; 30 USC 181 et seq; 30 USC 1201 et seq; 90 Stat. 1083 to 1092

CFR Citation: 43 CFR 8224

Abstract: This rule will provide procedures for the management and protection of natural, aesthetic, scientific, educational and paleontological values in the Fossil Forest of New Mexico.

Timetable:

Date	FR Cite
03/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Ted Hudson, (202) 343-8735 Agency Contact: F. Carl Barna,

Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-9353

RIN: 1004-AB06

PALEONTOLOGY

Legal Authority: 43 USC 1701 et seq

CFR Citation: 43 CFR 8270

Abstract: This rule will be revised to provide the procedures for the management of paleontological specimens located on the public lands.

Timetable:

Action	Date		FR	Cite
NPRM	08/17/82	47	FR	35914
Second NPRM	11/00/86			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: R.O. Miller (202) 343-8735 (see Agency Contact heading for address). The information collection requirements contained in this rule were approved by the Office of Management and Budget under 44 USC 3501 et seq and assigned clearance number 1004-0106. Originally scheduled: 07/80.

Agency Contact: Carl Barna,

Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-3207

RIN: 1004-AA27

RECREATION: GENERAL

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq; 43 USC 869; 43 USC 1181a; 43 USC 315; 43 USC 4321 et seq; 16 USC 4601 to 461; 16 USC 1131; 16 USC 1271 to 1287; 16 USC 1241; 16 USC 670; 29 USC 794

CFR Citation: 43 CFR Subpart 8300

Abstract: This rule will be amended to revise the policy statement for recreation management of the public lands.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	The same

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Ted Hudson (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: Wesley R. Henry, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-9353

RIN: 1004-AA35

USE AUTHORIZATIONS; SPECIAL RECREATION PERMITS

Legal Authority: 43 USC 1201 et seq; 43 USC 1701 et seq; 43 USC 1181a; 16 USC 460 to 6a

CFR Citation: 43 CFR Subpart 8372

Abstract: This rule is being revised to reflect revised, special recreation policies.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Ted Hudson (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: Bruce Brown,

Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-9353

RIN: 1004-AA36

MANAGEMENT OF DESIGNATED WILDERNESS AREAS

Legal Authority: 43 USC 1701 et seq; 16 USC 1131

CFR Citation: 43 CFR 8560

Abstract: This rule will provide procedures for the use of Congressionally designated wilderness areas in public lands.

Timetable:

Action	Date	FR	Cite
NPRM	06/14/83	48 FR	27366
Final Action	03/00/85		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: R.O. Miller (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: David Porter, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-6064

RIN: 1004-AA37

CADASTRAL SURVEY

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq; 48 USC 351; 43 USC 772; 43 USC 773

CFR Citation: 43 CFR 9180

Abstract: This rule would revise the existing regulations to remove obsolete and burdensome provisions and clarify and simplify the remaining provisions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: Undetermined

Agency Contact: Bernard W. Hostrop, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-8798

RIN: 1004-AB07

UNAUTHORIZED USE OF PUBLIC LANDS

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq.

CFR Citation: 43 CFR 9230

Abstract: This rule will be amended to clarify those activities that are prohibited on the public lands, to provide managers with additional authority to resolve existing violations and to clarify the authority of the Secretary of the Interior in instances of mineral trespass.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	- THE STATE OF

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: Leroy Allen, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-8815

RIN: 1004-AA38

DEPARTMENT OF THE INTERIOR (DOI) Bureau of Land Management (BLM)

COMPLETED RULEMAKINGS CONVEYANCING DOCUMENTS

Legal Authority: 43 USC 1745; 43 USC 1746

CFR Citation: 43 CFR 1860

Abstract: This rule will be amended to provide a procedure under which documents of disclaimer or corrections of conveyance documents can be applied for and obtained.

Timetable:

Action	Date		FR	Cite
NPRM	05/03/82	47	FR	19060
Final Action	09/06/84	49	FR	35296
Final Action Effective	10/09/84	49	FR	35296

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: January 1981. Completed Actions

Agency Contact: Mark Etchart, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-8693

RIN: 1004-AA05

RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Priority: Undetermined

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 2880

DOI-BLM

Completed Actions

Abstract: This rule will be amended to include a revised schedule used in the cost reimbursement process for processing and monitoring right-of-way grants and temporary use permits issued in connection with oil and gas facilities.

Timetable:

Action	Date	FR Cite
NPRM	06/25/84	49 FR 25972
NPRM Comment Period Begin	06/25/84	
NPRM Comment Period End	08/24/84	
Final Action	01/10/85	50 FR 1308
Final Action Effective	02/11/85	50 FR 1308

Small Entity: Undetermined

Additional Information: This item was separated for the rulemaking on Rightsof-Way: Principals and Procedures; Oil and Gas Pipelines and Related Facilities, RIN 1004-AA-17.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-5441

RIN: 1004-AB03

NONCOMPETITIVE LEASING

Priority: Undetermined

Legal Authority: 16 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 to 359; 43 USC 1701 et seq

CFR Citation: 43 CFR 3110.1-3(a); 43 CFR 3110.1-3(d)

Abstract: These rules will be amended to clarify that the minimum size for an oil and gas lease in the coterminous States is 640 acres or an entire surveyed or protracted section, whichever is larger and change the

minimum lease size for a noncompetitive oil and gas lease in Alaska to 2,560 acres or 4 entire contiguous sections, whichever is larger.

Timetable:

Action	Date		FR	Cite
NPRM	08/15/84	49	FR	32609
NPRM Comment Period End	10/15/84			
Final Action	01/15/85	50	FR	2048
Final Action Effective	02/14/85	50	FR	2048

Small Entity: Undetermined

Agency Contact: Valliere Cacy, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2228

RIN: 1004-AB02

[FR Doc. 85-6368 Filed 04-26-85; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI)

Geological Survey (GS)

STATE WATER RESEARCH INSTITUTE PROGRAM

Legal Authority: 42 USC 10303 Water Resources Research Act of 1984

CFR Citation: 18 CFR 501, (Revocation); 18 CFR 502, (Revocation); 18 CFR 503, (Revocation); 18 CFR 504, (Revocation); 18 CFR 505, (Revocation); 18 CFR 506, (Revocation); 18 CFR 507, (Revocation); 18 CFR 508, (Revocation); 30 CFR 401

Abstract: The purpose of this action is to establish procedures that will enable the Secretary of the Interior to meet his responsibilities in administering the program of state water research institutes reauthorized by the Water Resources Research Act of 1984. The rules and regulations presently governing the grant program were promulgated in 1964 and are not responsive to the new legislation. The new rules and regulations will primarily address matters of: administrative responsibility within the Department; state designation of the universities hosting the institutes; cost-sharing requirements and the evaluation process called for by the Act; and application and reporting procedures. The action will provide clear and consistent administrative direction to both the granting agency and the grantees. The revised rule will be redesignated as 30 CFR 401.

Current and Projected Rulemakings

Tillictable.				
Action	Date	23/	FR	Cite
NPRM	01/08/85		1985	
NPRM Comment Period End	03/11/85	50	FR	00956
Final Action	07/00/85			

Small Entity: No

Agency Contact: Madge Ertel, State Liaison Specialist, Department of the Interior, Geological Survey, Mail Stop 424 - 22092, Reston, Virginia, 703 860-7921

RIN: 1028-AA00

[FR Doc. 85-6368 Filed 04-26-85; 8:45 am]

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI)

Office of the Secretary (OS)

CRITERIA FOR DETERMINATIONS OF ADVERSE IMPACT UNDER SECTION 165(D)(2)(C)(II) AND (III) OF THE CLEAN AIR ACT

Priority: Undetermined

Legal Authority: 42 USC 7475(d)

CFR Citation: Not yet determined

Abstract: Under the Clean Air Act, the Department of the Interior, as Federal Land Manager, has the affirmative responsibility to protect the air quality related values of its class 1 areas and to consider whether proposed new major sources of air pollution will have an adverse impact on these values. The Department has developed and applied "working" criteria for making adverse impact determinations in several cases since 1982. Both industry and environmental groups have commented on the "working" criteria and requested

further rulemaking action on the

Current and Projected Rulemakings

criteria. In response to these requests, this rulemaking action would solicit public input on the working definitions as well as related technical and legal issues.

The Notice of Intent will ask several.

The Notice of Intent will ask several questions. The answers to these questions will be useful in determining alternatives and potential costs and benefits.

DOI-OS

Current and Projected Rulemakings

Action	Date	FR Cite
	06/00/85	No. of the last
ANPRM		
ANPRM	06/00/85	
Comment		
Period Begin		
ANPRM	08/00/85	
Comment		
Period End		
NPRM	00/00/00	
NPRM Comment	00/00/00	
Period Begin		
NPRM Comment	00/00/00	
Period End	00,00,00	
Interim Final	00/00/00	
Rule	00/00/00	
	00/00/00	
Final Action	00/00/00	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Molly N. Ross, Assistant Division Chief, Department of the Interior, Office of the Secretary, 18th & C Streets, NW, Room 3021, Washington, DC 20240, 202 343-4911

RIN: 1093-AA02

ADMINISTRATIVE AND COST PRINCIPLES FOR ASSISTANCE PROGRAMS

Legal Authority: 5 USC 301 CFR Citation: 43 CFR 12

Abstract: This rule implements Government-wide requirements established by the Office of Management and Budget (OMB) under OMB Circulars for the administration of assistance agreements.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	
Final Action Effective	04/00/85	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Ceceil Coleman, Grants Policy Specialist, Department of the Interior, Office of the Secretary, 18th & C Streets, NW, Washington, DC 20240, 202 343-6431

RIN: 1093-AA01

DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION

Legal Authority: 5 USC 301 CFR Citation: 48 CFR 1400

Abstract: This rule will implement changes made in the FAR as a result of the Competition in Contracting Act of 1984, P.L. 98-369.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/01/85	VIII 3

Small Entity: No

Agency Contact: William Opdyke, Chief, Branch of Policy and Regulations, Department of the Interior, Office of the Secretary, 18th & C Streets, NW, Washington, DC 20240, 202 343-3433

RIN: 1093-AA00

DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION (FAR)

Legal Authority: 5 USC 301 CFR Citation: 48 CFR 1400

Abstract: This rule will implement changes in the FAR as a result of the Small Business and Federal Procurement Competition Enhancement Act of 1984, P.L. 98-577.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

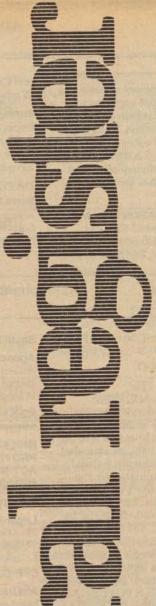
Small Entity: No

Agency Contact: William S. Opdyke, Chief, Branch of Policy and Regulations, Department of the Interior, Office of the Secretary, 18th & C Streets, NW, Washington, DC 20240, 202 343-3433

RIN: 1093-AA03

[FR Doc. 85-6368 Filed 04-26-85; 8:45 am]

BILLING CODE 4310-10-T



Monday April 29, 1985

Part XI

Department of Justice

Semiannual Regulatory Agenda



DOJ

DEPARTMENT OF JUSTICE

8 CFR Ch. I

21 CFR Ch. II

28 CFR Ch. I

48 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Legal Policy. Department of Justice.

ACTION: Regulatory agenda.

SUMMARY: The Department of Justice is publishing its April 1985 regulatory agenda pursuant to Executive Order No. 12291, "Federal Regulation," 3 CFR 127 (1981 Compilation), the Regulatory Flexibility Act, 5 U.S.C.A. 601-612 (West 1984), and Office of Management and Budget Bulletin No. 85-6, December 13, 1984.

FOR FURTHER INFORMATION CONTACT:

Janis A. Sposato, General Counsel, Justice Management Division, Department of Justice, Room 1226, 10th and Constitution Avenue, N.W., Washington, D.C. 20530 (202-633-3452).

SUPPLEMENTARY INFORMATION: The

Department has identified 33 current and projected rulemakings for inclusion in the agenda. Five of these regulations have had final actions.

DATED: April 10, 1985. James M. Spears,

Acting Assistant Attorney General, Office of Legal Policy.

Current and Projected Rulemakings

DEPARTMENT OF JUSTICE (DOJ) Civil Rights Division (CRT)

NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Priority: Agency Determination

Legal Authority: 42 USC 6103

CFR Citation: 28 CFR 42, Subpart H. (New)

Abstract: This regulation will implement the Age Discrimination Act of 1975, as amended. The proposed rule was published for comment, modified, approved by the Office of Legal Counsel, Department of Justice and forwarded to the Secretary of the Department of Health and Human Services for approval on November 10, 1980.

Timetable:

Action	Date	FR	Cite
NPRM	05/19/80	45 FR	32710
Final Action	00/00/00		

Small Entity: No

Agency Contact: Doreen Dennis, Attorney, Department of Justice, Civil Rights Division, Coordination and Review Section, Washington, DC 20530, 202 724-2219

RIN: 1190-AA03

PROCEDURES FOR THE ADMINISTRATION OF SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED

Priority: Undetermined

Legal Authority: 5 USC 301; 28 USC 509; 28 USC 510; 42 USC 1973c

CFR Citation: 28 CFR 51

Abstract: PROBLEM THE REGULATION WILL ADDRESS:

Revision of the Procedures is needed as a result of experience under them since 1981, interpretations of Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c, contained in judicial decisions, changes mandated by the 1982 Amendments to the Voting Rights Act, P.L. 97-205, 96 Stat. 131., and to set out substantive standards followed by the Attorney General. ALTERNATIVES BEING CONSIDERED: (1) Revisions to address all of the problems described above, or (2) revisions limited to incorporate changes made by the 1982 Amendments. ACTION'S POTENTIAL COSTS: None. ACTION'S POTENTIAL BENEFITS: Entities subject to Section 5 and other interested persons will receive greater guidance with respect to the procedures and standards of the Attorney General.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: David Hunter,

Attorney, Voting Section, Department of Justice, Civil Rights Division, Washington, DC 20530, 202 724-5898

RIN: 1190-AA05

IMPLEMENTATION OF THE PROVISIONS OF THE VOTING RIGHTS ACT REGARDING LANGUAGE MINORITY GROUPS

Priority: Undetermined

Legal Authority: 5 USC 301; 28 USC 509; 28 USC 510; 42 USC 1973b; 42 USC 1973j(d); 42 USC 1973aa-1a; 42 USC 1973aa-2

CFR Citation: 28 CFR 55

Abstract: Revision of the minority language guidelines is needed to conform them to new determinations of coverage and to changes mandated by the 1982 Amendments to the Voting Rights Act, PL 97-205. Affected entities and interested persons will have more accurate information with respect to the application of the minority language requirements of the Voting Rights Act.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: David H. Hunter, Attorney, Voting Section, Department of Justice, Civil Rights Division, Washington, DC 20530, 202 724-5898

RIN: 1190-AA15

DEPARTMENT OF JUSTICE (DOJ) Civil Rights Division (CRT)

Completed Actions

COMPLETED RULEMAKINGS

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF JUSTICE PROGRAMS

Priority: Agency Determination CFR Citation: 28 CFR 39

Completed:

Reason	Date	FR	Cite
Final Action	09/11/84	49 FR	35724
Final Action Effective	10/11/84	49 FR	35724

Small Entity: No

Agency Contact: Ms. Stewart B. Oneglia 202 724-2222

RIN: 1190-AA06

[FR Doc. 85-6369 Filed 04-26-85; 6:45 am] BILLING CODE 4410-01-T

DEPARTMENT OF JUSTICE (DOJ)

Drug Enforcement Administration (DEA)

Completed Actions

COMPLETED RULEMAKINGS

21 CFR PART 1304 - RECORDS AND REPORTS OF REGISTRANTS CHANGES IN REGISTRANT REPORTING REQUIREMENTS

CFR Citation: 21 CFR 1304.38(a); 21 CFR 1304.39(b); 21 CFR 1304.40

Completed:

Effective

 Reason
 Date
 FR Cite

 Final Action
 09/21/84
 49 FR 37059

 Final Action
 09/21/84
 49 FR 37059

Small Entity: No

Agency Contact: Alfred A. Russell 202 633-1570

RIN: 1117-AA01

[FR Doc. 85-6369 Filed-04-26-85; 8:45 am]

BILLING CODE 4410-01-T

DEPARTMENT OF JUSTICE (DOJ) General Administration (DOJADM)

Current and Projected Rulemakings

JUSTICE ACQUISITION REGULATIONS

Legal Authority: 41 USC 405a

CFR Citation: 48 CFR 6; 48 CFR 14; 48 CFR 15; 48 CFR 32

Abstract: The proposed regulation will implement and supplement the Competition in Contracting Act of 1984 (PL 98-369), source selection under FAR Subpart 15.6 and progress payments

Timetable:

Action Date FR Cite

Next Action Undetermined

under FAR Subpart 32.5.

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Agency Contact: Larry Silvis, Assistant

Director, Policy & Procedures Grp., Department of Justice, General Administration, 10th and Constitution Avenue, NW. Washington, DC 20530, 202 633-3217

RIN: 1103-AA02

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW REPRESENTATION AND APPEARANCES

Legal Authority: 28 USC 509; 28 USC 510; 5 USC 301; 8 USC 1103; 8 USC 1362

CFR Citation: 8 CFR 292.3; 8 CFR 3.1

Abstract: The contemplated regulation change would revise the procedure by which attorneys and representatives may be disbarred or suspended. It provides for a hearing and decision by an immigration judge, with appeal rights to the Board of Immigration Appeals and some limited review by the Attorney General. The change is desirable since it eliminates procedural entanglements between the Service and the immigration judges which exist in the current procedure.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gerald S. Hurwitz, Counsel to the Director, Department of Justice, General Administration, Executive Office for Immigration Review, Suite 1609, 5203 Leesburg Pike, Falls Church, Va 22041, 703 756-6470

RIN: 1103-AA03

PROCEDURAL RULES FOR IMMIGRATION JUDGE PROCEEDINGS

Legal Authority: 8 USC 1103; 8 USC 1158; 8 USC 1226; 8 USC 1252; 8 USC 1253

CFR Citation: 8 CFR 3; 8 CFR 103; 8 CFR 208; 8 CFR 236; 8 CFR 242; 8 CFR 243; 8 CFR 246; 8 CFR 292

Abstract: The contemplated regulation revisions would set out a group of uniform rules of procedure in immigration proceedings to provide guidance to parties appearing before immigration judges in deportation, exclusion, bond, and rescission matters. These rules are designed to assist in the

DOJ-DOJADM

Current and Projected Rulemakings

expeditious, fair, and proper resolution of matters coming before immigration judges. These rules encompass such matters as jurisdiction, venue, motions, conduct of hearing, decisions, and appeals.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gerald S. Hurwitz,

Counsel to the Director, Department of Justice, General Administration, Executive Office for Immigration Review, Suite 1609, 5203 Leesburg Pike, Falls Church, Va 22041, 703 756-6470

RIN: 1103-AA04

REPRESENTATION AND APPEARANCES

Legal Authority: 8 USC 1103; 8 USC 1362

CFR Citation: 8 CFR 292.1

Abstract: The contemplated regulation change would limit practice of foreign-licensed attorneys outside the definition of attorney under 8 CFR 1.1(f) to matters arising outside the United States and to those instances where the Immigration and Naturalization Service allows such practice. This is designed

to help assure the high quality of representation in immigration matters.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gerald S. Hurwitz, Counsel to the Director, Department of Justice, General Administration, Executive Office for Immigration Review, Suite 1609, 5203 Leesburg Pike, Falls Church, Va 22041, 703 756-6470

RIN: 1103-AA05

DEPARTMENT OF JUSTICE (DOJ) General Administration (DOJADM)

COMPLETED RULEMAKINGS

REQUESTS FOR RECOGNITION; ACCREDITATION OF REPRESENTATIVES

CFR Citation: 8 CFR 292

Completed:

 Reason
 Date
 FR Cite

 Final Action
 10/19/84
 49 FR 44084

 Final Action
 12/03/84
 49 FR 44085

 Effective
 Effective

Completed Actions

Small Entity: No

Agency Contact: David B. Holmes 703 756-6168

RIN: 1103-AA01

[FR Doc. 85-6369 Filed 04-26-85; 8:45 am]

BILLING CODE 4410-01-T

DEPARTMENT OF JUSTICE (DOJ)

Immigration and Naturalization Service (INS)

IMPOSITION OF MINIMUM BOND AS CONDITION OF RELEASE

Legal Authority: 8 USC 1103; 8 USC 1252; 8 USC 1254

CFR Citation: 8 CFR 3.1(b)(7); 8 CFR 242.2

Abstract: The proposed rule would revise the procedures relating to release of apprehended aliens. Release without bond would be authorized only for compelling interests of the government, and only by a district director of the Immigration and Naturalization Service. Neither an Immigration Judge nor the Board of Immigration Appeals would have authority to release an alien without bond.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Since the proposed rule would impact upon the newly created Executive Office For Immigration Review, it is subject to review and promulgation by the Attorney General.

Agency Contact: Michael J. Heilman,

Associate General Counsel, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW. Washington, DC 20536, 202 633-2620

Current and Projected Rulemakings

RIN: 1115-AA03

INSPECTION OF PERSONS APPLYING FOR ADMISSION; PREINSPECTION

Legal Authority: 8 USC 1103; 8 USC

CFR Citation: 8 CFR 235.5(c)

Abstract: The proposed rule would shift the financial burden for excess costs relating to INS personnel at preclearance facilities from the United States government to the benefiting carriers. These excess costs would include such items as quarters, post-ofduty differentials, and transportation of family members and household effects. DOJ-INS

Current and Projected Rulemakings

THE RESERVE OF THE PARTY OF THE	MANUAL MANUAL PROPERTY.	A 10	PER SE	10000
Action	Date		FR	Cite
NPRM	08/23/84	49	FR	33451
NPRM Comment Period Begin	08/23/84	49	FR	33451
NPRM Comment Period End	10/22/84			
Final Action	02/00/85			
Final Action	03/00/85			
Effective				

Small Entity: No

Agency Contact: Valerie M. Blake, Immigration Inspector, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, 202 633-2694

RIN: 1115-AA10

NONIMMIGRANT CLASSES; EXTENSIONS OF STAY FOR CERTAIN NONIMMIGRANT CLASSIFICATIONS

Legal Authority: 8 USC 1103; 8 USC 1184

CFR Citation: 8 CFR 214.2

Abstract: This final rule will improve the extension of stay rules for the E, J, and certain NATO nonimmigrant classifications by allowing the nonimmigrant to enter the United States for a longer period of time upon initial admission. This change should eliminate unnecessary extension of stay applications while still allowing for adequate control of these nonimmigrant groups.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	Burn Th
Final Action Effective	07/00/85	THE LOT

Small Entity: No

Agency Contact: Jeffrey Trecartin, Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, 202 633-3240

RIN: 1115-AA11

ASYLUM PROCEDURES

Legal Authority: 8 USC 1103; 8 USC 1158; 8 USC 1182; 8 USC 1225; 8 USC 1226; 8 USC 1252; 8 USC 1253

CFR Citation: 8 CFR 208; 8 CFR 235.9; 8 CFR 236.3; 8 CFR 242.17(c); 8 CFR 243.9; 8 CFR 253.1(f)

Abstract: The proposed rule would set forth procedures to be used in

adjudicating asylum and withholding of deportation applications under sections 208 and 243(h) of the Immigration and Nationality Act.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/85	
ANPRM Comment Period Begin	03/00/85	
ANPRM Comment Period End	05/00/85	

Small Entity: No

Agency Contact: Ralph B. Thomas, Immigration Inspector, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, 202 633-5463

RIN: 1115-AA13

 PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR AS A PREFERENCE IMMIGRANT; FILING DATE

Legal Authority: 8 USC 1154 CFR Citation: 8 CFR 204.1(d)(2)

Abstract: This proposed rule would require filing of third and sixth preference petitions within 30 days of issuance of a labor certification in order to preserve the date of submission to a state employment service office as the alien's priority date. Otherwise the priority date would be the date the petition is filed with the Service.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/85	
ANPRM Comment Period Begin	06/00/85	
ANPRM Comment Period End	07/00/85	

Small Entity: No

Agency Contact: Lloyd Sutherland, Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, 202 633-3946

RIN: 1115-AA14

CERTIFICATES OF CITIZENSHIP; EXAMINATION UPON APPLICATION; NATURALIZATION AND CITIZENSHIP PAPERS LOST, MUTILATED, OR DESTROYED; NEW CERTIFICATE IN CHANGED NAME

Legal Authority: 8 USC 1452; 8 USC 1454

CFR Citation: 8 CFR 341.2; 8 CFR 343a.1

Abstract: This final rule will amend the existing regulations relating to the conducting of the required interviews on every application. This will eliminate unnecessary interview time and allow more applications to be processed.

Timetable:

Action	Date	FR Cite
Final Action	09/00/85	Philipping of
Final Action Effective	09/00/85	

Small Entity: No

Agency Contact: Raymond R.
Jaroneski, Jr., Immigration Examiner,
Department of Justice, Immigration and
Naturalization Service, 425 Eye St., NW,
Washington, DC 20536, 202 633-5014

RIN: 1115-AA15

CHANGE OF NONIMMIGRANT CLASSIFICATION

Legal Authority: 8 USC 1103; 8 USC

CFR Citation: 8 CFR 248.3; 8 CFR 248.4

Abstract: This rule will require the application for change of nonimmigrant status to "H" or "L" classification to be filed with a nonimmigrant visa petition or notice of approval of the petition. It would also require that the application for change of nonimmigrant status be filed with the same district director having jurisdiction over the nonimmigrant visa petition, thus helping the Service provide a more expeditious adjudication of change of status requests by keeping related documents together.

Timetable:

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Action	Date	20	FR	Cite
NPRM	10/10/84	49	FR	39685
NPRM Comment Period Begin	10/10/84	49	FR	39685
NPRM Comment Period End	11/09/84			
Final Action	05/00/85			
Final Action Effective	06/00/85			

DOJ-INS

Current and Projected Rulemakings

Small Entity: No

Agency Contact: Jeffrey Trecartin, Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, 202 633-3240

RIN: 1115-AA16

DOCUMENTARY REQUIREMENTS: **NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE; DIRECT TRANSITS**

Legal Authority: 8 USC 1182 CFR Citation: 8 CFR 212.1(e)

Abstract: This proposed rule would restrict citizens of Bangladesh, India, Pakistan and Sri Lanka from transiting the United States without visas.

Timetable:		AND A PRO
Action	Date	FR Cite
ANPRM	02/00/85	Mile Street
ANPRM	02/00/85	
Comment Period Begin		
ANDRM	03/00/85	

Period End Small Entity: No

Comment

Agency Contact: Janet M. Charney, Immigration Inspector, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, 202 633-2694

RIN: 1115-AA17

NONIMMIGRANT CLASSES: TEMPORARY EMPLOYEES AND **INTRACOMPANY TRANSFEREES**

Legal Authority: 8 USC 1101; 8 USC

CFR Citation: 8 CFR 214.2(h); 8 CFR

214.2(1)

Abstract: This proposed rule would amend existing regulations relating to temporary employees and intracompany transferees to clarify the requirements for eligibility and facilitate public understanding of the adjudication process.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/85	b million
ANPRM Comment	09/00/85	
Period Begin ANPRM Comment	11/00/85	
Comment Period End		

Small Entity: No

Agency Contact: Aaron Bodin,

Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, 202 633-3240

Completed Actions

RIN: 1115-AA18

DEPARTMENT OF JUSTICE (DOJ)

Immigration and Naturalization Service (INS)

COMPLETED RULEMAKINGS

SPECIAL PROVISIONS RELATING TO AIRCRAFT; DESIGNATION OF PORTS OF ENTRY FOR ALIENS ARRIVING BY CIVIL AIRCRAFT

CFR Citation: 8 CFR 239.1; 8 CFR 239.2(a) & (b)

Completed:

Reason	Date	FR	Cite
Final Action	12/26/84	49 FR	50018
Final Action	01/25/85	49 FR	50018

Small Entity: No

Agency Contact: Ellis B. Linder 202 633-2745

RIN: 1115-AA09

DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; **ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE**

CFR Citation: 8 CFR 212.7(b)(4) & (5)

Completed:

Reason	Date		FR	Cite
Final Action	12/13/84	49	FR	48530
Final Action Effective	01/01/85	49	FR	48530

Small Entity: No

Agency Contact: R. Michael Miller 202 633-3320

RIN: 1115-AA12

[FR Doc. 85-6369 Filed 04-26-85; 8:45 am] BILLING CODE 4410-01-T

DEPARTMENT OF JUSTICE (DOJ) Legal Activities (LA)

Current and Projected Rulemakings

REVISION OF DEPARTMENT OF JUSTICE FEE REGULATIONS **IMPLEMENTING THE FREEDOM OF INFORMATION ACT**

Legal Authority: 28 USC 509; 28 USC 510; 5 USC 301; 5 USC 552; 31 USC 9701

CFR Citation: 28 CFR 16, (Revision)

Abstract: This is a proposed revision to the procedural regulations of the Department of Justice, 28 CFR 16.10,

setting forth the fees to be charged under the Freedom of Information Act ("FOIA"), 5 USC 552. It is proposed that this provision be amended, for the first time since 1975, to increase certain of the fees charged under the Act. No change is proposed in the current charge of 10 cents per page for duplication.

Timetable:	A STATE OF THE PARTY OF THE PAR	
Action	Date	FR Cite
NPRM	02/00/85	STATE OF STA
Final Action	04/00/85	

Current and Projected Rulemakings

Agency Contact: Richard L. Huff, Co-Director, Department of Justice, Legal Activities, Office of Information and Privacy, 202 724-7400

RIN: 1105-AA04

IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN DEPARTMENT OF JUSTICE ADMINISTRATIVE PROCEEDINGS

Priority: Undetermined

Legal Authority: 5 USC 504 Equal Access

to Justice Act

CFR Citation: 28 CFR 24, (Revision)

Abstract: The Equal Access to Justice Act is now in the process of being reauthorized by Congress. Various amendments being proposed, if adopted, will require revision of the procedures for applications for attorneys fees, eligible parties, and proceedings covered.

Timetable:

Action Date FR Cite
ANPRM 00/00/00

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Analysis: Preliminary RIA 12/00/84; Final RIA 03/00/85

Agency Contact: Helen Shaw, Department of Justice, Legal Activities, 202 633-2034

RIN: 1105-AA05

[FR Doc. 85-6369 Filed 04-26-85; 8:45 am]

BILLING CODE 4410-01-T

DEPARTMENT OF JUSTICE (DOJ)
Office of Justice Programs (OJP)

Current and Projected Rulemakings

FORMULA GRANT PROGRAM

Legal Authority: 42 USC 3701 Omnibus Crime Control and Safe Streets Act of 1968

CFR Citation: 28 CFR 31

Abstract: The regulation will provide guidance to States applying for assistance in the way of Formula Grants. Approximately \$50 million in Federal grant funds would be made available to the States.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	STATE AND A
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	05/00/85	
Final Action	05/00/85	
Final Action Effective	06/00/85	S SUBSE

Small Entity: Not Applicable

Additional Information: The \$1.5 million cost would be borne by the States.

Public Compliance Cost: Initial Cost: \$1,500,000; Yearly Recurring Cost: \$1,500,000; Base Year for Dollar Estimates: 1984

Government Levels Affected: Local, State

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Room 1268, Washington, DC 20531, 202 742-7792

RIN: 1121-AA00

LEAA ADMINISTRATIVE REVIEW PROCEDURE

Legal Authority: 42 USC 3701 Omnibus Crime Control and Safe Streets Act of 1968

CFR Citation: 28 CFR 18

Abstract: The Office of Justice Programs (OJP) proposes to revise the regulation for the hearing and appeal procedures of the Justice Assistance agencies. These include: the Office of Justice Programs (OJP); the National Institute of Justice (NIJ); the Bureau of Justice Statistics (BJS); the Bureau of Justice Assistance (BIA); the Office of Juvenile Justice and Delinquency Prevention (OJJDP); and the Office for Victims of Crime (OVC). The new regulation is necessary to reflect changes made by Congress in the authorizing legislation of these agencies. The proposed regulation will provide guidelines for the hearing and appeal process available to a block grant or formula grant applicant or recipient or a recipient of a categorical grant or cooperative agreement whose grant or cooperative agreement may be terminated.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	William will
NPRM Comment Period Begin	03/01/85	
NPRM Comment Period End	05/01/85	

Small Entity: Not Applicable

Government Levels Affected: Local, State

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Washington, DC 20531, 202 724-7795

RIN: 1121-AA01

DISCRETIONARY GRANT PROGRAM OF BJA

Legal Authority: 42 USC 3701 et seq, as amended

Abstract: The purpose is to provide additional Federal financial assistance to public agencies and private nonprofit organizations for the purposes of (1) undertaking educational and training programs for criminal justice personnel; (2) providing technical assistance to States and local units of governments: (3) undertaking projects which are national or multi-state in scope; and (4) providing financial assistance to public agencies and private nonprofit organizations for demonstration programs which are likely to be successful and not likely to be funded with moneys from other sources.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	10000
NPRM Comment Period Begin	03/01/85	
NPRM Comment Period End	05/01/85	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State

DOJ-OJP

Current and Projected Rulemakings

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Washington, DC 20531, 202 724-7795

RIN: 1121-AA02

• CRIMINAL JUSTICE BLOCK GRANTS

Legal Authority: 42 USC 3701 et seq, as amended

CFR Citation: 28 CFR 33

Abstract: The proposed regulations describe a process by which the Bureau of Justice Assistance will award block grants to the States upon approval at a simplified, two-year application. The States, in turn, make subgrants to State and local agencies for the conduct of specific programs.

Timetable:

Action	Date	FR Cite
NPRM	01/24/85	50 FR 3353
NPRM Comment Period Begin	01/24/85	50 FR 3353
NPRM Comment Period End	03/25/85	
Final Action	03/25/85	
Final Action Effective	04/25/85	no har hard

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State, Federal

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Room 1268, Washington, DC 20531, 202 724-6235

RIN: 1121-AA03

• PUBLIC SAFETY OFFICERS' DEATH BENEFITS

Legal Authority: 42 USC 3701 et seq, as amended

CFR Citation: 28 CFR 32

Abstract: The Bureau of Justice
Assistance has been authorized to
administer the PSOB program. As a
nomenclature change, this Bureau has
been substituted for the "Law
Enforcement Assistance
Administration" as the administering
agency. Other proposed changes
include: provision of coverage to
Federal public safety officers; changes
to facilitate transactions with the

Department of Labor; and clarification of "gross negligence" and "intoxication" standards.

Timetable:

Action	Date	FR Cite
NPRM	02/05/85	de nubuleus
NPRM Comment Period Begin	02/05/85	
NPRM Comment Period End	05/05/85	
Final Action	05/05/85	
Final Action Effective	07/00/85	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State, Federal

Agency Contact: Charles A. Lauer and Yvette D. Caesar, General Counsel Attorney-Advisor, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Room 1268, Washington, DC 20531, 202 724-7792

RIN: 1121-AA04

OMB ADMINISTRATIVE REQUIREMENTS FOR DOJ ASSISTANCE PROGRAMS— GRANTS ADMINISTRATION

Legal Authority: 5 USC 301; 28 USC 509; 28 USC 510

CFR Citation: 28 CFR 11

Abstract: (a) All financial assistance awards and subawards, in the form of grants and cooperative agreements, in accordance with paragraph (b) below, are subject to OMB Circulars A-102, "Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments" and A-110, "Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations", as revised.

(b)(1) Governmental recipients and subrecipients are subject to Circulars A-102 and A-87. (2) Institutions of higher education which are recipients or subrecipients are subject to Circulars A-110 and A-21. (3) Nonprofit organizations which are recipients or subrecipients are subject to Circulars A-110 and A-122.

(c) The Circulars referred to in this Part are incorporated by reference into this regulation and include all future changes upon OMB's publication of the change in the Federal Register.

Timetable:

Action	Date	FR Cite
Final Action	03/01/85	The state of the s
Final Action Effective	04/01/85	
Effective		

Small Entity: Not Applicable

Additional Information: This order is not a rule within the meaning of the Regulatory Flexibility Act, 5 USC 601-612. This order is not a major rule as defined by section 1.b of Executive Order No. 12291, 3 CFR 127 (1981). All provisions of Department of Justice program manuals, handbooks and other materials which are inconsistent with the above OMB Circulars are superseded, except to the extent that they are (a) required by statute, or (b) authorized in accordance with the exceptions provisions of a circular.

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0-

Affected Sectors: None

Government Levels Affected: Local, State, Federal

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Room 1268, Washington, DC 20531, 202 724-7795

RIN: 1121-AA05

CRIME VICTIM COMPENSATION GRANTS

Legal Authority: PL 98-473, Sec 1407 Victims of Crime Act of 1984

Abstract: The regulation will assist in implementing a grant program providing Federal financial aid to States for their crime victim compensation programs. The Victims of Crime Act of 1984 authorizes the Attorney General to make annual grants to the States from the Crime Victim Fund in the Treasury which can receive up to \$100 million annually from new penalty assessments, forfeited appearance bonds, bail bonds, collateral security from criminal defendants and certain literary profits of convicted defendants Funds permitting, compensation programs will receive 35% of their prior year's victim compensation awards. Specific program requirements regarding criteria for compensation. financial obligations, civil rights and reporting are included.

DOJ-OJP

Current and Projected Rulemakings

Timetable:				
Action	Date		FR	Cite
NPRM	03/13/85	50	FR	10119
NPRM Comment Period Begin	03/13/85	50	FR	10119
NPRM Comment Period End	04/12/85			
Final Action	06/00/85			
Final Action Effective	06/00/85			

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State

Agency Contact: Charles M. Hollis, Deputy Director, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Washington, DC 20531, 202 724-5947

RIN: 1121-AA06

• CRIME VICTIM ASSISTANCE GRANTS

Legal Authority: PL 98-473, Sec 1407 Victims of Crime Act of 1984

Abstract: The regulation will assist in implementing a grant program providing Federal financial aid to States for support of crime victim assistance programs. The Victims of Crime Act of 1984 authorizes the Attorney General to make annual grants to the States from the Crime Victims Fund in the Treasury which can receive up to \$100 million annually from new penalty assessments, forfeited appearance bonds, bail bonds, collateral security from criminal defendants, and certain literary profits of convicted defendants. Priority is given to programs providing assistance to victims of sexual assault, spousal and child abuse. Specific requirements are set forth concerning program eligibility, allocation of funds, and application procedures.

Timetable:

Action	Date	FR Cite
NPRM	03/20/85	50 FR 11262
NPRM Comment Period Begin	03/20/85	50 FR 11262
NPRM Comment Period End	05/20/85	
Final Action	07/00/85	
Final Action Effective	07/00/85	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State

Agency Contact: Charles M. Hollis, Deputy Director, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Washington, DC 20531, 202 724-5947

RIN: 1121-AA07

EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE

Legal Authority: PL 98-473 Justice Assistance Act of 1984

CFR Citation: 28 CFR 65

Abstract: Under the direction and authority of the Attorney General, the Emergency Federal Law Enforcement Assistance will function to assist State and/or local units of government in responding to a law enforcement emergency. Law enforcement emergencies are defined in the Justice Assistance Act of 1984 as uncommon situations which threaten to become of serious or epidemic proportions requiring additional law enforcement resources. The regulation sets forth application requirements and methods for the allocation of funds.

Timetable:

Action	Date	FR Cite
NPRM	04/15/85	
NPRM Comment Period Begin	04/15/85	
NPRM Comment Period End	06/15/85	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Washington, DC 20531, 202 724-7795

RIN: 1121-AA08

JUVENILE JUSTICE AND DELINQUENCY PREVENTION COMPETITION AND PEER REVIEW POLICY

Legal Authority: 42 USC 5601 Juvenile Justice & Deling Prevention Act of 1974

CFR Citation: 28 CFR 34

Abstract: The purpose of this regulation is to implement the competition and peer review requirements of Section 225(d) of the Juvenile Justice and Delinquency Prevention Act of 1974. It will govern the award of categorical grant funds under Title II, Parts B and C and ensure selection through a competitive process with appropriate formal peer review.

Timetable:

Action	Date	FR Cite
NPRM	04/15/85	
NPRM Comment Period Begin	04/15/85	
NPRM Comment Period End	05/15/85	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State

Agency Contact: Alfred S. Regnery, Administrator, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Washington, DC 20531, 202 724-7751

RIN: 1121-AA09

[FR Doc. 85-6369 Filed 04-26-85; 8:45 am]

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Monday April 29, 1985

Part XII

Department of Labor

Semiannual Regulatory Agenda



DEPARTMENT OF LABOR

Office of the Secretary

20 CFR Chs. I, IV, V, VI, and VII

29 CFR Subtitle A and Chs. II, IV, V, XVII, and XXV

30 CFR Ch. I

41 CFR Chs. 29 and 60

Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Labor.

ACTION: Semiannual agenda of regulations selected for review or development.

SUMMARY: This document sets forth the Department's Semiannual Agenda of Regulations which have been selected for review or development during the coming one year period. The agenda complies with the requirements of both Executive Order 12291 and the Regulatory Flexibility Act.

pates: The agenda includes all regulations which are expected to be under review or development between April 1985 and April 1986.

FOR FURTHER INFORMATION CONTACT:

Roland G. Droitsch, Acting Deputy Assistant Secretary for Policy, Office of the Assistant Secretary for Policy, Department of Labor, 200 Constitution Avenue, N.W., Room S2233, Washington, D.C. 20210 (202) 523-9058.

SUPPLEMENTARY INFORMATION:

Executive Order 12291 and the Regulatory Flexibility Act require the semiannual publication in the Federal Register of an agenda of regulations.

Executive Order 12291 became effective February 17, 1981, and in substance requires the Department of Labor to publish an agenda, listing all the regulations it expects to have under active consideration for promulgation, proposal or review during the coming one year period. It also requires the Department to conduct a Regulatory Impact Analysis for all "major" regulations being developed.

The Regulatory Flexibility Act became effective on January 1, 1981. It applies only to regulations for which a notice of proposed rulemaking was issued on or after January 1, 1981, and requires the Department of Labor to publish an agenda, listing all the regulations it expects to propose or promulgate that are likely to have a "significant economic impact on a substantial number of small entities" (5 U.S.C. 602). For any regulation that will have this impact, the Department must conduct a Regulatory Flexibility Analysis to gauge the economic consequences of the rule, and to analyze the availability of more flexible approaches for lightening the rule's regulatory burden on "small entities.'

If a proposed regulation will not have a "significant economic impact on a substantial number of small entities," the Department of Labor must publish a certification to that effect at the time of the general notice of proposed rulemaking or at the time of the publication of the final rule. That certification must be accompanied by a succinct statement explaining the reasons for the agency's determinations.

As permitted by law, the Department of Labor is combining in this publication its agendas under the Regulatory Flexibility Act and Executive Order 12291.

The regulatory reform process, of which the unified agenda is a part, continues to be an extremely valuable aid in the development of better regulations by the Department. We believe that our regulatory reform program has resulted in improved regulatory management, more clearly written regulations and significantly less burdensome regulations.

Further improvement is certainly needed, and we are constantly seeking new and innovative approaches in pursuit of this goal. All interested members of the public are invited and encouraged to let Departmental Officials know how our regulatory reform process can be further improved and, of course, to participate in and comment on the review or development of the regulations listed on the agenda.

The Department of Labor's next semiannual agenda, under Executive Order 12291 and the Regulatory Flexibility Act, will be published in October 1985.

Ford B. Ford,

Under Secretary of Labor.

Office of the Secretary-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1 2	Debt Collection Act Regulations: Salary Offset Right to Financial Privacy Act	1290-AA04 1290-AA05

Office of the Secretary-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
3	Debt Collection Act Regulations; Disclosure to Consumer Reporting Agencies; Administrative Offset; Interest, Penalties, and Administrative Costs	1290-AA03

Employment Standards Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
A	*Club Membership (ESA/OFCCP)	1215-AA00
5	*Club Membership (ESA/OFCCP) *Government Contractors: Nondiscrimination and Affirmative Action Obligation (ESA/OFCCP)	1215-AA01
6	Nondiscrimination and Affirmative Action Obligations for Disabled Veterans, Veterans of Vietnam Era, and Handi-	1215-AA02
7	capped Workers (ESA/OFCCP) Black Lung: Obligations of Lessors for Claims for Benefits (ESA/OWCP)	1215-AA03
8	Longshoreman's Act: Regional Offices (ESA/OWCP)	1215-AA12 1215-AA13
9	FECA Medical Fee Regulations (ESA/OWCP)	1215-AA13
10	Longshore and Harbor Workers' Compensation Act and Related Statutes	1215-AA30
12	Longshore and Harbor Workers' Compensation Act, (LHWCA) Applications for Authority to Write Insurance, How Filed: Evidence to be Submitted: Other Requirements	1215-AA31
13	*Defining and Delimiting the Terms "Any Employee Employed in a Bona Fide Executive, Administrative, or Professional Capacity" (ESA/W-H)	1215-AA14
14	Records to be Kept by Employers (ESA/W-H)	1215-AA22
15	*Wage Payments Under the Fair Labor Standards Act of 1938	1215-AA32 1215-AA33
16	General Regulations Under the Waish-Healey Public Contracts Act	1213-AA33

^{*}Indicates priority regulation.

Employment Standards Administration—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
17 18 19	Longshoremen's Act: Second Injury Relief; Annual Assessments (ESA/OWCP)	1215-AA18 1215-AA34 1215-AA35

Employment Standards Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
20 21 22 23	Black Lung Benefits. Requirements for Coal Mine Operators Insurance (ESA/OWCP) *Labor Standards Provisions, Davis-Bacon and Related Acts (ESA/W-H) *Employment of Full-Time Students at Subminimum Wages (ESA/W-H) *Employment of Minors Between Fourteen and Sixteen. Years of Age (Child Labor Regulation Number Three) (ESA/W-H)	1215-AA16 1215-AA07 1215-AA08
24 25	Child Labor Regulations Subpart E, Occupations Particularly Hazardous for the Employment of Minors 16 and 17 Years of Age Involving the Operation of Bakery Machines (ESA/W-H) *Child Labor Regulations Subpart E, Occupations Particularly Hazardous for the Employment of Minors 16 and 17 Years of Age Involving Slaughtering and Related Occupations (ESA/WH)	1215-AA20 1215-AA21
26 27 28	Child Labor Regulations Subpart E, Occupations Particularly Hazardous for the Employment of Minors 16 and 17 Years of Age Involving Motor Vehicle Drivers and Helpers (ESA/W-H) General Regulations Under the Walsh-Healey Public Contracts Act. *Employment of Homeworkers in Certain Industries	1215-AA23 1215-AA26 1215-AA27

^{*}Indicates priority regulation.

Employment and Training Administration—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
29 30 31	*Single Unit Charge Agreements	1205-AA35 1205-AA30 1205-AA33

Employment and Training Administration—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
32	Labor Certification Process for the Temporary Employment of Aliens in Agriculture and Logging in the United States	1205-AA34
33	Senior Community Service Employment Program	1205-AA29
34	*Airline Deregulation: Employee Benefit Program	1205-AA07
35	Limitations on Tax Credit Reductions and Interest on Advances to States	1205-AA14
36	Federal-State Extended Unemployment Compensation Act of 1970	1205-AA15
37	Trade Adjustment Assistance for Workers	1205-AA17
38	Unemployment Compensation for Ex-Servicemembers	1205-AA26
39	*Unemployment Insurance Quality Control Program	1205-AA28
40	*Unemployment Insurance Quality Control Program *Trade Adjustment Assistance for Workers	1205-AA31
41	*Implementation of the Deficit Reduction Act (P.L. 98-396) Provisions for Exchange of Income and Eligibility Information Among Federally-assisted Income Maintenance Programs	1205-AA32

^{*}Indicates priority regulation.

Employment and Training Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
42	*Work Incentive Program for AFDC Recipients Under Title IV of the Social Security Act	1205-AA27

^{*}Indicates priority regulation.

Office of Pension and Welfare Benefits Programs—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
43	Individual Benefit Reporting - Recordkeeping - Multiple Employer Plans	1210-AA02
44	Individual Benefit Reporting and Recordkeeping for Single Employer Plans *Plan Assets Regulation Participant Directed Individual Account Plans Loans to Participants	1210-AA03
45	*Plan Assets Regulation	1210-AA06
46	Participant Directed Individual Account Plans	1210-AA08
47	Loans to Participants	1210-AA09
48	*Proposed Everytion and Alternative Method of Compliance for Appual Reporting of Cortain Investments	1010 0011
49	Adequate Consideration *Definition of Plan Assets Employee Contributions	1210-AA15
50	*Definition of Plan Assets Employee Contributions	1210-AA16
51	Amendment of Severance Pay Regulation	1210-AA18
52	Qualified Domestic Relations Orders Under the Retirement Equity Act	1210-AA19
53	*Procedures for Administrative Imposition of Civil Sanctions	1210-AA20
54	Top Hat Plans	1210-AA21
55	The Payment of Trustees' Litigation Expenses	1210-AA22

^{*}Indicates priority regulation.

Office of Pension and Welfare Benefits Programs—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
56	Participation of Self-Regulatory Organizations in the Prohibited Transaction Exemption Process	1210-AA17

Bureau of Labor Management Relations and Cooperative Programs—Completed Actions

Se- quence Number	Title /	Regulation Identifier Number
57 58	*Airline Deregulation: First Right of Hire	1214-AA00 1214-AA01

^{*}Indicates priority regulation.

Office of Labor Management Standards—Completed Actions

Se- quence Number	Manager and the Control of the State of the Control	Regulation Identifier Number
59 60	Labor Organization Annual Report Election Enforcement Provisions of the LMRDA	1294-AA00 1294-AA01

Mine Safety and Health Administration—Current and Projected Rulemakings

Se- quence Number	Title Title	Regulation Identifier Number
61 62 63 64 65 66 67 68 69 70 71 72 73 74 75	Pattern of Violations Alternate Program for Equipment Approvals *Review of Self-Contained Self Rescue Devices (SCSR) Standards Applicable to Coal Mining *Review of Ventilation Standards Applicable to Coal Mining *Review of Hoisting and Transportation of Persons and Material Standards Applicable to Coal Mining *Safety Standards for Underground Coal Mines; Roof, Face and Rib Support *Review of Metal and Nonmetal Electricity Standards *Review of Metal and Nonmetal Gassy Mine Standards *Safety Standards for Underground Coal Mines; Explosives and Blasting *Review of Metal and Nonmetal Explosives Standards *Review of Metal and Nonmetal Explosives Standards *Review of Metal and Nonmetal Loading, Hauling, and Dumping Standards *Safety Standards for Machinery and Equipment at Metal and Nonmetal Mines. *Review of Metal and Nonmetal Air Quality Standards *Review of Metal & Nonmetal Ground Control Standards *Review of Metal & Nonmetal Ground Control Standards *Requirements of Approval of Explosives and Sheathed Explosive Units, Water Stemming Bags, Electric Detonators and Blasting Units *Mine Plan Approvals	1219-AA11 1219-AA12 1219-AA13 1219-AA14 1219-AA16 1219-AA16 1219-AA18 1219-AA18
77	*Radiation	1219-AA28

^{*}Indicates priority regulation.

Mine Safety and Health Administration—Existing Regulations Under Review

Se- quence Number	Title Fig. 1	Regulation Identifier Number
78 79 80	*Review of Electrical Standards Applicable to Coal Mining	1219-AA10 1219-AA27 1219-AA29

^{*}Indicates priority regulation.

Mine Safety and Health Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
81	*Review of Metal and Nonmetal Standards	1219-AA00
82	*Review of Safety and Health Standards Applicable to Coal Mining	1219-AA01
83	Miner Participation in the Hespirable Dust Sampling Program	1219-AA02
84	Construction Work at Surface Areas of Mines: Safety, Health Standards	1219-AA05
85	Review of Cabs or Canopies Standards Applicable to Coal Mining	1219-AA09
86	*Review of Metal and Nonmetal Fire Prevention and Control Standards	1219-AA20
87	Review of Oil and Gas Wells Standards Applicable to Coal Mining	1219-AA24

^{*}Indicates priority regulation.

Office of the Assistant Secretary for Administration and Management—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
88 89 90	*Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance from the Department of Labor *Enforcement of Nondiscrimination on the Basis of Handicap in Department of Labor Programs	1291-AA02 1291-AA04
91	Funds to State and Local Governments, Indian and Native American Entities, ETC. *Department of Labor Acquisition Regulation (DOLAR) Implementation of Competition in Contracting Act of 1984 (CICA) (Pub. L. 98-369) into DOLAR	1291-AA05

^{*}Indicates priority regulation.

Office of the Assistant Secretary for Administration and Management—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
92	*Department of Labor Acquisition Regulation (DOLAR) (Implementation of Federal Acquisition Regulation (FAR))	1291-AA03

^{&#}x27;Indicates priority regulation.

Office of the Inspector General-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
93	Implementation of the Single Audit Act of 1984	1292-AA01

Occupational Safety and Health Administration—Current and Projected Rulemakings

Se- quence Number	Title Was General Control of the Con	Regulation Identifier Number
94	Health Hazards of Chemicals in Laboratories	1010 4400
400/10/4	*Carcinogen Policy	1218-AA01
95 96	*Cotton Dust	1218-AA02
97	*Respiratory Protection	1218-AA05
98	*Ethylene Dibromide (EDB). *Lead - Reconsideration of Whole Standard.	1218-AA06
99	*Lead - Reconsideration of Whole Standard	1218-AA11
100	Lead - Coverage of the Stevedoring Industry	1218-AA13
101	Access to Employee Exposure and Medical Records	1218-AA15
102	*Asbestos	1218-AA26
103	*Methods of Compliance	1218-AA28
104	Field Sanitation	1218-AA44

Occupational Safety and Health Administration—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
105	*Benzene	1218-AA47
105	4.4'-Methylenedianiline	1218-AA58
107	*Safety and Health Regulations for Shipyard Employment	1218-AA55
108	*Safety and Health Regulations for Longshoring	1218-AA56
109	*Concrete and Masonry Construction (Concrete, Concrete Forms, and Shoring)	1218-AA20
110	*Grain Handling Facilities.	1218-AA22
111	Hazardous MaterialsFlammable and Compressed Gases	1218-AA31
112	*Electrical Safety - Related Work Practices (General Industry)	1218-AA32
113	*Powered Platforms for Exterior Building Maintenance	1218-AA33
114	*Oil and Gas Well Drilling and Servicing	1218-AA34
115	*Excavations (Excavations, Trenching, and Shoring)	1218-AA36
116	*Fall Protection (Construction)	1218-AA37
117	*Underground Construction (Tunnels and Shafts)	1218-AA38
118	*Electrical Standards - Construction	1218-AA39
119	*Scaffolds (Construction)	1218-AA40
120	*Safety Testing or Certification of Certain Workplace Equipment and Materials (Formerly entitled Accreditation of	
120	Testing Laboratories)	1218-AA42
121	*Crane or Derrick Suspended Personnel Platforms (Construction)	1218-AA45
122	*Scaffolds and Similar Work Surfaces (General Industry)	
123	*Fall Protection Systems (General Industry)	
124	*Accident Prevention Tags	1218-AA49
125	*Ladders and Similar Climbing Devices (General Industry)	1218-AA50
126	*Confined Space (General Industry)	1218-AA51
127	*Logging	1218-AA52
128	*Control of Hazardous Energy Sources (Lockout/Tagout) (General Industry)	1218-AA53
129	*Mechanical Power Presses	1218-AA54
130	*Stairways and Ladders (Construction)	1218-AA57
131	*Electric Power Generation, Transmission and Distribution	1218-AA59
132	*Revision of Recordkeeping Requirements for Testing and Maintenance Checks	1218-AA60
133	*Pulp, Paper and Paperboard Mills	1218-AA61
134	*Fall Protection (Shipyard)	1218-AA66
0.200		1218-AA68
4000		1218-AA70
	*Welding Cutting and Heating (Shipvard).	1218-AA73
138		1218-AA74
A 45		1218-AA75
		1218-AA76
141	*Hazardous MaterialsFlammable and Combustible Liquids	1218-AA77
139 140	*Scaffolds (Shipyard)	1218 1218 1218 1218 1218

^{*}Indicates priority regulation.

Occupational Safety and Health Administration—Existing Regulations Under Review

Se- quence Number	Title Title	Regulation Identifier Number
142 143 144 145	Motor Vehicles, Mechanized Equipment, and Marine Operations (Construction) Steel Erection Personal Protective Equipment (Face, Head, and Eye Protection) (General Industry) Welding, Cutting and Brazing (General Industry)	1218-AA63 1218-AA65 1218-AA71 1218-AA72

^{*}Indicates priority regulation.

Occupational Safety and Health Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
146 147	*Ethylene Oxide (EtO)	1218-AA03 1218-AA23

Occupational Safety and Health Administration—Completed Actions—Continued

Se- quence Number	Title	Regulation Identifier Number
148	*Shipyard Standards	1218-AA62

^{*}Indicates priority regulation.

Office of the Assistant Secretary for Veteran's Employment & Training Service-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
149	Annual Report From Federal Contractors	1293-AA01

DEPARTMENT OF LABOR (DOL) Office of the Secretary (OS)

Current and Projected Rulemakings

1. O DEBT COLLECTION ACT REGULATIONS: SALARY OFFSET

Legal Authority: 5 USC 5514

CFR Citation: 29 CFR 20

Abstract: These regulations will implement the Debt Collection Act of 1982 (P.L. 97-365). The Debt Collection Act gives Federal agencies new tools to collect on debts owed to the United States. These include the authority of Federal agencies to offset the current pay account of an employee ("Salary Offset") when the employee owes money to the United States. These regulations will establish the policies and procedures the Department of Labor will use to implement a salary offset, in conformance with the Office of Personnel Management Regulations on this matter (49 FR 27470).

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	
NPRM Comment Period Begin	04/30/85	
NPRM Comment Period End	05/15/85	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Seth Zinman, Assoc. Sol. for Leg. and Legal Counsel, Department of Labor, Office of the Secretary, 200 Constitution Avenue, NW, Room N-2428, Washington, DC 20210, 202 523-8201

RIN: 1290-AA04

2. • RIGHT TO FINANCIAL PRIVACY ACT

Legal Authority: 12 USC 3401 et seq Right to Financial Privacy Act of 1978

CFR Citation: 29 CFR 19, (New)

Abstract: These proposed regulations would authorize Department of Labor units to request financial records from a financial institution pursuant to the formal written request procedure established by the Right to Financial Privacy Act of 1978, 12 U.S.C. 3401 et seq., and would set forth the conditions under which such requests may be made. Section 1108(2) of the Right to Financial Privacy Act of 1978 requires that the formal written request be authorized by regulations promulgated by the head of the agency or

department. These proposed regulations would thus, once implemented, enable Department of Labor units to utilize the formal written request procedure to obtain financial records.

Timetable:		
Action	Date	FR Cite
NPRM	04/02/85	50 FR 13049
NPRM Comment Period Begin	04/02/85	
NPRM Comment Period End	05/02/85	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Seth D. Zinman, Associate Solicitor, for Legislation and Legal Counsel, Department of Labor, Office of the Secretary, Office of Solicitor, Francis Perkins, Building, 200 Constitution Avenue, NW, Washington, DC 20210 Rm N-2428, 202 523-8201

RIN: 1290-AA05

DEPARTMENT OF LABOR (DOL) Office of the Secretary (OS)

Completed Actions

COMPLETED RULEMAKINGS

3. DEBT COLLECTION ACT REGULATIONS; DISCLOSURE TO CONSUMER REPORTING AGENCIES; ADMINISTRATIVE OFFSET; INTEREST, PENALTIES, AND ADMINISTRATIVE COSTS

Legal Authority: 31 USC 3711 et seq CFR Citation: 29 CFR 20

Abstract: These regulations will implement the Debt Collection Act of 1982 (PL 97-365). The Debt Collection Act gives Federal Agencies new tools to collect on debts owed to the United States. These include the authority for Federal Agencies to disclose the existence and amount of delinquent debts to a consumer reporting agency; to collect a debt by means of an

administrative offset; and to charge interest, assess penalties and recover administrative charges to delinquent debts. These regulations establish the policies and procedures the Labor Department will employ to implement the foregoing Debt Collection Act tools. The Labor Department's rules are in conformance with the Federal claims collection standards, issued jointly by the Department of Justice and the General Accounting Office.

Timetable:

Action	Date	FR Cite
NPRM	09/18/84	49 FR 36612
NPRM Comment Period Begin	09/18/84	
NPRM Comment Period End	11/02/84	

Action	Date		FR	Cite
Final Action	02/06/85	50	FR	5201
Final Action Effective	03/08/85	50	FR	5201

Small Entity: No

Agency Contact: Seth D. Zinman, Asso. Sol. for Leg. and Legal Counsel, Department of Labor, Office of the Secretary, Francis Perkins Building, 200 Constitution Ave., NW, Rm N2428, Washington, DC 20210, 202 523-8201

RIN: 1290-AA03 [FR Doc. 85-6488 Filed 04-26-85; 8-45 am] BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL) Employment Standards Administration (ESA)

Current and Projected Rulemakings

4. CLUB MEMBERSHIP (ESA/OFCCP)

Legal Authority: EO 11246, as amended CFR Citation: 41 CFR 60-1.11

Abstract: These provisions would have made it a violation for federal contractors to pay membership fees or other expenses for employees to join an organization which limits membership on the basis of race, color, religion, sex or national origin. The Department has since proposed to withdraw this regulation. Further action on the proposed withdrawal is pending completion of additional study of the issues involved.

Timetable:

Action	Date		FR	Cite
NPRM	01/22/80	45	FR	4954
Interim Final Rule	01/16/81	46	FR	3892
Proposal of Withdrawal	03/27/81	46	FR	19004
End comment on Withdrawal Proposal	04/27/81			
Study of issues	00/00/00			
Small Entity: No				

Agency Contact: Leonard J. Biermann, Director, Division of Program Policy, Department of Labor, Employment Standards Administration, Rm C3324, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-9426

RIN: 1215-AA00

5. GOVERNMENT CONTRACTORS: NONDISCRIMINATION AND AFFIRMATIVE ACTION OBLIGATION (ESA/OFCCP)

Priority: Major, Task Force

Legal Authority: EO 11246, as amended; 38 USC 2012; 29 USC 793; 29 USC 1781

CFR Citation: 41 CFR 60-1; 41 CFR 60-2; 41 CFR 60-4; 41 CFR 60-20; 41 CFR 60-30; 41 CFR 60-50; 41 CFR 60-60; 41 CFR 60-250; 41 CFR 60-741

Abstract: These provisions contain OFCCP's rules covering nondiscrimination and affirmative action obligations of covered contractors under EO 11246, the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Rehabilitation Act of 1973, and Section 481 of the Job Training and Partnership Act. The rules would be revised to make them more cost effective, reduce paperwork burdens and assure that contractors may always hire the best qualified person regardless of race, color, religion, sex, or national origin. Proposed changes to the regulations were published in the Federal Register

on 12/28/79 and 02/22/80, and a final rule on these issues was published on 12/30/80 (45 FR 86215). The rule was stayed and reviewed in accordance with the President's Executive Order 12291 of 02/17/81. An ANPRM was published on 07/14/81 (46 FR 36213) and supplemented on 08/21/81 (46 FR 42490) to elicit comments on several issues pertaining to the regulation. A notice of proposed rulemaking was published on 08/25/81 (46 FR 42968) with comments due by 10/26/81. The proposal suspended the effective date of the 12/30/80 regulation, and proposed revision of that regulation. A final rule will be (cont)

Timetable:

Action	Date	FR Cite
ANPRM	07/14/81	46 FR 36213
Supplement to ANPRM	08/21/81	46 FR 42490
Previous NPRM & suspend eff date	08/25/81	46 FR 42968
NPRM	04/23/82	47 FR 17770
NPRM Comment Period Begin	04/23/82	
NPRM Comment Period End	05/24/82	
Final Action	12/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: forwarded to OMB for review and publication in the Federal Register.

Current and Projected Rulemakings

Agency Contact: Leonard J. Biermann, Director, Division of Program Policy, Department of Labor, Employment Standards Administration, Rm C3324, FPBldg., 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-9426

RIN: 1215-AA01

6. NONDISCRIMINATION AND AFFIRMATIVE ACTION OBLIGATIONS FOR DISABLED VETERANS, VETERANS OF VIETNAM ERA, AND HANDICAPPED WORKERS (ESA/OFCCP)

Legal Authority: 29 USC 793; 38 USC 2012

CFR Citation: 41 CFR 60-1; 41 CFR 60-250; 41 CFR 60-741

Abstract: This proposal would make the definition section of these regulations consistent with 1978 amendments to the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act, and conform these rules to changes in DOL's regulations implementing Sec 504 of the Rehabilitation Act. These provisions reflecting statutory changes have been incorporated into the 08/25/81 "main" OFCCP proposal (46 FR 42968).

Timetable:

Action	Date		FR	Cite
NPRM	12/30/80	45	FR	86205
NPRM Comment Period Begin	12/30/80	45	FR	86205
NPRM Comment Period End	03/02/81			
Final Action	12/00/85			

Small Entity: Undetermined

Agency Contact: Leonard J. Biermann, Director, Division of Program Policy, Department of Labor, Employment Standards Administration, Rm C3324, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-9426

RIN: 1215-AA02

7. BLACK LUNG: OBLIGATIONS OF LESSORS FOR CLAIMS FOR BENEFITS (ESA/OWCP)

Legal Authority: 30 USC 901 et seq CFR Citation: 20 CFR 725.491(b)(2)

Abstract: The intent of this proposal is to make explicit the Department's policy that a lessor of a coal mine, who has never actually operated such a mine, will not be held liable for the payment of benefits for black lung contracted in the course of employment in that mine and, therefore, need not insure against that possibility.

Timetable:

Action	Date		FR	Cite
NPRM	01/27/81	46	FR	8570
NPRM Comment Period Begin	01/27/81	46	FR	8570
NPRM Comment Period End	03/30/81			
Final Action	06/00/85			

Small Entity: Undetermined

Agency Contact: James DeMarce, Associate Director, Department of Labor, Employment Standards Administration, Rm C3520, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-6692

RIN: 1215-AA03

8. LONGSHOREMAN'S ACT: REGIONAL OFFICES (ESA/OWCP)

Legal Authority: 33 USC 939(b) CFR Citation: 20 CFR 702.101

Abstract: The low volume of cases received under the Longshore Act and its extensions did not justify maintaining separate longshore district offices for the disposition of cases in the Denver and Kansas City regions. Therefore, these offices were closed and their workloads transferred to the Seattle and Chicago district offices, respectively. This rule would formalize these changes by making a technical amendment to 20 CFR 702.101 redefining the jurisdictions of the four affected district offices.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Agency Contact: Neil Montone, Associate Director, Department of Labor, Employment Standards Administration, Rm C4315, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8572

RIN: 1215-AA12

9. FECA MEDICAL FEE REGULATIONS (ESA/OWCP)

Legal Authority: 5 USC 8101 et seq

CFR Citation: 20 CFR 10.400 et seq

Abstract: 5 USC 8103(a) of the Federal Employees' Compensation Act provides that the United States shall furnish a broad range of medical services and supplies to employees of the United States injured in the performance of duty. ESA proposes to exercise its statutory authority to define the "reasonableness" of medical service costs and thereby monitor, and possibly reduce, these costs by imposing a schedule of allowable fees to be paid for services under this law. On 06/07/84 (49 FR 23658), a notice of proposed rulemaking was published with comments due by 08/06/84. The comment period was extended from 08/06/84 to 10/05/84 in response to a request by the American Medical Association (49 FR 33695), and reopened from 01/31/85 to 03/04/85.

Timetable:

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Action	Date		FR	Cite
NPRM	06/07/84	49	FR	23658
NPRM Comment Period Begin	06/07/84	49	FR	23658
NPRM Comment Period End	08/06/84			
Extension of Comment Period	08/24/84	49	FR	33695
NPRM Comment Period: reopened from 01/31/85 to	03/04/85	50	FR	4525
Final Action	05/00/85			

Small Entity: Undetermined

Agency Contact: Thomas M. Markey, Deputy Associate Director, Department of Labor, Employment Standards Administration, Rm S3229, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7552

RIN: 1215-AA13

10. CLAIMS FOR COMPENSATION UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT

Legal Authority: 5 USC 8101 et seq

CFR Citation: 20 CFR 10.1 et seq

Abstract: This proposal would revise the Federal Employees' Compensation Act regulations to (1) increase the ability of employing agencies to monitor the Act's continuance of pay (COP) provisions; (2) reduce the period for using up the remainder of the 45-day COP eligibility when there is a recurrence of a disability subsequent to a first return to work from six months to 90 days from the date of return to work; (3) require partially disabled employees to report on their efforts to find work; (4) reduce the number of internal body organs that are included in the list of schedule awards payable to employees who suffer a loss or loss of use of such organs; (5) make other modifications designed to provide consistent rationale for the payment of benefits; and (6) incorporate procedures for giving full due process in overpayment cases before recoupment.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Agency Contact: Thomas M. Markey, Deputy Associate Director, Department of Labor, Employment Standards Administration, Rm S3229, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7552

RIN: 1215-AA29

11. • LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT AND RELATED STATUTES

Priority: Agency Determination

Legal Authority: 5 USC 301; Reorganization Plan No. 6 of 1950, 15 FR 3174, 64 Stat 1263; 33 USC 939; 42 USC 1651 et seq; 36 DC Code 501 et seq; 43 USC 1331; 5 USC 8171 et seq; Secretary of Labor's Order No. 13-71, 36 FR 8755; PL 98-426

CFR Citation: 20 CFR 701; 20 CFR 702; 20 CFR 703

Abstract: The Longshore and Harbor Workers' Compensation Act Amendments of 1984 were passed and signed into law on September 28, 1984 (P.L. 98-426). These amendments made many substantive changes to the Longshore Act (33 USC 901 et seq.). which were effective on the date of enactment, or 90 days thereafter. These regulations implement the changes made by the amendments, and make technical corrections in the unchanged sections of the regulations. The changes include an exemption from the Act's coverage for specified classes of workers, a certification procedure for exemption from coverage of certain small-vessel facilities, provisions allowing the Secretary to debar medical care providers and representatives for certain reasons, and revisions in the assessment formula for the program's

Special Fund (for second injury coverage). Because of the statutory deadlines imposed, these regulations were published as interim final rules on January 3, 1985 with a comment period which will close March 22, 1985. They will automatically expire October 1, 1985, thus necessitating republication before then.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	01/03/85	50	FR	384
Interim Final Rule Extended Comment Period 3/4/85 to	03/22/85			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Richard Staufenberger, Deputy Director, Department of Labor, Employment Standards Administration, 200 Constitution Avenue, NW, Room S-3524, Washington, DC 20210, 202 523-7503

RIN: 1215-AA30

12. ● LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, (LHWCA) APPLICATIONS FOR AUTHORITY TO WRITE INSURANCE; HOW FILED; EVIDENCE TO BE SUBMITTED: OTHER REQUIREMENTS

Legal Authority: 5 USC 301; Reorganization Plan No 6 of 1950, 15 FR 3174, 64 Stat 1263; 33 USC 939; 42 USC 1651 et seq; 36 DC Code 501 et seq; 43 USC 1331; 5 USC 8171 et seq; Secretary of Labor's Order No. 13-71, 36 FR 8755

CFR Citation: 20 CFR 703.102

Abstract: The Longshore and Harbor Workers' Compensation Act (LHWCA) requires employers to provide coverage for their compensation liability either through becoming an authorized selfinsurer or by procuring an insurance policy under the Act. In order to determine whether a carrier should be authorized by the Secretary, it is necessary to review certain administrative and financial information (such as State charter status, insurance policy including LHWCA endorsement, annual reports. audit ratios, etc.) which will provide a rational basis for the decision. The existing regulations do not specify the full range of information which practice over the years has proved to be necessary. In addition, because the

program lacks the expertise and staff to properly analyze the financial status of the insurance company, it has relied on Best's Insurance Reports and industry standard rating service. Up to now, companies which have Best's rating of B or better have been considered for authorization, although this standard was not part of the regulations. Market changes have undermined the stability of the insurance industry in general and several authorized (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/00/85	HELDER LEADING

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: carriers have become insolvent. In order to ensure the coverage of compensation liability under the Act, the Department will require newly authorized carriers to have an A or better Best's rating and the revision of the rule will reflect this policy. It will apply only to carriers applying for the authorization and not to carriers already authorized and writing insurance, to the extent of coverage already underwritten.

Agency Contact: Richard Staufenberger, Deputy Director, Department of Labor, Employment Standards Administration, Room S-3524, FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-7503

RIN: 1215-AA31

13. DEFINING AND DELIMITING THE TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, OR PROFESSIONAL CAPACITY..."
(ESA/W-H)

Priority: Major, Task Force

Legal Authority: 29 USC 213(a)(1)

CFR Citation: 29 CFR 541

Abstract: These regulations set forth
the criteria used in the determination of
the application of the Fair Labor
Standards Act exemption for
"executive," "administrative,"
"professional" and "outside sales
employees" from the minimum wage
and overtime requirements of the Act.
The existing regulation was targeted for
review by the President's Task Force on
Regulatory Relief. A final rule
increasing the salary test criteria was

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Current and Projected Rulemakings

published on 01/13/81 (46 FR 12206) and was scheduled to become effective on 02/13/81. On 02/12/81 (41 FR 11912) an indefinite stay of the final rule was published. On 03/27/81 (46 FR 18998) a proposal to suspend the final rule indefinitely was published with comments due by 04/28/81. As a result of numerous comments and petitions received from industry groups regarding the duties and responsibilities tests as set forth in the regulations, as well as recent case law developments, the Department has concluded that a more comprehensive review of these regulations is needed and has decided to reopen the comment period and broaden the scope of the review to include all aspects of the regulations. An ANPRM is expected to be published during April 1985.

Timetable:

Action	Date	FR Cite	
Indefinite stay of Final Rule	02/12/81	46 FR 11972	
Propsi to suspend Rule indefinitely	03/27/81	46 FR 18998	
on Suspension Proposal	04/28/81		
ANPRM	04/00/85		
ANPRM Comment Period Begin	04/00/85	DESCRIPTION	
ANPRM Comment Period End	05/00/85		

Small Entity: Yes

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA14

14. RECORDS TO BE KEPT BY EMPLOYERS (ESA/W-H)

Legal Authority: 29 USC 211(c)

CFR Citation: 29 CFR 516

Abstract: Revision of this regulation is being considered to reflect the repeal or modification of certain minimum wage and overtime exemptions by the 1974 and 1977 amendments to the Fair Labor Standards Act, and to simplify regulatory language.

Timetable:

Action	Date	FR Cite
End Review	12/31/84	
NPRM	05/00/85	
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	06/00/85	

Small Entity: No

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA22

15. ● WAGE PAYMENTS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Priority: Agency Determination

Legal Authority: 29 USC 203(m); 29 USC 203(t)

CFR Citation: 29 CFR 531

Abstract: These regulations contain the basic standards governing the application of Section 3(m) of the FLSA, which provides that, under certain conditions, the reasonable cost or fair value of furnishing employees with board, lodging, or other facilities may be applied towards meeting the Act's minimum wage and overtime requirements. Section 3(m) also provides that tips received by certain employees may be credited towards the payments of the statutory minimum wage (up to a maximum of 40 percent). The changes under consideration would conform the regulations to legislative amendments, court decisions interpreting Section 3(m), and administrative experience related to enforcement of these provisions.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Manager 11 A
Small Entity	: Undetermined	

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Room S3502, FP Bldg., 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA32

16. • GENERAL REGULATIONS UNDER THE WALSH-HEALEY PUBLIC CONTRACTS ACT

Legal Authority: 41 USC 38

CFR Citation: 41 CFR 50-201,101(b)(6); 41 CFR 50-201,1201

Abstract: The proposed rule would revise the role of the Small Business Administration (SBA) in determining a small business concern's eligibility as a "manufacturer" or "regular dealer" under the Walsh-Healey Public Contracts Act (PCA). Current procedures for small businesses require SBA review of all contracting agency findings of ineligibility, as well as all protests which challenge an agency's findings of eligibility. SBA did not have an opportunity to comment when the current rules were first adopted following enactment of the 1977 Amendments to the Small Business Act (P.L. 95-89, 91 Stat. 561 (15 USC 637(b)(7)(B)). SBA believes its review authority under the Act is restricted to only executive branch agency findings of noneligibility under PCA, and has requested revisions to the regulations which would eliminate SBA review in protest cases which challenge an agency's findings that a small business is eligible for award. Additional revisions requested by SBA would streamline the processing of cases between SBA and Wage Hour. (cont)

Timetable:

Time to be		
Action	Date	FR Cite
NPRM	00/00/00	SALES OF THE PARTY OF

Small Entity: Yes

Additional Information: ABSTRACT CONT: b. An additional procedural change would discontinue the reporting requirement for federal contracting agencies to submit Standard Form (SF) 99, Notice of Award of Contract, to the Wage and Hour Division for contracts subject to the Walsh-Healey Public Contracts Act (PCA) if the agencies report such information directly to the Federal Procurement Data System (FPDS) or to Wage-Hour by alternative means, e.g., automated data process reports. A similar rule change was promulgated under the Service Contract Act (SCA) regulations (29 CFR 4.8) published October 27, 1983 (48 FR 49770). The reduced administrative burden for the affected procurement agencies resulting from the rule change under both SCA and PCA is expected to produce estimated annual cost

DOL-ESA

Current and Projected Rulemakings

savings governmentwide of nearly \$410,000, the majority of which is attributable to PCA contract awards. Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Room S-3502, FP Building, Washington, DC 20210, 202 523-8333

RIN: 1215-AA33

DEPARTMENT OF LABOR (DOL)

Employment Standards Administration (ESA)

Existing Regulations Under Review

17. LONGSHOREMEN'S ACT: SECOND INJURY RELIEF; ANNUAL ASSESSMENTS (ESA/OWCP)

Legal Authority: 33 USC 901 et seq

CFR Citation: 20 CFR 702

Abstract: Revisions and additions are being considered to reflect and codify the Department's policies and procedures for handling second injury relief cases and to modify the procedures pertaining to the annual assessment of insurance carriers and self-insurers, Action is now being deferred in light of Congressional action on amendments to the Act; however, these amendments will require regulatory revisions.

Timetable:

Action	Date	FR Cite
NPRM	01/27/81	46 FR 8890
NPRM Comment Period Begin	01/27/81	46 FR 8890
NPRM Comment Period End	03/30/81	
End Review	04/30/85	

Small Entity: No

Agency Contact: Neil Montone, Associate Director, Department of Labor, Employment Standards Administration, Rm C4315, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8572

RIN: 1215-AA18

18. © EMPLOYMENT OF HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

Legal Authority: 29 USC 214; 29 USC 211

CFR Citation: 29 CFR 525

Abstract: These regulations establish the terms and conditions under which handicapped clients in sheltered workshops performing work subject to the provisions of the Fair Labor Standards Act (FLSA), the Walsh-Healey Public Contracts Act, and the Service Contact Act may be employed, under certificate, at wage rates less than those otherwise required by these acts. The FLSA Amendments of 1966 substantially revised the provision of section 14(c) of the Act which authorizes such employment. The regulations have not been comprehensively revised since 1967 when they were revised to reflect the amendments. The Department has concluded, that it would be appropriate to review the regulations to determine whether changes are necessary to address the concerns of interested parties.

Timetable:

Action	Date	FR Cite
End Review	12/00/85	
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Small Entity: Yes

Agency Contact: Dorothy P.Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA34

19. • LABOR STANDARDS ON PROJECTS OR PRODUCTIONS ASSISTED BY GRANTS FROM THE NATIONAL ENDOWMENT FOR THE ARTS (ESA/W-H)

Legal Authority: 20 USC 954 (i) and (j); 20 USC 956 (g)

CFR Citation: 29 CFR 505

Abstract: The National Foundation on the Arts and Humanities Act of 1965, as amended in 1976, requires the Secretary to determine the prevailing minimum compensation for professional performers and related or supporting personnel employed on projects or productions assisted by grants from the National Endowment for the Arts and the National Endowment for the Humanities. As originally enacted, these labor standards only applied to the Arts; the existing regulations do not reflect the amendments which applied the same labor standards to the Humanities. A review is planned to determine (1) whether the existing provisions for determining prevailing minimum wages with respect to grants from the National Endowment for the Arts should be continued, and (2) whether the same or some different approach to such determinations should be applied to grants from the National Endowment for the Humanities.

Timetable:

Action	Date	FR	Cite
End Review	12/00/85		

Small Entity: Undetermined

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Room S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA35

DEPARTMENT OF LABOR (DOL) Employment Standards Administration (ESA)

Completed Actions

COMPLETED RULEMAKINGS 20. BLACK LUNG BENEFITS. REQUIREMENTS FOR COAL MINE OPERATORS INSURANCE (ESA/OWCP)

Legal Authority: 30 USC 901 et seq

CFR Citation: 20 CFR 726

Abstract: These rules would govern the manner by which a coal mine operator fulfills its insurance obligations under the Black Lung Benefits Act, either by qualification as a self-insurer or by contracting with a commercial insurance company. Revision of Part 726 is necessary as a result of enactment of amendments to the Act in 1978 and 1981. Present workload prevents undertaking a major redrafting of the rules, which our analysis indicates will be required at this time. Therefore, this entry is withdrawn, and will be reentered at a later date.

Timetable:

Action	Date	FR Cite	
Withdrawn	01/23/85		1

Small Entity: Undetermined

Agency Contact: James DeMarce. Associate Director, Department of Labor, Employment Standards Administration, Rm C3520, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-6692

RIN: 1215-AA16

21. LABOR STANDARDS PROVISIONS, DAVIS-BACON AND RELATED ACTS (ESA/W-H)

Priority: Agency Determination

Legal Authority: 40 USC 276a to 276a7; 40 USC 276c; 40 USC 327 to 332; 29 USC 259; 5 USC Appendix Reorganization Plan No. 14 of 1950; 5 USC 301

CFR Citation: 29 CFR 1; 29 CFR 3; 29

Abstract: These regulations govern labor standards applicable to Federally funded or assisted construction contracts subject to the Davis-Bacon and Related Acts, and contracts subject to the Contract Work Hours and Safety Standards Act. The existing regulations were targeted for review by the President's Task Force on Regulatory Relief. An NPRM was published 08/14/81 (46 FR 41444), with comments due by 10/13/81, resulting from DOL's reexamination of rules previously published 01/16/81 (46 FR 4306, 4380) and subsequently stayed. A final rule

was published 05/28/82 (47 FR 23644-79) but was deferred on 07/26/82 (47 FR 32070) in order to comply with a preliminary injunction issued on 07/22/82 in the U.S. District Court. On December 23, 1982, the court permanently enjoined certain provisions of the 05/28/82 final rules. The Department appealed, and on 04/29/83 (48 FR 19532) published the unenjoined provisions of the 05/28/82 final rules. The enjoined sections were deferred pending final conclusion of all appeals. On 07/05/83 the U.S. Court of Appeals for the District of Columbia upheld certain challenged provisions and on 01/16/84 the Supreme Court denied review of the (cont)

Timetable:

Action	Date	FR	Cite
Final Action	04/29/83	48 FR	19532
Final Action Effective	06/28/83	48 FR	19532
Final Action	01/31/85	50_FR	4506
Final Action Effective	01/31/85	50 FR	4506

Small Entity: Yes

Additional Information: ABSTRACT CONT: Appeals Court decision. On 12/21/84, the U.S. District Court lifted the injunction on most of the provisions upheld by the Appeals Court. The Department intends to reissue the regulations in accordance with the decisions of the district and appeals courts.

Agency Contact: Dorothy P. Come. Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA07

22. EMPLOYMENT OF FULL-TIME STUDENTS AT SUBMINIMUM WAGES (ESA/W-H)

Priority: Task Force

Legal Authority: 29 USC 214

CFR Citation: 29 CFR 519

Abstract: This regulation governs the issuance of certificates authorizing the employment of full time students at subminimum wages. Under this proposal the regulation would be revised to permit the issuance of certificates authorizing employment of full time students at subminimum wages for periods longer than the

current one year duration. The Wage and Hour Division plans to publish a new proposed revision which will supersede the 07/16/82 proposal. However, due to a change in regulatory priorities, further development of this proposal is being suspended until after the close of the 1985 Regulatory Plan Year.

Timetable:

Action	Date		FR	Cite
Previous NPRM	07/16/82	47	FR	31010
Comment Period extended to 01/13/83	08/06/82	47	FR	34166
on Previous NPRM	08/16/82	47	FR	34166
Withdrawn	01/09/85			

Small Entity: Undetermined

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA08

23. EMPLOYMENT OF MINORS BETWEEN FOURTEEN AND SIXTEEN YEARS OF AGE (CHILD LABOR REGULATION NUMBER THREE) (ESA/W-H)

Priority: Task Force

Legal Authority: 29 USC 203

CFR Citation: 29 CFR 570

Abstract: This regulation sets forth the occupations and periods and conditions for the employment of minors 14 and 15 years of age. A number of changes are being considered which would update the provisions of this regulation which have not been changed since 1938. As proposed, the regulation would (1) expand permissible hours of work, (2) tighten employment restrictions in certain occupations such as those involving work near open flames, and (3) remove employment restrictions where no hazard is deemed to exist. The Wage and Hour Division plans to publish a new proposed revision which will supersede the 07/16/82 proposal. However, due to a change in regulatory priorities, further development of this proposal is being suspended until after the close of the 1985 Regulatory Plan

Timetable:				
Action	Date		FR	Cite
Previous NPRM	07/16/82	47	FR	3125
Comment Period extended to 01/13/83	08/06/82	47	FR	3416
on Previous NPRM	08/16/82			
Withdrawn	01/09/85			

Small Entity: Undetermined

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA09

24. CHILD LABOR REGULATIONS
SUBPART E, OCCUPATIONS
PARTICULARLY HAZARDOUS FOR
THE EMPLOYMENT OF MINORS 16
AND 17 YEARS OF AGE INVOLVING
THE OPERATION OF BAKERY
MACHINES (ESA/W-H)

Legal Authority: 29 USC 203 CFR Citation: 29 CFR 570.62

Abstract: Hazardous Occupations
Order No. 11 prohibits the employment
of minors 16 and 17 years of age in
certain occupations involved in the
operation of power-driven bakery
machines. A review is planned in order
to determine the changes, if any,
necessary to reflect technological
advancement and to clarify the
application of existing prohibitions.
However, due to a change in regulatory
priorities, further activity in the
development of this review is being
suspended until after the close of the
1985 Regulatory Plan Year.

Timetable:

Action	Date	FR Cite
Withdrawn	01/09/85	The state of the s
-		MANUAL PROPERTY.

Small Entity: Yes

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA20

25. CHILD LABOR REGULATIONS
SUBPART E, OCCUPATIONS
PARTICULARLY HAZARDOUS FOR
THE EMPLOYMENT OF MINORS 16
AND 17 YEARS OF AGE INVOLVING
SLAUGHTERING AND RELATED
OCCUPATIONS (ESA/WH)

Priority: Task Force

Legal Authority: 29 USC 203 CFR Citation: 29 CFR 570.61

Abstract: This Order prohibits the employment of minors 16 and 17 years of age in occupations involving slaughtering, meat packing or processing, or rendering. A review of this order is being planned in order to determine possible changes to clarify its scope and to update it in light of various technological changes which have occurred in the affected occupations since it was adopted. However, due to a change in regulatory priorities, further activity in the completion of the review is being suspended until after the close of the 1985 Regulatory Plan Year.

Timetable:

Action	Date	FR Cite
Withdrawn	01/09/85	1

Small Entity: Yes

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA21

26. CHILD LABOR REGULATIONS
SUBPART E, OCCUPATIONS
PARTICULARLY HAZARDOUS FOR
THE EMPLOYMENT OF MINORS 16
AND 17 YEARS OF AGE INVOLVING
MOTOR VEHICLE DRIVERS AND
HELPERS (ESA/W-H)

Legal Authority: 29 USC 203 CFR Citation: 29 CFR 570.52

Abstract: Hazardous Occupations
Order No. 2 prohibits the employment
of minors 16 and 17 years of age in
certain occupations involving motor
vehicle driving and helpers outside the
cab of a vehicle transporting goods. The
Order is being reviewed for possible
revision. However, due to a change in
regulatory priorities, further activity in
the completion of this review is being

suspended until after the close of the 1985 Regulatory Plan Year.

Timetable:

Action	Date	FR Cite
Withdrawn	01/09/85	THE PARTY OF

Small Entity: Undetermined

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA23

27. GENERAL REGULATIONS UNDER THE WALSH-HEALEY PUBLIC CONTRACTS ACT

Legal Authority: 41 USC 38; 41 USC 40 CFR Citation: 41 CFR 50-201.101(a)(2)(xi)

Abstract: On 05/30/84, a notice of proposed rulemaking was published in the Federal Register (49 FR 22502), allowing 30 days for public comments. to amend the Walsh-Healey Public Contracts Act regulations to provide an alternative definition applicable to regular dealers in specialty advertising products. This definition relieves potential contractors in this industry from having to maintain stock in a manner which is inconsistent with industry practice, alleviates federal procurement problems resulting from a lack of bidders, as well as encouraging more competition in this area. On 11/21/84, the alternative definition was published as a final rule in the Federal Register (49 FR 45855) with an effective date of 12/21/84.

Timetable:

Action	Date	FF	Cite
NPRM	05/30/84	49 FF	22502
NPRM Comment Period Begin	05/30/84	49 FF	R 22502
NPRM Comment Period End	06/29/84		
Final Action	11/21/84	49 FF	45855
Final Action Effective	12/21/84	49 FF	45855

Small Entity: Yes

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA26

DOL-ESA

Completed Actions

28. EMPLOYMENT OF HOMEWORKERS IN CERTAIN INDUSTRIES

Priority: Agency Determination Legal Authority: 29 USC 211 CFR Citation: 29 CFR 530

Abstract: This regulation sets forth restrictions on industrial homework and governs the issuance of certificates authorizing the employment of homeworkers in certain industries, pursuant to Section 11 (d) of the Fair Labor Standards Act (FLSA). As originally issued, these regulations restricted the employment of industrial homework in seven industries: knitted outerwear; women's apparel; jewelry; buttons and buckles; gloves and mittens; handkerchiefs; and embroideries. On March 27, 1984, the Department issued (49 FR 11792) a 120 day emergency temporary suspension on the ban on homework in the knitted outerwear industry. The ban had been removed by the Department on November 9, 1981 following extensive hearings and public comment. This action was subsequently upheld by the District Court for the District of Columbia. However, on appeal the ban was reimposed on February 29, 1984 by a mandate of the U.S. Court of Appeals for the District of Columbia Circuit. On 05/08/84, the District Court ruled that

the Department's emergency rule was invalid and ordered the Department to rescind the rule. On 05/24/84, the Department rescinded the emergency rule, and (cont)

Timetable:

Date	FR	Cite
03/27/84	49 FR	11786
03/27/84	49 FR	11786
03/27/84	49 FR	11792
04/26/84		
04/26/84	49 FR	17974
05/24/84	49 FR	22036
06/22/84	49 FR	25641
11/05/84	49 FR	44262
12/05/84	49 FR	44262
	03/27/84 03/27/84 03/27/84 03/27/84 04/26/84 04/26/84 05/24/84 11/05/84	03/27/84 49 FR 03/27/84 49 FR 03/27/84 49 FR 03/27/84 49 FR 04/26/84 49 FR 05/24/84 49 FR 06/22/84 49 FR

Small Entity: No

Additional Information: ABSTRACT CONT: reinstated the ban on homework in the knitted outerwear industry (49 FR 22036). On 03/27/84 the Department also published a proposed rule rescinding the ban on homework in the knitted outerwear industry. In addition to soliciting comments on the proposed rescission, the Department sought comments on alternatives to such action (49 FR 11786). The period for public comment on the proposed rule was extended from 30 to 45 days (49 FR 17974). On 06/22/84, the Department reopened the comment period for 15 days in order to invite additional comments on alternatives to a total rescission of the ban on homework in the knitted outerwear industry. particularly on the alternative of licensing or registering of employers of homeworkers in that industry (49 FR 25641). On 11/05/84, a final rule was published (49 FR 44262) which permits homework in the knitted outerwear industry for those employers who obtain certificates from the Department authorizing such employment. The final rule became effective 12/05/84.

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA27

[FR Doc. 85-6488 Filed 04-26-85; 8:45 am]

BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL) Employment and Training Administration (ETA)

Current and Projected Rulemakings

29. SINGLE UNIT CHARGE AGREEMENTS

Priority: Agency Determination

Legal Authority: 29 USC 1579(a); 29 USC 1551(d)(3); PL 98-524, Sec 7

CFR Citation: 20 CFR 629.38(e)(2)

Abstract: The regulation would implement a provision of the Carl D. Perkins Vocational Education Act that affects regulatory provisions of the Job Training Partnership Act. The new legislation provides that payments for training packages purchased competitively under Section 141(d)(3) of JTPA may occur in the case of training for youth if that training results in either placement in unsubsidized employment or the attainment of an outcome specified in Section 106(b)(2) of the Act, notwithstanding 20 CFR 629.38(e)(2)(iii), which is being modified

by this regulation revision. This regulation revision amends 20 CFR 629.38(e)(2) to correspond to Section 7 of P.L. 98-524.

Timetable:

Action	Date	FR Cite	
Final Action	05/10/85		

Small Entity: No

Additional Information: Since the Vocational Education Act was signed into law on October 19, 1984 and became effective immediately, the proposed revision to 20 CFR 629.38(e)(2) is being submitted for final rulemaking.

Affected Sectors: None

Government Levels Affected: State

Agency Contact: Robert N. Colombo, Director, Offc. of Empl. & Training Programs, Department of Labor, Employment and Training Administration, Patrick Henry Building. 601 D Street, NW, Room 6402, Washington, DC 20213, 202 376-6093

RIN: 1205-AA35

30. PIECE RATE ADJUSTMENTS

Legal Authority: 8 USC 1101(a)(15)(H)(ii): 8 USC 214.2(h)(3)(i)

CFR Citation: 20 CFR 655

Abstract: The regulation as proposed retains in place a regulation protecting covered U.S. farmworkers from adverse effect of lower wages from the use of alien farmworkers. The rule informs covered U.S. agricultural employers of their duties under the temporary alien

labor certification program, and reflects DOL's policy on this subject.

Timetable:

Action	Date		FR	Cite
NPRM	12/10/84	49	FR	48061
NPRM Comment Period Begin	12/10/84	49	FR	48061
NPRM Comment Period End	01/09/85			
Final Action	04/00/85			
Final Action Effective	06/00/85			

Small Entity: No.

Agency Contact: Thomas Bruening, Chief, Division of Labor Certification, Department of Labor, Employment and Training Administration, 601 D Street, NW, Room 8122, Patrick Henry Building, Washington, DC 20213, 202 376-6228

RIN: 1205-AA30

31. • LABOR CERTIFICATION PROCESS FOR THE PERMANENT EMPLOYMENT OF ALIENS IN THE UNITED STATES

Legal Authority: 8 USC 1182(a)(14)

CFR Citation: 20 CFR 656

Abstract: Physicians are currently on the Department's Schedule A precertification list if they are to be employed in a designated Health Manpower Shortage Area (HMSA) or an area which has an insufficient number of physicians as designated by the Public Health Service (PHS). The PHS has recommended removal of physicians from Schedule A, or in the alternative leave only those physicians on Schedule A that are to be employed in the HMSA's. According to the PHS: (1) there is no longer a national shortage of physicians; and (2) alien physicians after they are certified do not go to the HMSA's or the area with an insufficient number of physicians, or if they do go to these areas they leave shortly after starting work. Thus, the labor certification program has not had significant effect in alleviating the shortage of physicians in the HMSA's or in the areas with an insufficient number of physicians. Consequently, ETA proposes to remove all physicians from Schedule A.

Timetable:

Action	Date	FR Cite
NPRM	06/25/85	

Small Entity: No

Affected Sectors: 80 HEALTH SERV-ICES: 82 EDUCATIONAL SERVICES

Government Levels Affected: Local, State, Federal

Agency Contact: Thomas M. Bruening, Chief, Div. of Foreign Labor Cert., Department of Labor, Employment and Training Administration, Patrick Henry Building, 601 D Street, NW, Room 8122, Washington, DC 20213, 202 376-6228

RIN: 1205-AA33

32. • LABOR CERTIFICATION PROCESS FOR THE TEMPORARY EMPLOYMENT OF ALIENS IN AGRICULTURE AND LOGGING IN THE UNITED STATES

Legal Authority: 8 USC 214 CFR Citation: 20 CFR 655

Abstract: Current regulations state that when employers provide meals they may charge the worker no more than \$4.00 per day. There are exceptions in cases where employers document costs exceeding \$4.00 in support of higher meal charges. In such instances, a ceiling of \$5.00 per day may be charged if approved by the RA. These charges were established in 1980, and do not reflect the higher costs for food that currently exist. ETA proposes to increase the amount employers can charge workers for three meals per day.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Street Bell
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	06/00/85	
Final Action	07/00/85	

Small Entity: No

Affected Sectors: 016 Vegetables and Melons; 017 Fruits and Tree Nuts; 019 General Farms, Primarily Crop; 071 Soil Preparation Services; 072 Crop Services

Agency Contact: Thomas M. Bruening, Chief, Div. of Foreign Labor Cert., Department of Labor, Employment and Training Administration, Patrick Henry Building, 601 D Street, NW, Room 8122, Washington, DC 20213, 202 376-6228

RIN: 1205-AA34

33. SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Priority: Undetermined

Legal Authority: PL 98-459 Community Service Employment for Older Americans

CFR Citation: 29 CFR 89

Abstract: The regulations will revise and update the existing rules for the Senior Community Service Employment Programs. These changes will not create new cost nor materially change the existing program. However, the new rules will place the program in compliance with the 1984 Amendments to the Older Americans Act.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	WEST LINE IN
Final Action Effective	07/01/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Paul A. Mayrand, Director, Special Targeted Programs, Department of Labor, Employment and Training Administration, 601 D Street, NW, Room 6122, Patrick Henry Building, Washington, DC 20213, 202 376-6225

RIN: 1205-AA29

34. AIRLINE DEREGULATION: EMPLOYEE BENEFIT PROGRAM

Priority: Agency Determination

Legal Authority: 49 USC 1552; PL 95-504

CFR Citation: 20 CFR 638

Abstract: These regulations are being developed to implement the benefit provisions contained in Section 43 of the Airline Deregulation Act. The Act requires the Secretary of Labor to specify the percentage of prior salary which an "eligible protected employee" would receive as a benefit payment under the Act. An eligible protected employee is a person who has had at least 4 years of employment with a certificated air carrier as of October 24, 1978 and who loses his or her job

Current and Projected Rulemakings

during the ten years following such date in a bankruptcy or major employment contraction if and only if the Civil Aeronautics Board determines that the principal causes of such job loss was deregulation. On May 17, 1984 the U.S. District Court for the District of Columbia held that Section 43 of the Airline Deregulation Act was unconstitutional. Because Section 43 provides statutory authority for these regulations their development has been delayed pending the outcome of this litigation.

Timetable:

Action	Date	FR	Cite
NPRM	03/30/79	44 FR	19146
NPRM Comment Period End	04/30/79		
NPRM First right of hire	09/17/82	47 FR	41304
Comments due First right of hire NPRM	10/18/82		
Final Action	00/00/00		

Small Entity: No

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D St, NW, Washington, DC 20213, 202 376-7063

RIN: 1205-AA07

35. LIMITATIONS ON TAX CREDIT REDUCTIONS AND INTEREST ON ADVANCES TO STATES

Legal Authority: PL 97-35, Sec 2406; PL 97-35, Sec 2407; PL 97-35, Sec 2408

CFR Citation: 20 CFR 608

Abstract: The Omnibus Budget Reconciliation Act of 1981 amended the tax credit provisions of FUTA to authorize the placing of a "cap" on reductions in tax credits on a State-by-State basis in certain prescribed circumstances. The amendment requires these determinations to be made in accordance with regulations prescribed by the Secretary of Labor. The same Act also amended Title XII of the Social Security Act to assess interest on advances to States, the payment of which is prohibited from State unemployment funds. The proposal would implement these statutory changes.

Timetable:

Action	Date	FR Cite
NPRM	05/00/86	A SECTION
Final Action	08/00/86	

Small Entity: No

Agency Contact: James Manning, Chief, Division of Actuarial Services, Department of Labor, Employment and Training Administration, Rm 7410, PH Bldg., 601 D St, NW, Washington, DC 20213, 202 376-7231

RIN: 1205-AA14

36. FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970

Legal Authority: PL 91-573, Title II; PL 96-499; PL 96-364; PL 97-35; PL 98-21

CFR Citation: 20 CFR 615

Abstract: These regulations would be amended to implement various statutory amendments of 1981, 1982, and 1983 to the Federal-State Extended Unemployment Compensation Act of 1970. The regulations would (1) provide for the denial of extended benefits to certain interstate claimants and to individuals who fail to actively engage in seeking work or refuse to accept an offer of suitable work, (2) provide for the purging of certain disqualifications in order to establish eligibility for extended benefits, and (3) establish the method of determining the rate of insured unemployment for extended benefit claims, the State trigger rates and removal of the National trigger.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Tella
Final Action	08/00/85	
Small Entity:	Undetermined	

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D St., NW, Washington, DC 20213, 202 376-7063

RIN: 1205-AA15

37. TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Legal Authority: 19 USC 2320

CFR Citation: 20 CFR 617

Abstract: These regulations would implement the 1981 and 1983

amendments to the Trade Act of 1974. The Trade Adjustment Assistance program provides adjustment assistance in the form of reemployment services, training, job search, relocation allowances, and cash benefits (adjustment assistance) to workers whose unemployment is linked to increased imports of foreign-made products. The amendments represent a fundamental shift in program emphasis from income maintenance to placement and employment services and benefits such as training, job search and relocation. The 1981 amendments are designed to assure that adjustment assistance and reemployment services are more appropriately targeted to trade impacted workers with emphasis placed on their return to work. The 1983 amendments extended the program to September 30, 1985. The 1984 amendments to the program are not included in these regulations but will be issued separately.

Timetable:

Action	Date		FR	Cite
NPRM	03/04/83	48	FR	9444
NPRM Comment Period Begin	03/04/83	48	FR	32837
NPRM Comment Period End	07/28/83			
Final Action	05/00/85			

Small Entity: No

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D St, NW, Washington, DC 20213, 202 376-7063

RIN: 1205-AA17

38. UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEMBERS

Legal Authority: 5 USC 8508; 5 USC 8521 to 8525

CFR Citation: 20 CFR 614

Abstract: Section 201 of Public Law 97-362 (Miscellaneous Revenue Act of 1982) amends the eligibility requirements for unemployment compensation for ex-servicemembers. Proposed regulations are under development to implement these new requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	09/00/85	

Small Entity: No

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D Street, NW, Washington, DC 20213, 202 376-7063

RIN: 1205-AA26

39. UNEMPLOYMENT INSURANCE QUALITY CONTROL PROGRAM

Priority: Agency Determination
Legal Authority: 42 USC 501 et seq

CFR Citation: 20 CFR 602

Abstract: The Employment and Training Administration (ETA) is designing a quality control (QC) program for the State Employment Security Agency (SESA) Unemployment Insurance (UI) system. The Department's Fiscal Year (FY) 1985 Budget includes provision for a UI QC program. The establishment of a UI QC program is a major initiative of the Secretary of Labor to reduce administrative errors and claimant abuse in the UI system. The ETA is proposing to issue regulations to establish a permanent QC program in the SESA UI system.

Timetable:

Date		FR	Cite
09/26/84	49	FR	38083
09/26/84	49	FR	38083
10/26/84			
04/00/85			
04/00/85			
05/00/85			
07/00/85			
08/00/85			
	09/26/84 09/26/84 10/26/84 04/00/85 04/00/85 05/00/85	09/26/84 49 09/26/84 49 10/26/84 04/00/85 04/00/85 05/00/85	09/26/84 49 FR 09/26/84 49 FR 10/26/84 04/00/85 04/00/85 05/00/85

Small Entity: No

Agency Contact: Carolyn Golding, Director, Unemployment Insurance Service, Department of Labor, Employment and Training Administration, 601 D Street NW, Rm 7112, Patrick Henry Building, Washington, DC 20213, 202 376-6636

RIN: 1205-AA28

40. TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Priority: Agency Determination

Legal Authority: Deficit Reduction Act of 1984 Section 2671

CFR Citation: 20 CFR 635

Abstract: This regulation would implement provisions of the Deficit Reduction Act of 1984 amending the Trade Act of 1984. The legislation amends Section 233(a)(3), to enable workers to collect the extra 26 weeks of Trade Adjustment Assistance (TRA) beginning with the first week the worker enters training if the training has not been approved until after the last week of entitlement to basic TRA. It also amends Sections 237 and 238 of the Trade Act to increase the maximum job search allowance to \$800 (from \$600) and the maximum lump-sum relocation allowance to \$800 (from \$600).

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: No

Additional Information: Legislation i.e., effective upon enactment (July 18, 1984)

Agency Contact: Marvin M. Fooks, Director, Department of Labor, Employment and Training Administration, Patrick Henry Building, 601 D Street, NW, Room 6434, Washington, DC 20213, 202 376-2446

RIN: 1205-AA31

41. • IMPLEMENTATION OF THE DEFICIT REDUCTION ACT (P.L. 98-396) PROVISIONS FOR EXCHANGE OF INCOME AND ELIGIBILITY INFORMATION AMONG FEDERALLY-ASSISTED INCOME MAINTENANCE PROGRAMS

Priority: Agency Determination

Legal Authority: PL 98-369, Subtitle C

CFR Citation: 20 CFR 603

Abstract: P.L. 98-369 (The Deficit Reduction Act) contains provisions which establish an income and eligibility system for exchange of information among state agencies administering programs for AFDC, Medicaid, Food Stamps, SSI, UI and other Grants to states program under Titles I, X and XIV of the Social Security Act. The provisions relate to the use of social security numbers. utilization and exchange of information, reimbursement of costs, accounting systems and protection of data. The provisions for the income and eligibility system take effect for all agencies April 1, 1985, unless the state agency submits a plan of good faith effort requesting waiver of the requirement until September 30, 1986. An interdepartmental task force has been established to develop and publish regulations implementing the Deficit Reduction Act. Representatives from the Departments of Health and Human Services, Agriculture, Labor as well as OMB are serving on the Task Force. Plans are to publish each Department's regulations under a single statement of objective and scope.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	06/00/85	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Irene Lynn, Chief, St. Legislative Review/Guidance Group, Department of Labor, Employment and Training Administration, 601 D Street, NW, Room 7203, Washington, DC 20213, 202 736-7100

RIN: 1205-AA32

DEPARTMENT OF LABOR (DOL)

Employment and Training Administration (ETA)

Completed Actions

COMPLETED RULEMAKINGS

42. WORK INCENTIVE PROGRAM FOR AFDC RECIPIENTS UNDER TITLE IV OF THE SOCIAL SECURITY ACT

Priority: Agency Determination

Legal Authority: PL 98-369 Deficit Reduction Act of 1984, Sec. 2631 & 2634

CFR Citation: 29 CFR 56.20(b); 29 CFR 56.51(b)(1); 45 CFR 224.20(b); 45 CFR 224.51(b)(1)

Abstract: The law which prescribes various exemptions from registration for employment by AFDC applicants and recipients contains no exemption for women in the later stage of pregnancy when they are least employable. The amendment exempts women expecting to give birth in the month of registration or the next 3 months.

The law presently provides that where a child's caretaker is sanctioned for

failure to participate in WIN, that person may not continue to receive the child's benefits which must be paid to a protective payee. This has been difficult to implement.

The amendment permits States to continue paying the sanctioned caretaker on behalf of a child but only after they have been unable to locate a suitable replacement and a delay will affect the child adversely.

Both revisions will conserve WIN staff time and program funds.

There is no notice of proposed rulemaking or NPRM comment period. This amendment is a conforming regulation and only paraphrases the statute Congress intended to be effective by October 1, 1984.

Timetable:

Action Date FR Cite
Final Action 02/14/85 50 FR 6164

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: William J. Kacvinsky, Executive Director, Department of Labor, Employment and Training Administration, National Coordination Comm. Room 8028 PHBldg, 601 D Street, NW, Washington, DC 20213, 202 376-6890

RIN: 1205-AA27

[FR Doc. 85-6488 Filed 04-26-85; 8:45 am]

BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL)

Office of Pension and Welfare Benefits Programs (PWBP)

Current and Projected Rulemakings

43. INDIVIDUAL BENEFIT REPORTING - RECORDKEEPING - MULTIPLE EMPLOYER PLANS

Legal Authority: 29 USC 1025; 29 USC 1059; 29 USC 1135

CFR Citation: 29 CFR 2520; 29 CFR 2530

Abstract: The rule would govern: (1) reports that must be furnished to participants and beneficiaries in multiple employer pension plans, regarding the benefits to which they are entitled, or may become entitled, at retirement; and (2) records that must be maintained to provide the information necessary to prepare these reports. This rule was first proposed on 02/09/79 (44 FR 8294) jointly with the single employer plan benefit reporting regulations.

Timetable:

Action	Date		FR	Cite
Previous NPRM	02/09/79	44	FR	8294
NPRM	08/08/80	45	FR	52824
NPRM Comment Period End	10/08/80			
Notice of 11/25/80 Public Hearing	11/12/80	45	FR	74727
Final Action	00/00/00			

Small Entity: Undetermined

Agency Contact: Howard Hensley, Chief, Division of Reporting and Disclosure, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm N4700, FPBIdg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8515

RIN: 1210-AA02

44. INDIVIDUAL BENEFIT REPORTING AND RECORDKEEPING FOR SINGLE EMPLOYER PLANS

Legal Authority: 29 USC 1025; 29 USC 1059; 29 USC 1135

CFR Citation: 29 CFR 2520; 29 CFR 2530

Abstract: The rule would govern: (1) reports that must be furnished to participants and beneficiaries in single employer pension plans, regarding the benefits to which they are entitled, or may become entitled, at retirement; and (2) records that must be maintained to provide the information necessary to prepare these reports. This rule was first proposed on 02/09/79 (44 FR 8294) jointly with the multiple employer plan benefit reporting regulation.

Timetable:

Action	Date	FR	Cite
Previous NPRM	02/09/79	44 FR	8294
NPRM	08/01/80	45 FR	51231

 Action
 Date
 FR Cite

 Notice of 11/25/80 Public Hearing NPRM Comment Period End Final Action
 11/12/80 45 FR 74728 10/01/81 10/01/81 00/00/00

Small Entity: Undetermined

Agency Contact: Howard Hensley, Chief, Division of Reporting and Disclosure, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm N4700 FPBldg., 200 Constitution Ave. NW, Washington, DC 20210, 202 523-8515

RIN: 1210-AA03

45. PLAN ASSETS REGULATION

Priority: Task Force

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2550

Abstract: The remaining part of this regulation would clarify what investments constitute assets of an employee benefit plan under ERISA. The regulation had been targeted for review by the President's Task Force on Regulatory Relief. A final rule dealing with the housing portion of the regulation was published on 05/18/82 (47 FR 21241) and became effective on 06/17/82. The publication date of the

final regulation dealing with the remaining issues is under consideration.

Timetable:

Action	Date	FR Cite
Previous NPRM	08/28/79	44 FR 50363
Previous NPRM	06/01/80	45 FR 38084
NPRM	01/08/85	50 FR 961
NPRM Comment Period Begin	01/08/85	50 FR 961
Public Hearing 05/00/85	01/08/85	50 FR 961
NPRM Comment Period End	03/11/85	
Final Action	06/00/86	

Small Entity: No

Agency Contact: Douglas Wham, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm C4508, FP Bldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7923

RIN: 1210-AA06

46. PARTICIPANT DIRECTED INDIVIDUAL ACCOUNT PLANS

Legal Authority: 29 USC 1104(c); 29 USC 1135

CFR Citation: 29 CFR 2550

Abstract: The regulation would describe the kinds of plans referred to in Section 404(c) as participant directed individual account plans, the circumstances under which a participant or beneficiary will be considered to have exercised control over his individual account, and the consequences under section 404(c) of such an exercise of control.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Shelby J. Hoover, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm C4508, FP Bldg., 200 Constitution Ave, NW, Washington, DC 20210, 202 523-8658

RIN: 1210-AA08

47. LOANS TO PARTICIPANTS

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2550

Abstract: This rule describes the circumstances under which the

exemption in section 408(b)(1) from the prohibited transaction provisions for loans by a plan to plan participants will be available.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: William Flanagan, Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm C4508, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, 202 523-8610

RIN: 1210-AA09

48. PROPOSED EXEMPTION AND ALTERNATIVE METHOD OF COMPLIANCE FOR ANNUAL REPORTING OF CERTAIN INVESTMENTS

Priority: Agency Determination

Legal Authority: 29 USC 1024; 29 USC 1030; 29 USC 1135

CFR Citation: 29 CFR 2520

Abstract: ERISA and the regulations issued thereunder, require the administrator of an employee benefit plan, unless otherwise exempt, to file annual reports relating to the financial status and activities of the plan. Among other things, the annual report is required to include statements and schedules concerning the assets of the plan and transactions involving those assets. This regulation will provide an alternative method of compliance with the annual reporting requirements for certain employee benefit plans which invest in entities, the underlying assets of which constitute plan assets under the Department's "Plan Assets" regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/24/85	50 FR 3362
NPRM Comment Period Begin	01/24/85	50 FR 3362
NPRM Comment Period End	03/25/85	
Final Action	06/00/86	

Small Entity: No

Agency Contact: George Holmes, Plan Benefit Specialist, Department of Labor, Office of Pension and Welfare Benefits Programs, 200 Constitution Ave., NW, Room N-4472 FP Bldg, Washington, DC 20210, 202 523-8515

RIN: 1210-AA14

49. ADEQUATE CONSIDERATION

Legal Authority: 29 USC 1002(3)(18); 29 USC 1135

CFR Citation: 29 CFR 2510

Abstract: This regulation would provide guidance as to what constitutes adequate consideration under section 3(18) of ERISA for securities for which there is no generally recognized market.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: William Flanagan, Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, 200 Constitution Ave., NW, Room C-4508 FP Bldg, Washington, DC 20210, 202 523-8610

RIN: 1210-AA15

50. DEFINITION OF PLAN ASSETS -EMPLOYEE CONTRIBUTIONS

Priority: Agency Determination Legal Authority: 29 USC 1135 CFR Citation: 29 CFR 2550

Abstract: This regulation would describe when monies paid to, or withheld by, an employer as contributions to an employee benefit plan are considered "Plan Assets" for purposes of Title I of ERISA and certain related provisions of the Internal Revenue Code. Proposed regulations dealing with this matter were published by the Department on August 28, 1979, and June 6, 1980.

Timetable:

Action	Date	FR Cite
NPRM	08/28/79	44 FR 50363
NPRM Comment Period Begin	12/18/79	
NPRM Comment Period End	01/07/80	
Public Hearings	02/27/80	
NPRM	06/06/80	45 FR 38084
Final Action	10/00/85	

DOL-PWBP

Current and Projected Rulemakings

Small Entity: No

Additional Information: Subpart of RIN 1210-AA06 (Definition of Plan Assets) which will be handled separately.

Agency Contact: Rudolph Nuissl, Plan Benefit Specialist, Department of Labor, Office of Pension and Welfare Benefits Programs, 200 Constitution Ave., NW, Room C-4508 FP Bldg, Washington, DC 20210, 202 523-8671

RIN: 1210-AA16

51. AMENDMENT OF SEVERANCE PAY REGULATION

Legal Authority: 29 USC 1135; 29 USC 1002(2)(B)(i)

CFR Citation: 29 CFR 2510.3-2(b)

Abstract: This regulation would amend the regulation defining severance pay plans at 29 CFR 2510.3-2(b) to clarify when a severance pay arrangement constitutes a pension plan for purposes of Title I of ERISA.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Doris F. Jacobs, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Room C4508, FPB, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-9595

RIN: 1210-AA18

52. QUALIFIED DOMESTIC RELATIONS ORDERS UNDER THE RETIREMENT EQUITY ACT

Legal Authority: 29 USC 1056(d)(3)(L); 29 USC 1135

CFR Citation: 29 CFR 2530

Abstract: This regulation would clarify the application of the qualified domestic relations order provisions of section 206(d)(3) of ERISA added by the Retirement Equity Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Undetermined

Agency Contact: Douglas Wham, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Room C4508, FPB, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7983

RIN: 1210-AA19

53. PROCEDURES FOR ADMINISTRATIVE IMPOSITION OF CIVIL SANCTIONS

Priority: Agency Determination

Legal Authority: 29 USC 1132 (i); 29 USC 1135

CFR Citation: 29 CFR 2570

Abstract: This procedural rule would implement Section 502(i) of ERISA which authorizes the Secretary of Labor to impose civil sanctions against parties in interest (as defined in ERISA Section 3(14)) who engage in prohibited transactions with welfare plans and nonqualified pension plans.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	mil or
Small Entity	v. Undetermined	

Agency Contact: Chester A. Hurwitz, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Room C4508, FPB, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-9594

RIN: 1210-AA20

54. O TOP HAT PLANS

Legal Authority: 29 USC 1135 CFR Citation: 29 CFR 2510 Abstract: This regulation would provide guidance as to what constitutes an unfunded employee benefit plan maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees ("top hat" plans) for purposes of Title I of ERISA.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	
Small Entit	y: Undetermined	

Agency Contact: Shelby Hoover, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Room C4508, FPB, 200 Constitution Ave., Nw, Washington, DC 20210, 202 523-8658

RIN: 1210-AA21

55. THE PAYMENT OF TRUSTEES' LITIGATION EXPENSES

Priority: Undetermined

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2509

Abstract: This Interpretive Bulletin will provide guidance on circumstances in which it will be lawful under Title I of ERISA for employee benefit plans to pay the litigation expenses of plan fiduciaries as defined in ERISA Section 3(21). Such guidance will clarify a legal issue about which there has been considerable confusion.

Timetable:

Action	Date	FR Cite
Final Action	07/00/85	16750017

Small Entity: No

Agency Contact: Chester A. Hurwitz, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Room C4508, FPB, 200 Constitution, Ave., NW, Washington, DC 20210, 202 523-9593

RIN: 1210-AA22

DEPARTMENT OF LABOR (DOL)

Office of Pension and Welfare Benefits Programs (PWBP)

56. PARTICIPATION OF SELF-REGULATORY ORGANIZATIONS IN THE PROHIBITED TRANSACTION EXEMPTION PROCESS

Priority: Undetermined

Legal Authority: 29 USC 1108 (a); Sec. 101 Reorganization Plan No. 4 of 1978

CFR Citation: Not yet determined

Abstract: The Department has solicited public comment concerning methods of enhancing private sector participation Existing Regulations Under Review

in the processing of exemptions from the prohibited transaction provisions of ERISA. Following an analysis of the comments received in response to the Department's solicitation, a

DOL-PWBP

Existing Regulations Under Review

determination will be made as to what future action is appropriate.

Ti			

Initetable.			
Action	Date	FR	Cite
Begin Review	11/15/84		Servine.
Solicitation of comments	12/10/84	49 FR	48111
Comment Period	02/08/85		

Action	Date	FR	Cite
End Review	08/00/85	W	100
Small Entity:	Undetermined		

Agency Contact: Janet Brown, Special Assistant to the Administrator, Department of Labor, Office of Pension and Welfare Benefits Programs, Room S4516, FPB, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-9054

RIN: 1210-AA17

[FR Doc. 85-8488 Filed 04-26-85; 8:45 am]

BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL)

Bureau of Labor Management Relations and Cooperative Programs (LMRCP)

Completed Actions

COMPLETED RULEMAKINGS 57. AIRLINE DEREGULATION: FIRST RIGHT OF HIRE

Priority: Agency Determination

Legal Authority: 49 USC 1552; PL 95-504

CFR Citation: 29 CFR 220

Abstract: These regulations will implement the first right of hire provisions of the Airline Deregulation Act of 1978. Under the language of the Act relating to this duty to hire, each protected employee who is "furloughed or otherwise terminated" (except for cause) from his or her employment by a certificated air carrier between the date the Act was passed and October 24, 1988 "shall have first right of hire, regardless of age, in his occupational specialty" by any covered carrier hiring "additional employees," with the sole exception that covered carriers are entitled to recall furloughed employees before hiring a protected individual. A notice of rulemaking was published on November 22, 1983.

Timetable:

Action	Date	FR Cite
NPRM	03/30/79	44 FR 19146
NPRM Comment Period End	04/30/79	
NPRM First right	09/17/82	47 FR 41304

Action	Date	FR Cite
Comments due First right of hire NPRM	10/18/82	TELL AVENUE
Congressional Committees' Review	11/09/83	
Final Action	11/22/83	48 FR 52854
Withdrawn	02/27/85	
Final Action effective date stayed pending District Court ruling 05/21/84 (49 FR 21499)		

Small Entity: No

Agency Contact: Ron Glass, Chief, Division of Employee Protections, Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5639, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-6495

RIN: 1214-AA00

58. ADMINISTRATION OF LABOR PROTECTION PROVISIONS AFFECTING MASS TRANSIT EMPLOYEES UNDER 13(C) OF THE URBAN MASS TRANSPORTATION ACT

Priority: Undetermined

Legal Authority: 49 USC 1609 CFR Citation: 29 CFR 215

Abstract: This proposal would revise the Department's current guidelines concerning administrative procedures in processing applications for mass transit assistance under the Urban Mass Transportation Act of 1964, as amended, and the criteria followed by the Secretary of Labor when certifying "fair and equitable" employee arrangements under section 13(c) of the Act.

Timetable:

Action	Date	FR Cite
Withdrawn	02/27/85	No. of the last

Small Entity: Undetermined

Agency Contact: Ron Glass, Chief, Division of Employee Protections, Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5639, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-6495

RIN: 1214-AA01

[FR Doc. 85-6488 Filed 04-26-85; 8:45 am]

BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL)

Office of Labor Management Standards (OLMS)

Completed Actions

COMPLETED RULEMAKINGS 59. LABOR ORGANIZATION ANNUAL REPORT

Legal Authority: 29 USC 431; 29 USC 438; 29 USC 461

CFR Citation: 29 CFR 403.3; 29 CFR 403.4

Abstract: 29 USC 431 requires labor organizations to file annual financial reports with DOL. OLMS plans to revise Labor Organization Annual Report Form LM-2 which was

developed for obtaining this required reporting. The planned changes would clarify the instructions for completing the report, improve disclosure to union members and assist the Department in detecting violations of the LMRDA.

DOL-OLMS

Completed Actions

	STATE OF
Date	FR Cite
02/27/85	

Small Entity: No

Agency Contact: Kay Oshel, Chief, Division of Interpretations & Stds, Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5109, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7373

RIN: 1294-AA00

60. ELECTION ENFORCEMENT PROVISIONS OF THE LMRDA

Legal Authority: 29 USC 481; 29 USC

CFR Citation: 29 CFR 452, Subpart J

Abstract: This rule, if promulgated, would revise and update the existing enforcement provisions of the interpretative bulletin on elections of union officers subject to the LMRDA. A notice of proposed rulemaking was published on 10/03/80 (45 FR 65925) with comments due by 12/17/80. No further action has been taken. The proposed rulemaking may be reconsidered during 1985.

Timetable:

Action	Date		FR	Cite
NPRM	10/03/80	45	FR	65925
NPRM Comment Period End	12/17/80			

FR Cite Action Date Proposed 12/00/83 Rulemaking reconsidered Withdrawn 02/27/85

Small Entity: No

Agency Contact: Kay Oshel, Chief, Division of Interpretation & Stds., Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5109, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, 202 523-7373

RIN: 1294-AA01 [FR Doc. 85-6488 Filed 04-26-85: 8:45 am] BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL)

Mine Safety and Health Administration (MSHA)

61. PATTERN OF VIOLATIONS

Legal Authority: 30 USC 814(e); 30 USC

CFR Citation: 30 CFR 104

Abstract: The Mine Act provides for issuance of withdrawal orders to mines having a pattern of serious violations until the mine is completely free of such violations. A 1980 proposed rule would have set criteria for determining if a "pattern of violations" exists. Commenters generally opposed the proposal stating that it was complex, too statistically oriented, and vague. In addition, since the proposal was published, the statutory concept of "significant and substantial violations" (S&S) has been redefined by the Federal Mine Safety and Health Review Commission. S&S violations are a critical element in the statutory provisions. For these reasons, MSHA has withdrawn the 1980 proposal and issued an ANPRM for public comment which outlines new procedures for implementing the statutory provision for pattern of violations.

Timetable:

Action	Date		FR	Cite
NPRM	08/15/80	45	FR	54656
NPRM Comment Period End	10/14/80			
ANPRM	02/08/85	50	FR	5470
ANPRM Comment Period Begin	02/08/85	50	FR	5470

Action	Date	FR Cite
Withdrawal of 1980 ANPRM	02/08/85	
ANPRM Comment Period End	04/09/85	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA04

62. ALTERNATE PROGRAM FOR EQUIPMENT APPROVALS

Priority: Undetermined

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 37

Abstract: This would be a new Part. Under existing regulations, certain equipment must be approved by MSHA prior to use in underground mines. In lieu of MSHA testing, the proposal would permit manufacturers or independent laboratories to test certain equipment prior to their issuance of the Agency's approval.

Current and Projected Rulemakings

Timetable:				
Action	Date		FR	Cite
ANPRM	03/04/83	48	FR	09475
Notice of Public Meetings	03/18/83	48	FR	11665
ANPRM Comment Period End	05/03/83			
NPRM	09/00/85			

Small Entity: Yes

Additional Information: On 03/04/83 MSHA published a notice in the Federal Register announcing the availability of a preproposal draft for Part 37. Public meetings were held in April 1983 and the comment period closed on 05/03/83.

Agency Contact: Patricia W. Silvey. Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA06

63. REVIEW OF SELF-CONTAINED SELF RESCUE DEVICES (SCSR) STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination Legal Authority: 30 USC 811 CFR Citation: 30 CFR 75.1714

Abstract: The Self-Contained Self Rescue Devices (SCSR) Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	07/09/82	47	FR	30025
ANPRM	07/01/83	48	FR	30589
ANPRM Comment Period Begin	07/01/83			
ANPRM Comment Period End	08/30/83			
NPRM	09/00/85			

Small Entity: Yes

Additional Information: Public conferences were held during August 1983. The proposed rule is expected to be published in September 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA08

64. REVIEW OF VENTILATION STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination Legal Authority: 30 USC 811 CFR Citation: 30 CFR 75.300

Abstract: The Ventilation Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR	Cite
Begin Review	07/09/82	47 FR	30025
End Review	12/00/84		
ANPRM	07/00/85		

Small Entity: Yes

Additional Information: The ANPRM is expected to be published during July 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA11

65. REVIEW OF HOISTING AND TRANSPORTATION OF PERSONS AND MATERIAL STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination Legal Authority: 30 USC 811 CFR Citation: 30 CFR 75.1400

Abstract: The hoisting and transportation standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	07/09/82	47	FR	30025
ANPRM	07/01/83	48	FR	30589
ANPRM Comment Period Begin	07/01/83			
ANPRM Comment Period End	08/30/83			
NPRM	07/00/85			

Small Entity: Yes

Additional Information: Public conferences were held during August 1983. The proposed rule is expected to be published in July 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey. Director, Office of Standards. Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA12

66. SAFETY STANDARDS FOR UNDERGROUND COAL MINES; ROOF, FACE AND RIB SUPPORT

Priority: Agency Determination Legal Authority: 30 USC 811 CFR Citation: 30 CFR 75.200

Abstract: The Roof Control Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	07/09/82	47	FR	30025
ANPRM	09/02/83	48	FR	40165
ANPRM Comment Period Begin	09/02/83	48	FR	40165
ANPRM Comment Period End	11/18/83			
NPRM	04/00/85			

Small Entity: Yes

Additional Information: The ANPRM was published September 2, 1983 (48 FR 40165). This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables. Public conferences were held October 25 and 27, 1983. The proposed rule is expected to be published in April 1985.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA13

67. REVIEW OF METAL AND NONMETAL ELECTRICITY STANDARDS

Priority: Agency Determination Legal Authority: 30 USC 811

Current and Projected Rulemakings

CFR Citation: 30 CFR 55.12; 30 CFR 56.12; 30 CFR 57.12

Abstract: The electricity standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	03/25/83	45	FR	19267
ANPRM	05/20/83	48	FR	22895
ANPRM Comment Period Begin	05/20/83			
ANPRM Comment Period End	07/19/83			
NPRM	07/00/85			

Small Entity: Yes

Additional Information: The proposed rule is expected to be published during July 1985. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA14

68. REVIEW OF METAL AND NONMETAL GASSY MINE STANDARDS

Priority: Agency Determination Legal Authority: 30 USC 811 CFR Citation: 30 CFR 57.21

Abstract: The Gassy Mine Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR	Cite
Begin Review	03/25/83	45 FR	19267
ANPRM	06/10/83	48 FR	27025

Action	Date	FR Cite
ANPRM Comment Period Begin	06/10/83	
ANPRM Comment Period End	08/09/83	
Extension of Comment Period to 09/09/83	08/12/83	48 FR 36789
NPRM	03/00/85	

Small Entity: Yes

Additional Information: The proposed rule is expected to be published in October 1984. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA15

69. SAFETY STANDARDS FOR UNDERGROUND COAL MINES; EXPLOSIVES AND BLASTING

Priority: Agency Determination Legal Authority: 30 USC 811 CFR Citation: 30 CFR 75.1300

Abstract: The Explosives Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	07/09/82	47	FR	30025
ANPRM	05/08/84	49	FR	19601
ANPRM Comment Period Begin	05/08/84	49	FR	19601
ANPRM Comment Period End	07/20/84			
NPRM	08/00/85			

Small Entity: Yes

Additional Information: The ANPRM was published on May 8, 1984. Public Conferences were held in June 1984. This entry is part of RIN 1219-AA01 (Review of Safety and Health

Standards Applicable to Coal) and has been separately identified in order to more easily distinguish timetables. See also RIN 1219-AA23 for detailed requirements and timetables of Approval Schedules. The proposed rule is expected in August 1985.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA16

70. REVIEW OF METAL AND NONMETAL EXPLOSIVES STANDARDS

Priority: Agency Determination Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.6; 30 CFR 56.6; 30 CFR 57.6

Abstract: The explosives standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	03/25/80	45	FR	19267
ANPRM	08/20/84	49	FR	33087
ANPRM Comment Period Begin	08/20/84			
ANPRM Comment Period End	10/19/84			
Extension of ANPRM Comment Period to	11/16/84	49	FR	37640
NPRM	09/00/85			

Small Entity: Yes

Additional Information: The ANPRM was published August 20, 1984 (49 FR 33087). This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables. A proposed rule is expected to be published 09/85.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA17

71. REVIEW OF METAL AND NONMETAL LOADING, HAULING, AND DUMPING STANDARDS

Priority: Agency Determination Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.9; 30 CFR 56.9; 30 CFR 57.9

Abstract: The Loading, Hauling and Dumping Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	03/25/80	45	FR	19267
ANPRM	04/22/83	48	FR	17513
ANPRM Comment Period Begin	04/22/83			
ANPRM Comment Period End	06/21/83			
NPRM	12/18/84	49	FR	49202
NPRM Comment Period Begin	12/18/84	49	FR	49202
Extension of time to comment to 03/22/85.	01/25/85	50	FR	3681
NPRM Comment Period End	02/19/85			
Final Action	12/00/85			

Small Entity: Yes

Additional Information: The proposed rule was published December 18, 1984, with comments due by February 19, 1985. On January 25, 1985, MSHA extended the comment period to March 22, 1985. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables. Public hearings are expected to be held in May 1985. A final rule is anticipated in December 1985.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA18

72. SAFETY STANDARDS FOR MACHINERY AND EQUIPMENT AT METAL AND NONMETAL MINES

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.14; 30 CFR 56.14; 30 CFR 57.14

Abstract: The Machinery and Equipment Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	03/25/80	45	FR	19267
ANPRM	02/11/83	48	FR	6489
ANPRM Comment	02/11/83			
Period Begin ANPRM Comment Period End	04/15/83			
NPRM	03/06/84	49	FR	8375
NPRM Comment Period Begin	03/06/84	10000	MODE:	8375
NPRM Comment Period End	05/07/84			
Notice of Public Hearings	05/21/84			
Final Action	06/00/85			

Small Entity: Yes

Additional Information: The proposed rule was published March 6, 1984. Public hearings were held in June 1984. The final rule is expected in June 1985. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA19

73. REVIEW OF METAL AND NONMETAL AIR QUALITY STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.5; 30 CFR 56.5; 30 CFR 57.5

Abstract: The Air Quality Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	03/25/80	45	FR	19267
ANPRM	07/06/83	48	FR	31171
ANPRM Comment Period Begin	07/06/83			
Extension of Comment Period to 10/06/83.	08/12/83	48	FR	36789
Extension of Comment Period to 11/07/83.	09/16/83	48	FR	41747
ANPRM Comment Period End	11/07/83			
NPRM	06/00/85			

Small Entity: Yes

Additional Information: The proposed rule is expected to be published in June 1985. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA21

74. REVIEW OF METAL & NONMETAL GROUND CONTROL STANDARDS

Priority: Agency Determination Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.3; 30 CFR 56.3;

30 CFR 57.3

Abstract: The Ground Control standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

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Action	Date		FR	Cite
Begin Review	03/25/80	45	FR	19267
ANPRM	03/11/83	48	FR	10593
ANPRM	03/11/83			
Comment Period Begin				0
ANPRM	05/11/83			
Comment Period End				
NPRM	03/06/84	49	FR	8368
NPRM Comment Period Begin	03/06/84	49	FR	8368
NPRM Comment Period End	05/07/84			
Notice of Public Hearings	05/21/84			
Final Action	05/00/85			

Small Entity: Yes

Additional Information: This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables. The proposed rule was published on March 6, 1984. Public hearings were held in June 1984. The final rule is expected in May 1985.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA22

75. REQUIREMENTS OF APPROVAL
OF EXPLOSIVES AND SHEATHED
EXPLOSIVE UNITS, WATER
STEMMING BAGS, ELECTRIC
DETONATORS AND BLASTING UNITS

Priority: Agency Determination Legal Authority: 30 USC 811 CFR Citation: 30 CFR 15; 30 CFR 16; 30 CFR 17; 30 CFR 25

Abstract: The explosives approval schedules are part of the overall coal review of high priority standards. The schedules in 30 CFR Parts 15, 16, 17, and 25 list requirements for approval of explosives, water stemming bags, electrical detonators, and blasting units, respectively.

Timetable:

Action	Date		FR	Cite
ANPRM	06/05/84	49	FR	23281
ANPRM	06/05/84			
Comment Period Begin				
ANPRM	08/10/84			
Comment				
Period End				
NPRM	08/00/85			

Small Entity: Yes

Additional Information: The ANPRM was published on June 5, 1984 and a public conference was held in Pittsburgh, PA on 7/11/84. The NPRM is expected in August 1985. This entry is part of RIN 1219-AA16 (Review of Explosives Standards Applicable to Coal Mining); however, it has been listed separately to more easily identify requirements and timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm. 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA23

76. • MINE PLAN APPROVALS

Priority: Agency Determination Legal Authority: 30 USC 957 CFR Citation: 30 CFR Chapter I

Abstract: Members of the mining community have recommended a proposal which they believe would encourage more cooperative efforts in developing mine plans and provide for an equal appeal procedure for disputed matters. Specifically, the proposal would (1) establish time frames for MSHA and mine operator actions on mine plans, (2) specify that the agreed upon provisions would take effect immediately, (3) provide that citations be issued regarding plan provisions upon which the operator and District Manager cannot agree, (4) establish guidelines for the abatement of such

citations and (5) provide for the review of these citations before the Federal Mine Safety and Health Review Commission. As an alternative to this proposal, MSHA could establish an intra-agency appeal panel to hear disputes. This panel would include MSHA personnel with expertise in the subject matter addressed by the plan provision in dispute. At this time MSHA has made no decisions concerning the merits of the AMC/BCOA proposal. However, the Agency recognizes that there might be some problems associated with the plan approval process. However, MSHA believes that comments from (cont)

Timetable:

Date	FR Cite
03/00/85	
	Date 03/00/85

Small Entity: Yes

Additional Information: ABSTRACT CONT: all segments of the mining community will assist the Agency in evaluating the plan approval process.

Agency Contact: Patricia W. Silvey. Director, Office of Std., Reg. & Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA26

77. RADIATION

Priority: Agency Determination Legal Authority: 30 USC 811

CFR Citation: 30 CFR 56.5-37 to 5-47; 30 CFR 57.5-37 to 5.47

Abstract: MSHA is reviewing its existing metal and nonmetal radiation (radon daughters) standards. The Agency has identified specific issues with respect to possible regulatory action. An ANPRM was published in the Federal Register (01/29/85, 50 FR 4144) inviting public comments. The purpose of this review is to evaluate the adequacy of the existing standards in providing appropriate protection for miners exposed to radiation hazards in surface and underground operations.

Timetable:

Action	Date		FR Cite
ANPRM	01/29/85	50	FR 4144
ANPRM	01/29/85		
Comment			
Period Begin			

DOL-MSHA

Current and Projected Rulemakings

Action	Date	FR	Cite	Action	Date	FR Cite
Extention of ANPRM Comment Period to 6/3/85	03/22/85	50 FR	11638	ANPRM Comment Period End Small Entity:	04/01/85 Yes	

Agency Contact: Patricia W. Silvey, Director, Office of Std., Reg., & Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA28

DEPARTMENT OF LABOR (DOL)

Mine Safety and Health Administration (MSHA)

Existing Regulations Under Review

78. REVIEW OF ELECTRICAL STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.500; 30 CFR 75.600; 30 CFR 75.700; 30 CFR 75.800; 30 CFR 75.900; 30 CFR 75.1000

Abstract: The Electrical Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing Standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date		FR	Cite
Begin Review	07/09/82	47	FR	30025
End Review	12/00/84			
ANPRM	09/00/85			

Small Entity: Yes

Additional Information: The ANPRM is expected to be published in September 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA10

79. • APPROVAL CRITERIA FOR DIESEL-POWERED EQUIPMENT FOR UNDERGROUND COAL MINES

Priority: Agency Determination

Legal Authority: Section 508 of the Federal Mine Safety and Health Act of 1977; 30 USC 957

CFR Citation: 30 CFR 36

Abstract: The atmosphere of underground coal mines contains methane gas which can quickly accumulate in explosive concentrations. To protect against gas ignitions and mine explosions, the Federal Mine Safety and Health Act of 1977 requires that mining equipment be built in accordance with certain performance standards. To administer these requirements, MSHA has established a mining equipment approval system, including evaluation criteria. At present, approximately 88 underground coal mines are using about 1100 pieces of diesel equipment. Existing MSHA approval criteria do not, however, apply to this equipment. Existing MSHA regulations (30 CFR 36) apply only to diesel equipment for noncoal mines and tunnels. MSHA has encouraged coal mine operators to voluntarily use diesel-powered equipment approved for noncoal mines. This effort has not been completely successful. Cost estimates have not been calculated. However, costs could arise from the purchase and maintenance of approved diesel equipment and for environmental controls. The major benefit would be increased productivity resulting from elimination of electric trailing cables, and increased (cont)

Timetable:

Action	Date	FR Cite
Agency Task Force Report	00/00/00	The state of

Small Entity: Yes

Additional Information: ABSTRACT CONT: safety possible in areas such as materials handling when diesels are used to replace electric equipment.

ADDITIONAL INFORMATION: Regulations acknowledging the use of diesel-powered equipment in underground coal mines highlight issues regarding exposure limits for diesel fumes, raising potential policy issues regarding appropriate health standards.

Agency Contact: Patricia W. Silvey. Director, Office of Std., Reg., & Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA27

80. MSHA REGULATIONS FOR APPROVAL OF EQUIPMENT-UPDATING FEES ASSOCIATED WITH EQUIPMENT APPROVALS

Priority: Agency Determination Legal Authority: 30 USC 957 CFR Citation: 30 CFR 11 to 36

Abstract: Existing regulations require that certain equipment be approved by MSHA for use in underground mines. Currently, MSHA tests for a fee, all equipment submitted by manufacturers prior to the issuance of an agency approval. Most of the approval regulations have not been revised in nearly 20 years, and accordingly, the fees do not accurately reflect current costs to the government.

Timetable:

Action	Date	FR Cite
rough	Date	111 0110

Next Action Undetermined

Small Entity: Yes

Additional Information: No specific timetable has been established, since regulatory alternatives are still being considered.

Agency Contact: Patricia W. Silvey, Director, Office of Std., Reg., & Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA29

DEPARTMENT OF LABOR (DOL) Mine Safety and Health Administration (MSHA)

Completed Actions

COMPLETED RULEMAKINGS 81. REVIEW OF METAL AND NONMETAL STANDARDS

Priority: Agency Determination Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55; 30 CFR 56; 30 CFR 57

Abstract: These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry. Originally the ANPRM comment period ended 05/27/80, but on 06/06/80 (45 FR 38087), comments were extended to 08/05/80. NPRM of 11/20/81 announced MSHA's initial priorities for its comprehensive standards review and its intent to hold informal public conferences.

Timetable:

Action	Date	FR	Cite
ANPRM	03/25/80	45 FR	19267
ANPRM	08/05/80		
Comment			
Period End			
Additional	11/20/81	46 FR	57253
ANPRM			
Comment Period	05/28/82		
extended to			
06/30/82	-	7000 12100	and the
Public	05/00/82	47 FR	10190
Conferences,			
April & May 82			22020
Post Conference comments due	06/04/82	47 FR	23484
Withdrawn	03/11/85		

Small Entity: Yes

Additional Information: Each high priority section is listed separately in this document.

Agency Contact: Patricia W. Silvey. Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA00

82. REVIEW OF SAFETY AND HEALTH STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 70; 30 CFR 71; 30 CFR 75; 30 CFR 77

Abstract: MSHA plans to review these standards to: (1) clarify and update existing standards; (2) eliminate unnecessary standards; (3) reduce recordkeeping burdens on the industry; and (4) incorporate technological advances. MSHA has initiated a review of all safety standards for underground coal mines. As part of this review, MSHA is specifically suggesting for regulatory changes to roof support, explosives, and the ventilation requirements in sec 75.316.

Timetable:

Action	Date	FR Cite
ANPRM	07/09/82	47 FR 30025
Comment Period extended to 11/15/82	08/27/82	47 FR 38097
ANPRM Comment Period End	11/15/82	
Withdrawn	03/11/85	

Small Entity: Yes

Additional Information: Each high priority section is listed separately in this document.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, BT #3, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA01

83. MINER PARTICIPATION IN THE RESPIRABLE DUST SAMPLING PROGRAM

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 70; 30 CFR 71; 30 CFR 90

Abstract: This regulatory action is removed from the Agenda. The proposal, which would amend MSHA's coal mine respirable dust regulations to permit miners' representatives to participate in the existing sampling programs, was based on the Agency's experience prior to the 1980 revision of the sampling programs. Compliance with the revised programs has

improved, resulting in greater confidence in the overall dust program.

Timetable:

Action	Date		FR	Cite
NPRM	04/08/80	45	FR	24008
NPRM Comment Period End	06/02/80			
End Review	01/00/85			
Withdrawn	02/19/85			

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA02

84. CONSTRUCTION WORK AT SURFACE AREAS OF MINES: SAFETY, HEALTH STANDARDS

Priority: Undetermined

Legal Authority: 30 USC 811(a)(8)

CFR Citation: 30 CFR 110

Abstract: In accordance with section 101(a)(8) of the Mine Act, MSHA is evaluating the practicability and necessity of promulgating separate safety and health standards for construction activities at surface mines. This agenda item is being re-analyzed in light of MSHA's comprehensive standards review project. Where appropriate, the uniqueness of construction-type hazards and the adequacy and extent to which they are currently addressed will be issues of consideration in each of the substantive areas under review. When the standards review project is completed, the Agency will determine if separate publication of standards applicable to surface construction is warranted. This entry is removed from the Agenda.

Timetable:

Action	Date		FR	Cite
ANPRM	09/07/79	44	FR	52258
ANPRM Comment Period End	10/22/79			
Withdrawn	02/19/85			
End Review	00/00/00			

Small Entity: Yes

DOL-MSHA

Completed Actions

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA05

85. REVIEW OF CABS OR CANOPIES STANDARDS APPLICABLE TO COAL MINING

Legal Authority: 30 USC 811 CFR Citation: 30 CFR 75.1710

Abstract: The Cabs or Canopies
Standards are part of the overall coal
review of standards, however, MSHA
does not anticipate further rulemaking
action at this time. This entry is
removed from the Agenda. These
standards would be revised to: (1)
eliminate unnecessary standards; (2)
clarify and update standards; (3)
incorporate technological advances; and
(4) reduce recordkeeping burdens on
the industry.

Timetable:

Action	Date	FR	Cite
Begin Review	07/09/82	47 FR	30025
Withdrawn	02/19/85		

Small Entity: Yes

Additional Information: This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA. 22203, 703 235-1910

RIN: 1219-AA09

86. REVIEW OF METAL AND NONMETAL FIRE PREVENTION AND CONTROL STANDARDS

Priority: Agency Determination Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.4; 30 CFR 56.4; 30 CFR 57.4

Abstract: The Fire Prevention and Control Standards were part of the overall metal and nonmetal review of high priority sections. These standards were revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	12/28/82	47 FR 10593
ANPRM Comment Period Begin	12/28/82	
ANPRM Comment Period End	02/28/83	
NPRM .	10/04/83	48 FR 45336
NPRM Comment Period Begin	10/04/83	
NPRM Comment Period End	12/05/83	
Notice of Public Hearings	12/30/83	48 FR 57702
End Review	01/29/85	
Final Action	01/29/85	50 FR 4022
Final Action Effective	04/15/85	THE OWNER OF THE PERSON NAMED IN

Small Entity: Yes

Additional Information: The proposed rule was published October 4, 1983 (48 FR 57702). This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables. Public hearings were held in February 1984. The final rule was published on January 29, 1985, with a delayed effective date

of April 15, 1985. This entry is removed from the Agenda.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA20

87. REVIEW OF OIL AND GAS WELLS STANDARDS APPLICABLE TO COAL MINING

Priority: Undetermined

Legal Authority: 30 USC 811 CFR Citation: 30 CFR 75.1700

Abstract: The oil and gas wells standards are part of the overall coal review of high priority standards, however, MSHA does not anticipate further rulemaking action at this time. This entry is removed from the Agenda. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Withdrawn	02/19/85	

Small Entity: Yes

Additional Information: This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards Applicable to Coal Mining) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm. 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA24 [FR Doc. 85-6488 Filed 04-26-85: 8:45 am] BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL)

Current and Projected Rulemakings

Office of the Assistant Secretary for Administration and Management (OASAM)

88. NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM THE DEPARTMENT OF LABOR

Priority: Agency Determination

Legal Authority: 29 USC 794; 42 USC 6101 to 6107; 42 USC 2000d to 2000d-4; 20 USC 1618; 15 USC 3151; 29 USC 1501 et seq

CFR Citation: 29 CFR 31

Abstract: DOL's existing regulations implementing Title VI of the Civil Rights Act of 1964 have been revised as a single comprehensive civil rights regulation covering all DOL statutory authority relating to nondiscrimination in Federally assisted programs with uniform administrative and enforcement procedures.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Additional Information: Draft regulations have been submitted to DOJ and EEOC for approval under E.O. 12250 and E.O. 12067, respectively.

Public Compliance Cost: Initial Cost: \$0

Affected Sectors: None

Government Levels Affected: Local, State

Agency Contact: William J. Harris, Director, Office of Civil Rights, Department of Labor, Office of the Assistant Secretary for Administration and Management, Rm N4123, FP Bldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8927

RIN: 1291-AA02

89. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF LABOR PROGRAMS

Priority: Agency Determination Legal Authority: 29 USC 794 CFR Citation: 29 CFR 33

Abstract: Before the 1978 Amendments to Section 504 of the Rehabilitation Act of 1973, Congress had not held Federal Agencies to the same standard of accessibility to which recipients of Federal assistance were held. This proposed regulation would not require

DOL to take any action when it can demonstrate that taking such action would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. This regulation would require, however, that persons with handicaps, who are eligible for and who can achieve the purpose of a federally-conducted program or activity, be allowed access to that program or activity. Effective communication would also be required with applicants, participants, personnel, and members of the public that have impaired vision or hearing.

Timetable:

Action	Date	FR Cite
NPRM ,	04/00/85	

Small Entity: No

Additional Information: Regulation was approved by EEOC 12/84 and has been submitted to DOJ for review under E.O. 12250.

Agency Contact: William J. Harris, Director, Office of Civil Rights, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, NW, Rm N4123, FP Bldg., Washington, DC 20210, 202 523-8927

RIN: 1291-AA04

90. ADMINISTRATIVE
REQUIREMENTS GOVERNING ALL
GRANTS AND AGREEMENTS BY
WHICH DEPARTMENT OF LABOR
AGENCIES AWARD FUNDS TO STATE
AND LOCAL GOVERNMENTS, INDIAN
AND NATIVE AMERICAN ENTITIES,
ETC

Legal Authority: 5 USC 301; 29 USC 801 et seq; 29 USC 795; 30 USC 801 et seq; 29 USC 651 et seq; 42 USC 3011 et seq; 42 USC 501 et seq; 42 USC 1101 et seq; 42 USC 1321 et seq; 29 USC 49 et seq; OMB Circular No. A-102; OMB Circular No. A-110; PL 97-300; EO 12291

CFR Citation: 41 CFR 29 to 70

Abstract: Revise Department of Labor Regulations governing grants and agreements awarded by the Department of Labor.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: TITLE CONT: Public and Private Institutions of Higher Education and Hospitals, and other Quasi-Public and Private Nonprofit Organizations

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Thomas Delaney, Exec Assistant to Procurement Executive, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-9174

RIN: 1291-AA05

91. • DEPARTMENT OF LABOR ACQUISITION REGULATION (DOLAR) IMPLEMENTATION OF COMPETITION IN CONTRACTING ACT OF 1984 (CICA) (PUB. L. 98-369) INTO DOLAR

Priority: Agency Determination

Legal Authority: 5 USC 301; 29 USC 551; 40 USC 486(c); 41 USC 401; PL 98-369, Sec 2701; EO 12352; EO 12291

CFR Citation: 48 CFR 29

Abstract: Develop Department of Labor Acquisition Regulations to implement new regulations incorporated into the Federal Acquisition Regulation (FAR) mandated by the Competition in Contracting Act of 1984 (Pub. L. 98-369).

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Theodore Goldberg, Director, Office of Procurement & Grant Pol, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-9174

RIN: 1291-AA06

DEPARTMENT OF LABOR (DOL)

Office of the Assistant Secretary for Administration and Management (OASAM)

Completed Actions

COMPLETED RULEMAKINGS 92. DEPARTMENT OF LABOR ACQUISITION REGULATION (DOLAR) (IMPLEMENTATION OF FEDERAL ACQUISITION REGULATION (FAR))

Priority: Major

Legal Authority: 5 USC 301; 40 USC 486(c); 41 USC 401; EO 12352

CFR Citation: 48 CFR 29

Abstract: Acquisition policies and procedures of the Federal Government have been developed in the past with little regard to uniformity among agencies. The result of this was a wide range of different procurement policies which caused contractors considerable confusion. The Office of Federal Procurement Policy, working with other agencies and the public, developed a uniform and simplified procurement regulation known as the Federal Acquisition Regulation (FAR) which became effective April 1, 1984. However, because the FAR does not contain all the procedural details for

implementing specific policies, agencies are authorized to issue their own supplementary regulations. The Department of Labor Acquisition Regulation is being issued to implement the FAR where required and to supplement the FAR, with policies unique to DOL in areas where there is no FAR coverage. The DOLAR implements the FAR to the extent necessary incorporating public comments where appropriate, without duplicating, paraphrasing or contradicting the FAR. The DOLAR adheres to the FAR structured organization of subject matter and complies with the (cont)

Timetable:

Action	Date		FR	Cite
Final Action Effective	04/01/84	50	FR	8914
NPRM	06/19/84	49	FR	25160
NPRM Comment Period Begin	06/19/84	49	FR	25160
NPRM Comment Period End	07/19/84			

Action	Date	FR Cite
Final Action	03/05/85	50 FR 8914

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT: FAR-proscribed numbering system.

Public Compliance Cost: Initial Cost: \$0

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Theodore Goldberg, Director, Office of Proc. & Grant Policy, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, N.W., Washington, DC 20210, 202 523-9174

RIN: 1291-AA03

[FR Doc. 85-6488 Filed 04-26-85; 8:45 am] BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL) Office of the Inspector General (OIG)

Current and Projected Rulemakings

93. IMPLEMENTATION OF THE SINGLE AUDIT ACT OF 1984

Legal Authority: 5 USC 301 CFR Citation: 41 CFR 29

Abstract: This rule would provide for independent audits on an organization-wide basis of financial operations of Federal grantees that are State or local governments or Indian tribal governments that receive Federal assistance as well as Universities, hospitals and non-profit organizations.

Timetable:

Action	Date	FR Cite
NPRM	05/15/85	a linguage
NPRM Comment Period Begin	05/15/85	
NPRM Comment Period End	06/14/85	
Final Action	07/15/85	
Final Action Effective	08/15/85	

Small Entity: No

Additional Information: Previous Action RIN 1292-AA01, Federal and Non-Federal Audit Requirements

Agency Contact: Edwin Terrell, Chief, Federal Assistance Coord. Branch, Department of Labor, Office of the Inspector General, Rm. S5030, FP Bldg., 200 Constitution Avenue, NW, Washington, D.C. 20210, 202 523-8190

RIN: 1292-AA01

[FR Doc. 85-8488 Filed 04-28-85; 8:45 am]

BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Current and Projected Rulemakings

94. HEALTH HAZARDS OF CHEMICALS IN LABORATORIES

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1450

Abstract: Existing OSHA standards are designed to protect employees who are engaged in work involving exposure to only a few toxic chemicals during relatively standardized, continuous or repetitive processes. In contrast,

laboratory workers are exposed to a multitude of toxic substances under frequently changing or unpredictable conditions. OSHA will examine whether prudent work practices and protective equipment, chosen for the specific facility and task, are more effective, feasible and economical for laboratory work than adhering to OSHA's current substance-specific exposure standards.

Timetable:				
Action	Date		FR	Cite
ANPRM	04/14/81	46	FR	21785
ANPRM Comment	07/15/81			
Period End				
NPRM	06/00/85			
Final Action	02/00/86			
Small Entity:	Undetermined			

Current and Projected Rulemakings

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave, NW. Washington, DC 20210, 202 523-

RIN: 1218-AA00

J. CARCINOGEN POLICY

Priority: Major, Task Force

Legal Authority: 29 USC 653; 29 USC 655; 29 USC 657

CFR Citation: 29 CFR 1990

Abstract: The Carcinogen Policy describes the criteria and procedures OSHA will use to identify, classify, and then regulate carcinogens. The Policy also establishes a process for screening chemicals and for setting priorities for potential rulemaking activities. The validity of the scientific criteria set forth in the policy and the costeffectiveness of the rule are being reexamined. The original standard was issued in 1980 before the Supreme Court "benzene" decision on significant risk. Thereafter, a final rule deleting provisions of the Carcinogen Policy that were inconsistent with the benzene decision was published on 01/19/81 (46 FR 4889). A proposal was published on 01/23/81 (46 FR 7402) to permit alternatives to the risk analysis section of the carcinogen policy to be addressed. The proposal was withdrawn on 03/27/81 (46 FR 19000). An advance notice of proposed rulemaking was published on 01/05/82 (47 FR 187) with comments due by 04/05/82. That document also proposed to stay the publication of the candidate and priority lists. The final stay was published on 01/04/83 (48 FR 241). As part of its evaluation of the policy, OSHA is reviewing the public comments received in response (cont)

Timetable:

Action	Date	FR Cite
ANPRM	01/05/82	47 FR 187
End of Comment Period on stay	02/19/82	
ANPRM Comment Period End	04/05/82	
Stay published NPRM	01/04/83 06/00/85	48 FR 241

Small Entity: No

Additional Information: ABSTRACT CONT: to the document published by the Office of Science and Technology Policy entitled, "Chemical Carcinogens, Review of the Science and its Associated Principles, May 1984". This document, which resulted from the combined efforts of senior scientists from several federal agencies, may affect OSHA's proposal to modify the Carcinogen Policy.

Government Levels Affected: Federal

Agency Contact: Dr. Leonard Vance. Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave. NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA01

96. COTTON DUST

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1043

Abstract: This standard, issued in 1978, was challenged in the courts and has been stayed as it applies to certain industrial sectors. In addition, where the standard is in effect, there have been problems with the device that is used to measure cotton dust, control methods specified by the standard may not be cost-effective, and there is question about the demonstration of a significant risk of disease in some of the industry sectors covered by the standard. Data have been collected to determine how and to what extent the rule should be revised. Two ANPRMs have been published: 03/31/81 (46 FR 19501) and 02/09/82 (47 FR 5906). The second ANPRM modified and expanded the issues set forth in the first ANPRM. On 08/13/82 (47 FR 35255) OSHA proposed to stay enforcement of the current standard for knitting operations. A notice of final decision on the stay was published 02/04/83 (48 FR 5267). A proposal to revise the standard for cotton dust was published 06/10/83 (48 FR 26962). Public hearings were held during September/October 1983. On 02/23/84 (49 FR 6717) OSHA published an administrative stay on the effective date for implementation of the engineering and (cont)

Timetable:

Action	Date		FR	Cite
ANPRM	03/31/81	46	FR	19501
ANPRM Comment Period End	05/15/81			
Second ANPRM	02/09/82	47	FR	5906
Second ANPRM Comment Period ended	03/26/82			
NPRM	06/10/83	48	FR	26962
NPRM Comment Period Begin	06/10/83	48	FR	26962
NPRM Comment Period End	08/26/83			
Final Action	08/00/85			

Small Entity: Yes

Additional Information: ABSTRACT CONT: work practices controls provisions pending completion of OSHA's review of the standard. OSHA is in the process of final decisionmaking on this standard.

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs. Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave. NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA02

97. RESPIRATORY PROTECTION

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.134; 29 CFR 1915.152; 29 CFR 1918.102; 29 CFR 1926.103

Abstract: The present respiratory protection standards have been in place for more than 10 years and do not take into consideration the current state-ofthe-art for respiratory protection. In addition, the general industry standard for respirators contains redundancies and includes several advisory provisions which should be eliminated or changed. OSHA is reviewing the current standards and intends to propose revisions following its analysis of the standard and other comments and information received in response to the ANPRM published 05/14/82.

Timetable:

Action	Date	PA	FR	Cite
ANPRM	05/14/82	47	FR	20803
ANPRM Comment Period Begin	05/14/82			

DOL-OSHA

Current and Projected Rulemakings

Action	Date	FR Cite
Notice of Clarification	08/31/82	47 FR 38362
ANPRM Comment Period End	09/13/82	
NPRM	06/00/85	
Final Action	06/00/86	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA05

98. ETHYLENE DIBROMIDE (EDB)

Priority: Major

Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910.1048

Abstract: Recent scientific studies have reported that ethylene dibromide causes cancer when administered orally, by inhalation and by skin application in laboratory animals. In addition, other studies have shown the chemical to be a mutagen, teratogen and testicular toxin in experimental animals. On the basis of these reports, OSHA has determined that its current permissible exposure limit of 20 ppm does not provide exposed workers adequate protection against cancer and other adverse health effects. A proposed standard for ethylene dibromide was published 10/07/83 (43 FR 45956). Public hearings were held in February 1984. OSHA is currently in the process of decisionmaking on the provisions to be included in the final standard.

Timetable

imetable:				
Action	Date		FR	Cite
ANPRM	12/18/81	46	FR	61671
Comment Period extended to 03/31/83	02/26/82	47	FR	8380
ANPRM Com Per orig ended	03/31/82	46	FR	61671
Comment Period extended to 05/31/82	04/02/82	47	FR	14169
ANPRM Comment Period End	05/31/82			
NPRM	10/07/83	48	FR	45956
NPRM Comment Period Begin	10/07/83	48	FR	45956

Action	Date	FR Cite
NPRM Comment Period End	11/21/83	
Public Hearing Announcement	12/20/83	48 FR 56243
Public Hearing held 2/8/84 to	02/10/84	
Final Action	05/00/85	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA06

99. LEAD - RECONSIDERATION OF WHOLE STANDARD

Priority: Major

Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910 1025

Abstract: The current standard for occupational exposure to lead was promulgated in 1978. It sets a PEL of 50 micrograms of lead per cubic meter of air (50 ug/m3), and requires the use of feasible engineering or workpractice controls. There are serious questions concerning significant risk, feasibility and cost-effectiveness of the standard in certain industries; therefore, OSHA has announced its intention to review and reconsider the regulation.

Timetable:

Action	Date	FR Cite
ANPRM	04/21/81	46 FR 22764
ANPRM Comment Period End	06/01/81	
NPRM	06/00/86	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA11

100. LEAD - COVERAGE OF THE STEVEDORING INDUSTRY

Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910.1025 Abstract: Circumstances unique to the stevedoring industry may make the application of the OSHA Lead Standard, in its present form, inappropriate. Therefore, OSHA has proposed to exempt this industry or to administratively stay application of the entire standard to this industry while the Agency examines (1) whether the stevedoring industry should be subject to this, or any lead standard and (2) if the industry should be subject to a different lead standard, what form that standard should take. This action has been combined with RIN 1218-AA11 and publication of action on this item will occur at the time action is taken on item AA11.

Timetable:

Action	Date		FR	Cite
NPRM	02/26/82	47	FR	8381
NPRM Comment Period End	03/29/82			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA13

101. ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: 29 CFR 1910.20

Abstract: The regulation, promulgated in May, 1980 (45 FR 35212), requires employers to preserve and maintain exposure and medical records pertinent to an employee's occupational exposure to toxic substances, and to assure access to these records by employees, designated employee representatives, and OSHA. OSHA has reviewed the regulation and has proposed certain modifications including revision of the definitions of "toxic substance" and "exposure records", changes in the scope and application of the regulation and additional trade secret protection provisions.

Current and Projected Rulemakings

Timetable:						
Action	Date	10	FR	Cite		
NPRM	07/13/82	47	FR	30420		
Washington, DC Hearing	07/13/82					
Notices of Intent for Hearing due	09/14/82					
NPRM Comment Period End	09/21/82					
Hearing presentations due	09/21/82					
Final Action	06/00/85					
Small Entity: U	ndetermined					

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA15

102. ASBESTOS

Priority: Major

Legal Authority: 29 USC 655(b); 40 USC

CFR Citation: 29 CFR 1910.1001

Abstract: OSHA has announced its intention to revise this standard because data indicate that the present OSHA permissible exposure limit (PEL) may not adequately protect workers from asbestos-related diseases. The revision will include a change in the PEL and other appropriate modifications. On November 4, 1983, OSHA published an Emergency Temporary Standard (48 FR 51086) which immediately reduced the PEL to 0.5 fibers/cc. The ETS was challenged in the U.S. Court of Appeals for the 5th Circuit, and was stayed pending judicial review on 11/23/83. The review was completed on 3/7/84. At that time the Appeals Court held the ETS to be invalid and ordered enforcement of the ETS permanently stayed. OSHA has published a proposal to revise the current standard on 04/10/84 (49 FR 4116). Public hearings were held in June 1984. OSHA is in the process of analyzing all of the information contained in the rulemaking record prior to making a decision regarding the provisions to be included in the final standard.

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Action	Date		FR	Cite
End Review	04/00/83	illo		
Emergency Temporary	11/04/83	48	FR	51086
Standard (ETS)				
ETS Comment Period Begins	11/04/83	48	FR	51086
ETS stayed by Court Order	11/23/83			
NPRM	04/10/84	49	FR	4116
NPRM Comment Period Begin	04/10/84	49	FR	4116
NPRM Comment Period End	05/25/84			
Public Hearings Held 06/19/84 to	07/12/84			
Final Action	09/00/85			

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA26

103. METHODS OF COMPLIANCE

Priority: Major, Task Force

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1000(e); 29 CFR 1910.134(a)(1)

Abstract: OSHA's policy concerning the use of engineering controls and respirators was targeted for review by the President's Task Force on Regulatory Relief in 1981. Current OSHA regulations require that employers implement feasible engineering controls to maintain air contaminant concentrations in the workplace at or below the prescribed permissible exposure limits. The use of respirators is permitted only in those cases where engineering controls are not feasible, not yet installed, or not adequate. This policy has been criticized as being inflexible, not costeffective, and often unnecessary for employee health protection. OSHA believes that any changes to the policy for use of engineering controls must be based on changes that are made to the respiratory protection regulations (29 CFR 1910.134). Proposals regarding revision of the methods of compliance policy will be made after OSHA has made decisions regarding revision of the respiratory protection regulations.

Thus, no further regulatory action on this item is expected during the next six months.

Timetable:

Date		FR	Cite
02/22/83	48	FR	7473
06/22/83			
10/00/86			
10/00/87			
	02/22/83 06/22/83 10/00/86	02/22/83 48 06/22/83 10/00/86	02/22/83 48 FR 06/22/83

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA28

104. FIELD SANITATION

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1928

Abstract: OSHA is considering amending 29 CFR 1928 (Standards for Agriculture) to require employers to provide sanitation facilities for agricultural employees working in the field. OSHA is taking this action in compliance with an order of the District Court for the District of Columbia and a negotiated settlement with the Migrant Legal Action Program which requires the Agency to make a good faith effort to complete a field sanitation standard or to publish a determination that no such standard is needed.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/83	48 FR 8495
ANPRM Comment Period Begin	03/01/83	
ANPRM Comment Period End	05/02/83	
NPRM	03/01/84	49 FR 7590
NPRM Comment Period Begin	03/01/84	49 FR 13714
NPRM Comment Period Extended	04/06/84	49 FR 13714
NPRM Comment Period End	04/27/84	
Public Hearings Held 05/23/84 to	06/28/84	
Final Action	04/00/85	

DOL-OSHA

Current and Projected Rulemakings

Small Entity: Undetermined

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA44

105. BENZENE

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1000, Table Z-2; 29 CFR 1910.1028

Abstract: OSHA intends to initiate rulemaking action on benzene in response to the potential risks presented by occupational exposure to this chemical.

Timetable:

Action	Date	FR Cite	
NPRM	04/00/85		

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Program, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave. N.W., Washington, DC 20210, 202 523-7075

RIN: 1218-AA47

106. 4,4'-METHYLENEDIANILINE

Priority: Undetermined

Legal Authority: 29 USC 655(b); 29 USC

CFR Citation: Not yet determined

Abstract: OSHA has joined with the Environmental Protection Agency (EPA) to solicit additional information concerning production and use of 4,4'methylenedianiline (MDA), estimates of environmental and occupational exposure, and studies of the toxic and carcinogenic effects of MDA. The two agencies are concerned that the risks from exposure to MDA, a carcinogen in animals, may be significant; hence the agencies are exploring regulatory options under their respective statutory authorities to reduce such risks. In order to conserve resources and to avoid duplication of effort, OSHA and EPA have established a single docket of information on MDA.

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Action	Date	FR Cite
ANPRM	09/20/83	48 FR 42836
ANPRM Comment Period Begin	09/20/83	48 FR 42836
ANPRM Comment Period End	11/23/83	
NPRM	10/00/85	
Final Action	08/00/86	

Small Entity: Undetermined

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Room N3718, Washington, DC 20210, 202 523-7075

RIN: 1218-AA58

107. SAFETY AND HEALTH REGULATIONS FOR SHIPYARD EMPLOYMENT

Priority: Agency Determination

Legal Authority: 29 USC 655 (Occupational Safety and Health Act of 1970); 33 USC 941 (Longshoremen's and Harborworkers Compensation Act)

CFR Citation: 29 CFR 1915, (Recodifica-

Abstract: The purpose of this action would be to place unrevised in Part 1915, all OSHA Part 1910 General Industry Standards that are not now located in Part 1915, but that relate to the work undertaken in shipyard employment, thereby creating a vertical standard.

The Action is essentially only bookkeeping, i.e., moving standards, unchanged from one location in the CFR to another — from Part 1910 to Part 1915. It can therefore be done without a proposed rule, and will be published as a final rule. It will end the long standing confusion over the application of OSHA standards to this industry among employers, employees, and OSHA compliance staff.

As these are existing standards, there are no potential costs. This inclusion project will be coordinated with the project designed to revise Part 1915.

Timetable:

Action	Date	FR	Cite
Final Action	09/00/85	Tites	

Small Entity: Yes

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm. N3605

FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA55

108. SAFETY AND HEALTH REGULATIONS FOR LONGSHORING

Priority: Agency Determination

Legal Authority: 29 USC 655 (Occupational Safety and Health Act of 1970); 33 USC 941 (Longshoremen's and Harborworkers Compensation Act)

CFR Citation: 29 CFR 1910.16; 29 CFR 1918, (Revision)

Abstract: The purpose of this regulatory action would be to update and revise a standard first issued in 1960. The current language in many instances addresses the hazards to cargo handling involving methods long since abandoned, and fails to address the serious hazards of newer methods. Because so much of the current standard is out of date, compliance is minimal. These revised guidelines will provide both employers and employees with a blueprint for effective and safe workpractices in the cargo handling industry.

No other alternative other than revision is contemplated. The current standard is too outdated to serve as a basis for increased consultation, training or education. The annual cost of the revision is expected to be minimal—less than five million dollars.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	E WILL
Final Action	09/00/86	

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm. N3605 FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA56

109. CONCRETE AND MASONRY CONSTRUCTION (CONCRETE, CONCRETE FORMS, AND SHORING)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926, Subpart Q

Abstract: One of the greatest hazards associated with concrete and masonry structures in the construction industry is the collapse or failure of the entire structure or its forms and shoring. The catastrophic failures of recent years indicate that revision of the existing standard applicable to such construction operations may be necessary.

Timetable:

Action	Date	FR Cite
ANPRM	02/09/82	47 FR 5910
ANPRM Comment Period End	04/10/82	
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA20

110. GRAIN HANDLING FACILITIES

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 33 USC

CFR Citation: 29 CFR 1910

Abstract: Employees in grain handling facilities (grain elevators, processing plants, and mills) are exposed to safety hazards associated with fires and explosions. Enforcement personnel have met with difficulties in the application of existing OSHA general industry standards to control these major hazards. OSHA is now developing a proposed standard for grain handling facilities.

Timetable:

Action	Date	F	R	Cite
ANPRM	02/15/80	45 F	R	10732
ANPRM Comment Period End	03/24/80			
NPRM	01/06/84	49 F	R	996
NPRM Comment Period End	06/08/84	49 F	R	6923
Public Hearings held through 07/12/84	06/12/84	49 F	R	6923
Final Action	08/00/85			

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA22

111. HAZARDOUS MATERIALS— FLAMMABLE AND COMPRESSED GASES

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910

Abstract: The present Subpart H. Hazardous Materials, standard is out of date and in some respects is oriented towards public safety and property protection. OSHA has been petitioned to cover many other hazardous materials operations where presently it has no standards. It is the purpose of this revision to consolidate the existing standards for flammable and compressed gases by providing general requirements and specific requirements for selected gases which warrant special attention due to their hazards and uses within the industrial environment. The overall intended effect of the revision is to update and simplify the existing requirements while enhancing employee safety and health.

Timetable:

Date	FR Cite
01/23/81	46 FR 7692
01/23/81	46 FR 7692
02/01/82	
01/00/86	
	01/23/81 01/23/81 02/01/82

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA31

112. ELECTRICAL SAFETY - RELATED WORK PRACTICES (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910

Abstract: Standards are currently under review for the second part (Subpart S of Part 1910) of OSHA's electrical standard, which relates to Electrical Safety Related Work Practices.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	ASSESSED IN
Small Entity	: Undetermined	

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA32

113. POWERED PLATFORMS FOR EXTERIOR BUILDING MAINTENANCE

Priority: Agency Determination Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: The present standard, which requires positive engagement of a powered platform with a building face to provide stabilization, may need to be revised because many variance-designs have been submitted which do not provide positive engagement of the platform, yet claim equal stability. The agency believes there may be merit to this claim.

Timetable:

Action	Date	-	FR	Cite
ANPRM	02/11/83	48	FR	6368
ANPRM Comment Period Begin	02/11/83	48	FR	6368
ANPRM Comment Period End	03/14/83			
NPRM	01/22/85	50	FR	2890
NPRM Comment Period Begin	01/22/85	50	FR	2890
NPRM Comment Period End	03/25/85			
Final Action	11/00/85			

Small Entity: No

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA33

114. OIL AND GAS WELL DRILLING AND SERVICING

Priority: Agency Determination
Legal Authority: 29 USC 655(b)
CFR Citation: 29 CFR 1910

Abstract: Employees in oil and gas well drilling and servicing are exposed to a variety of safety hazards which are not specifically covered by present OSHA safety standards. It has proved difficult to apply the existing general industry standards to control the unique nature of this industry. OSHA is considering a standard which will address the unique problems of oil and gas well drilling and servicing.

Timetable:

Action	Date	FR	Cite
NPRM	12/28/83	48 FR	57202
NPRM Comment Period End	06/04/84	49 FR	9913
Public Hearing Held 07/24/84 thru	08/10/84	49 FR	9913
Decision whether to issue a revised NPRM,	10/00/85		
final or whether a standard is needed			

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA34

115. EXCAVATIONS (EXCAVATIONS, TRENCHING, AND SHORING)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC

CFR Citation: 29 CFR 1926.650 to 1926.653

Abstract: This rule prescribes and recommends the minimum measures to be taken to protect employees from injury during excavation work. A revision of the existing rule is being considered because trench and excavation sidewall failures that have resulted in death and injury to workers continue in significant numbers. Claims that the standards are ambiguous and too restrictive, especially with respect to the type of soil involved, have also been made.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA36

116. FALL PROTECTION (CONSTRUCTION)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC

33

CFR Citation: 29 CFR 1926.500 to 1926.502

Abstract: The existing standard is being proposed for revision because it is poorly formatted, ambiguous, omits coverage of several areas needing fall protection and is misnamed. The standard has resulted in industry and trade confusion as well as compliance officer misapplication because of its present format and language.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	WIND TO BE
Final Action	11/00/86	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA37

117. UNDERGROUND CONSTRUCTION (TUNNELS AND SHAFTS)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC

CFR Citation: 29 CFR 1926.800

Abstract: The existing standards may be revised to update the treatment of hazards of construction in underground locations such as tunnels, shafts, chambers, passageways and covered excavations. In some cases, the existing standard may be too restrictive. Additionally, some of the language is ambiguous.

Timetable:

Action	Date	W.	FR	Cite
NPRM	08/05/83	48	FR	35774
NPRM Comment Period extended to	02/17/84	48	FR	56087
Public Hearing Held	03/13/84			
Final Action	09/00/85			

Small Entity: No

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA38

118. ELECTRICAL STANDARDS - CONSTRUCTION

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333 Sec 107

CFR Citation: 29 CFR 1926

Abstract: The current OSHA standard incorporates the old (1971) National Electrical Code by reference and is in need of updating. The agency is examining the rule in light of repeated criticisms that many details in the present standard either conflict with or limit the implementation of current construction practices.

Timetable:

Action	Date	FR Cite
NPRM	10/07/83	48 FR 45872
NPRM Comment Period	12/31/83	48 FR 54652
extended to Final Action	06/00/85	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Current and Projected Rulemakings

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA39

119. SCAFFOLDS (CONSTRUCTION)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.450 to 1926.452

Abstract: This standard is being proposed for revision to address several significant problem areas including (1) the maximum distance between the scaffold and the wall; (2) whether cross-bracing may be used in lieu of guardrails; and (3) whether cross-bracing may be used as guardrails.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	or other W-
Final Action	11/00/86	
Small Entity:	Undetermined	and the latest and the

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA40

120. SAFETY TESTING OR
CERTIFICATION OF CERTAIN
WORKPLACE EQUIPMENT AND
MATERIALS (FORMERLY ENTITLED
ACCREDITATION OF TESTING
LABORATORIES)

Priority: Agency Determination

Legal Authority: 29 USC 655; 29 USC

CFR Citation: 29 CFR 1936; 29 CFR 1907; 29 CFR 1910; 29 CFR 1935

Abstract: This proposal addresses various requirements in the General Industry standards (Part 1910) for either "safety testing" of certain workplace equipment and materials or the use of equipment/materials "certified for safety." It would include many self-regulatory and standards-developing efforts in the private sector and use already existing systems (in private sector or Government) for (1) the

accreditation of testing laboratories and third-party certification programs, and (2) the certification for safety of workplace equipment. New Part 1936 would affect only applicants seeking system recognition by OSHA. New Part 1935 would contain those test methods/procedures already specified in OSHA standards or adopted through 6(b) rulemaking. Amended Part 1910 would (1) clarify employer responsibilities, (2) require valid test results or certifications, and (3) provide uniformity in OSHA terminology for several already-existing requirements and definitions. The remainder of Part 1907 would be revoked.

Timetable:

			-	
Action	Date		FR	Cite
ANPRM	01/04/83	48	FR	270
ANPRM	01/04/83	48	FR	7204
Comment Period Begin				
ANPRM	03/15/83			
Comment Period End				
NPRM	03/06/84	49	FR	8326
Informal Public Hearing	09/25/84	49	FR	28739
NPRM Comment Period Begin	11/30/84	49	FR	47049
NPRM Comment Period End	12/31/84			
Interim Final Rule	07/00/85			

Small Entity: No

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg., 200 Constitution Ave., NW, Washington, D.C. 20210, 202 523-8061

RIN: 1218-AA42

121. CRANE OR DERRICK SUSPENDED PERSONNEL PLATFORMS (CONSTRUCTION)

Priority: Agency Determination

Legal Authority: 29 USC 655 CFR Citation: 29 CFR 1926.550(g)

Abstract: The use of cranes and derricks to suspend personnel in platforms is a hazardous operation that is not currently covered by OSHA Construction Standards. OSHA has

Construction Standards. OSHA has issued administrative instructions on this practice, but this alternative to rulemaking has not been successful. This NPRM has been developed to

reduce the number of accidents, many of which involve multiple fatalities, that result from equipment inadequacies and failures or improper work practices. Data to determine the potential costs and benefits from this rulemaking are currently being collected by OSHA's Office of Regulatory Analysis.

Timetable:

Action	Date		FR	Cite
NPRM	02/17/84	49	FR	6280
NPRM Comment Period End	08/10/84	49	FR	25248
Public Hearing Held	09/18/84			i i ind
NPRM	09/00/85		100	

Small Entity: No

Affected Sectors: 15 BUILDING CON-STRUCTION - GENERAL CONTRACTORS AND OPERATIVE BUILDERS; 16 CON-STRUCTION OTHER THAN BUILDING CON-STRUCTION - GENERAL CONTRACTORS; 17 CONSTRUCTION - SPECIAL TRADE CONTRACTORS

Government Levels Affected: State, Federal

Analysis: Preliminary RIA 09/30/83; Draft RFA 09/30/83

Agency Contact: Barry White, Director, Department of Labor, Occupational Safety and Health Administration, Room N3605, 200 Constitution Ave. NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA45

122. SCAFFOLDS AND SIMILAR WORK SURFACES (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910

Abstract: Existing standards for scaffolds and similar working surfaces need to be revised because they are out of date and restrict technological innovation. The proposed revision is performance oriented and permits flexibility for compliance.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Small Entity:	Undetermined	

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Current and Projected Rulemakings

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room No. N3605 FPBldg., 200 Constitution Avenue, N.W., Washington, D.C. 20210, 202 523-8061

RIN: 1218-AA46

123. FALL PROTECTION SYSTEMS (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910

Abstract: Existing standards do not contain criteria for fall protection systems. Consequently, requirements containing criteria for fall protection systems would be added to 29 CFR Part 1910; Subpart I, Personal Protective Equipment, to enhance employee protection from injury and death due to falls to different elevations.

Timetable:

Action	Date	FR	Cite	
NPRM	04/00/85			

Small Entity: No

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605 FP Building, 200 Constitution Ave., Washington, DC 20210, 202 523-8061

RIN: 1218-AA48

124. ACCIDENT PREVENTION TAGS

Priority: Agency Determination Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Standards for accident prevention tags, contained in 29 CFR Part 1910; Subpart J. would be revised to update existing criteria, and to provide more flexibility by correcting problems associated with the specificity of some of the existing requirements. The proposed revision would also recognize the use of symbols or pictographs rather than only written legends, and would ensure that tags are designed and used properly to enhance their function in identifying hazards to employees.

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Action	Date		FR	Cite
NPRM	04/24/84	49	FR	17541
NPRM Comment Period Begin	04/24/84	49	FR	17542
NPRM Comment Period End	06/08/84			
Final Action	04/00/85			II a

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605, FP Building, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA49

125. LADDERS AND SIMILAR CLIMBING DEVICES (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910

Abstract: Existing standards for ladders and similar climbing devices need to be revised because they are out of date and restrict technological innovation. The proposed revision is performance oriented and permits flexibility for compliance.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	AL SERVINGS

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room No. N3605 FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA50

126. CONFINED SPACE (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910

Abstract: Entry into confined spaces has been responsible for many employee deaths and injuries. However, current standards do not specifically address the hazards associated with entry into confined spaces. Therefore, OSHA is proposing certain criteria and precautions which are necessary to

minimize the hazards associated with employees entering confined spaces.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	09/00/86	

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605 FP Building, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA51

127. LOGGING

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.266, (Revision)

Abstract: Logging is a very hazardous industry. It has an incidence rate nearly twice that of manufacturing, and reflecting the seriousness of the injuries incurred, a lost workday rate nearly four times as high. The purpose of the standard will be to protect workers from the ever-present hazards of chain saw operation, falling objects (trees branches), rolling or sliding logs, falls from trees, and materials handling accidents. At present there is no OSHA standard specifically applicable to logging in general. There is a standard, 29 CFR 1910.266, applicable only to pulpwood logging; however, pulpwood is logging estimated to account for less than half of the logging activity in the United States. Development of a national OSHA standard addressing all types of logging will provide coverage for those loggers not now protected. The new regulation will provide coverage where there is no approved state regulation and will set a minimum safety level for those states that chose to develop a state regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	05/00/86	

Small Entity: Undetermined

Additional Information: A preproposal draft standard was circulated for public comment. The proposed standard will be developed to incorporate public comment as appropriate.

Affected Sectors: 24 LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE

Government Levels Affected: State, Federal

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm. N3605, Washington, DC 20210, 202 523-8061

RIN: 1218-AA52

128. CONTROL OF HAZARDOUS ENERGY SOURCES (LOCKOUT/TAGOUT) (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910, (New)

Abstract: The proposed standard will fill a major gap in our current regulations which now depend for enforcement on the general duty clause, 5(a)(1). It will apply to those situations where the unexpected energization, start up or the release of stored energy would cause injury to employees. Providing comprehensive and uniform control procedures is also expected to reduce significantly the potential for injury and death of employees because the hazards targeted for control exist in virtually every workplace. Further, the proposed standard will respond to the concerns of organized labor who petitioned OSHA in 1979 and again in 1982 for regulatory action to protect employees and to the American National Standards Institute's petition for OSHA to adopt its consensus standard ANSI Z244.1-1982. Regulatory options involve developing a comprehensive standard covering all potentially hazardous energy sources or limiting the scope and application to those certain machines or industries that are causing most of the injuries. The potential cost and benefits cannot be assessed until a regulatory impact analysis is conducted.

Timetable:

State of the State				
Action	Date		FR	Cite
ANPRM	06/17/80	45	FR	41012
ANPRM Comment	06/17/80			
Period Begin ANPRM	09/15/80			
Comment Period End				

Action	Date	FR Cite
Preproposal Dra Submitted	aft 07/00/83	ALC:
NPRM	10/00/85	
Final Action	05/00/86	

Small Entity: Yes

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm. N3605, Washington, DC 20210, 202 523-8061

RIN: 1218-AA53

129. MECHANICAL POWER PRESSES

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.211, (Revision); 29 CFR 1910.217, (Revision)

Abstract: This regulatory action will remove an existing provision which prohibits Presence Sensing Device Initiation of Mechanical power presses, and will add provisions which will enable the Presence Sensing Device Initiation to be done safely. Presence Sensing Device Initiation has been identified as presenting potential increases in safety and productivity with an ergonomic advantage of less worker fatigue. A regulatory impact analysis is in progress.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	The same of
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: Undetermined

Additional Information: A preproposal draft standard was circulated for public comment. The proposed standard will be developed to incorporate public comment as appropriate.

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm. N3605, Washington, DC 20210, 202 523-8061

RIN: 1218-AA54

130. STAIRWAYS AND LADDERS (CONSTRUCTION)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.1050 to 1926.1051

Abstract: The use of stairways and ladders during construction can be extremely hazardous for employees. OSHA presently has regulations covering the construction, use, and maintenance of stairways and ladders, used on construction worksites. However, this NPRM has been developed to streamline those requirements and to reduce the number of accidents that result from insufficient fall protection provisions. Data to determine the potential costs and benefits from this rulemaking are currently being collected and analyzed by OSHA's Office of Regulatory Analysis.

Timetable:

Action	Date	FR C	te
NPRM	11/00/85		
Final Action	11/00/86		

Small Entity: Undetermined

Additional Information: This new Subpart X is a revision of the ladder and stairway portions of existing Subparts L (ladders and scaffolds) and M (Floor and Wall Openings and Stairways). The remaining portions of Subparts L and M are being revised as Subparts L (scaffolds) and M (Fall Protection). (RIN 1218-AA37 - Fall Protection; RIN 1218-AA40 - Scaffolds.)

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Barry White, Director, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N-3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA57

131. ELECTRIC POWER GENERATION, TRANSMISSION AND DISTRIBUTION

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: A major area of coverage not addressed in the current OSHA electrical standards for general industry (29 CFR 1910) involves the maintenance and operation practices associated with electrical transmission and distribution lines, substations and generating stations. It is intended that the proposed standard fill this void by establishing minimum requirements for electrical safety work practices for employees working on or near facilities whose purpose is the generation and distribution of electricity.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	mulstel (B)

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm. N3605, FP Bldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA59

132. REVISION OF RECORDKEEPING REQUIREMENTS FOR TESTING AND MAINTENANCE CHECKS

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1910; 29 CFR 1915; 29 CFR 1918; 29 CFR 1926

Abstract: The purpose of this regulatory action is to revise 24 provisions in Parts 1910, 1915, 1918, and 1926 to allow employers to certify that regulatory requirements have been met instead of requiring employers to maintain extensive and burdensome records of the results and findings of various tests, inspections and maintenance checks required in the standards. OSHA is undertaking this action in compliance with the Paperwork Reduction Act of 1980.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	TER ON

Small Entity: No

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, N3605, FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA60

133. PULP, PAPER AND PAPERBOARD MILLS

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.261, (Revision)

Abstract: This regulatory action will revise the existing standards covering mills where pulp, paper, and paperboard are manufactured and converted. The revision will develop performance oriented standards that address current gaps in coverage, the use of new technology, the elimination of outmoded or redundant provisions, and the use of appropriate OSHA general industry standards.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	NE DEL WILL
Final Action	09/00/86	

Small Entity: Undetermined

Affected Sectors: 26 PAPER AND ALLIED PRODUCTS

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Room N-3605, Washington, DC 20210, 202 523-8061

RIN: 1218-AA61

134. • FALL PROTECTION (SHIPYARD)

Priority: Agency Determination Legal Authority: 29 USC 655

CFR Citation: 29 CFR 1915.201 to .203,

(Revision)

Abstract: This regulatory action will revise the existing shippard standard covering fall protection and will consolidate all related and applicable 29 CFR 1910 provisions into 29 CFR 1915. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, address new technology and eliminate outmoded and redundant provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	SPECIAL PROPERTY.

Small Entity: Undetermined

Additional Information: 1218-AA62 Shippard Standard

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA66

135. O SCAFFOLDS (SHIPYARD)

Priority: Agency Determination Legal Authority: 29 USC 655

CFR Citation: 29 CFR 1915.251 to .253, (Revision)

Abstract: This regulatory action will revise the existing shipyard standards covering scaffolds and will consolidate all related and applicable 29 CFR 1910 provisions into 29 CFR 1915. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, address new technology, and eliminate outmoded and redundant provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	
Cmall Entitue	Undetermined	

Additional Information: 1218-AA62 Shipyard Standard

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N3605, FPBldg., Washington, DC 20210, 202 523-

RIN: 1218-AA68

136. ● ACCESS AND EGRESS (SHIPYARD)

Priority: Agency Determination

Legal Authority: 29 USC 655; 33 USC 941

CFR Citation: 29 CFR 1915.71 to .90, (Revision)

Abstract: This regulatory action will revise the existing shippard standards covering access and egress and will consolidate all related and applicable 29 CFR 1910 provisions into 29 CFR 1915. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, address new technology, and eliminate outmoded and redundant provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Undetermined

Additional Information: 1218-AA62 Shipyard Standards

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA70

137. WELDING, CUTTING AND HEATING (SHIPYARD)

Priority: Agency Determination

Legal Authority: 29 USC 655; 33 USC 941

CFR Citation: 29 CFR 1915.51 to .54, (Revision)

Abstract: This regulatory action will revise the existing shipyard standard covering welding, cutting, and heating. The revision will develop, in part, a performance-oriented standard, address current gaps in coverage, recognize new technology, and eliminate outmoded or redundant provisions. In addition, it will consolidate 29 CFR 1915 standards and applicable 29 CFR 1910 standards into one set of provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	The state of the
Small Entity	r: Undetermined	

Additional Information: 1218-AA62

Shipyard Standards

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N3605, FPBldg., Washington, DC 20210, 202 523-

RIN: 1218-AA73

138. ● PERSONAL PROTECTIVE EQUIPMENT (SHIPYARD)

Priority: Agency Determination

Legal Authority: 29 USC 655; 33 USC 941

CFR Citation: 29 CFR 1915.151 to .159, (Revision)

Abstract: This regulatory action will revise the existing shipyard standard covering personal protective equipment. The revision will develop, in part, a performance-oriented standard, address current gaps in coverage, recognize new technology, and eliminate outmoded or redundant provisions. It will consolidate 29 CFR 1915 standards and applicable 29 CFR 1910 standards into one set of provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Undetermined

Additional Information: 1218-AA62 Shippard Standards

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA74

139. • MARINE TERMINALS

Priority: Agency Determination

Legal Authority: 29 USC 655; 29 USC

CFR Citation: 29 CFR 1917, (Revision)

Abstract: OSHA intends to revise 1917.44(o) to include the servicing of single piece rim wheels. When the general industry rule for single piece rim wheels was issued (02/03/84), the Agency spoke of its desire to extend the same type of coverage to the maritime industry. The Agency has recently been petitioned by maritime

labor and management groups to inititate this action.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	ACCUPATION OF

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605 FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA75

140. COMPRESSED AIR (CONSTRUCTION)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.803

Abstract: The purpose of this action is to investigate the claims that the current decompression tables for tunneling are inadequate. If these claims are valid, OSHA would proceed to develop and implement a set of decompression tables which would be safer than the current tables in that the revised tables would be reasonably expected to produce a reduction in the incidence and severity of decompression sickness, especially dysbaric osteonecrosis.

Timetable:

Action	Date	FR Cite
Request for	03/00/85	
Comments and		

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA76

141. ● HAZARDOUS MATERIALS--FLAMMABLE AND COMBUSTIBLE LIQUIDS

Priority: Agency Determination Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910

DOL-OSHA

Current and Projected Rulemakings

Abstract: Standards for flammable and combustible liquids, contained in 29 CFR 1910, Subpart H, would be revised to update existing criteria and to provide more flexibility by correcting problems associated with the specificity of some of the existing requirements. The proposed revision would address current problem areas as liquid transfer, system leakage, and vapor recovery.

Timetable:				
Action	Date		FR	Cite
ANPRM	01/23/81	46	FR	7692
ANPRM Comment Period Begin	01/23/81	46	FR	7692
ANPRM Comment Period End	02/01/82			
NPRM	01/00/86			
Small Entity: 1	J ndetermined			

Additional Information: 1218-AA31 --Hazardous Materials

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605, FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA77

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Existing Regulations Under Review

142. MOTOR VEHICLES, MECHANIZED EQUIPMENT, AND MARINE OPERATIONS (CONSTRUCTION)

Priority: Undetermined

Legal Authority: 29 USC 655(b); 40 USC

333

CFR Citation: 29 CFR 1926, Subpart O

Abstract: This rule is being reviewed to determine if the rule should be continued without change, or should be amended or rescinded.

Timetable:

Action	Date	FR Cite
Begin Review	01/04/85	
End Review	06/00/85	

Small Entity: Undetermined

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration. Room N3605, FP Building, 200 Constitution Avenue, NW. Washington, DC 20210, 202 523-8061

RIN: 1218-AA63

143. STEEL ERECTION

Priority: Undetermined

Legal Authority: 29 USC 655; 29 USC

CFR Citation: 29 CFR 1926.750 to .752, (Revision)

Abstract: This rule is being reviewed to determine if the rule should be

continued without change, or should be amended or rescinded.

Timetable:

Action	Date	FR Cite
Begin Review	01/02/85	
End Review	06/00/85	

Small Entity: Yes

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605, FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA65

144. PERSONAL PROTECTIVE EQUIPMENT (FACE, HEAD, AND EYE PROTECTION) (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Existing standards for eye, face, and head protection reference outdated national consensus standards which have been updated and improved. Consequently, criteria for personal protective equipment for eye, face, and head would be revised to reflect improved developments in these equipment. This would allow the use of better personal protective equipment and would result in improved employee protection from eye, face, and head hazards.

Timetable:

Action	Date	FR Cite
End Review	01/00/86	
NPRM	02/00/86	

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration. Room N3605 FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA71

145. WELDING, CUTTING AND BRAZING (GENERAL INDUSTRY)

Priority: Agency Determination Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: OSHA proposes to revise and update its existing Subpart Q covering welding, cutting and brazing operations, and to develop performance-oriented standards designed to reduce the number of deaths and injuries due to unsafe equipment and unsafe operations. There has been no substantial revision to Subpart Q since its adoption in 1971. A complete and comprehensive revision of the present is needed at this time to bring the standard into line with the current state-of-the-art and updated consensus standards.

Timetable:

Action	Date	FR Cite
End Review	01/00/86	
NPRM	02/00/86	

Small Entity: Undetermined Affected Sectors: Multiple Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605, FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA72

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Completed Actions

COMPLETED RULEMAKINGS 146. ETHYLENE OXIDE (ETO)

Priority: Major

Legal Authority: 29 USC 655(b) CFR Citation: 29 CFR 1910.1047

Abstract: OSHA has amended its standard for occupational exposure to ethylene oxide. The new standard establishes a permissible exposure limit of 1 part ethylene oxide (Et0) per million parts of air and requires, among other things, personal protective equipment, exposure measurement, training, medical surveillance, signs and labels, and recordkeeping. The basis for this action is OSHA's determination that exposure to Et0 presents a carcinogenic, mutagenic, genotoxic, reproductive, neurologic and sensitization hazard to workers.

Timetable:

Althorate and a second				
Action	Date		FR	Cite
ANPRM	01/26/82	47	FR	3566
ANPRM	03/31/82			
Comment			180	
Period End				
NPRM	04/21/83	48	FR	17284
NPRM Comment	04/21/83			
Period Begin				
NPRM Comment Period End	06/17/83			
Final Rule	06/22/84	49	FR	25734
Final Action per	12/17/84			
Court Order				
Final Action	01/02/85	50	FR	64
Final Action Effective	01/02/85	50	FR	64

Small Entity: Yes

Public Compliance Cost: Yearly Recurring Cost: \$72,400,000; Base Year for Dollar Estimates: 1982

Affected Sectors: Multiple

Government Levels Affected: State.

Agency Contact: Dr. Leonard Vance. Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA03

147. COMMERCIAL DIVING **OPERATIONS: WHOLE STANDARD**

Priority: Task Force

Legal Authority: 29 USC 655(b); 40 USC 333; 33 USC 941

CFR Citation: 29 CFR 1910

Abstract: OSHA has received insufficient data and information from the Advance Notice of Proposed Rulemaking (ANPR) to revise the standard for commercial diving operations. Therefore, the entry will be withdrawn.

Timetable:

Action	Date		FR	Cite
ANPRM	02/26/82	47	FR	8379
Extend Comment Period from 04/12/82	04/16/82			
ANPRM Comment Period End	06/14/82			
Withdrawn	02/27/85			
Small Entity: Un	determined			

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW. Washington, DC 20210, 202 523-8061

RIN: 1218-AA23

148. SHIPYARD STANDARDS

Priority: Agency Determination Legal Authority: 29 USC 655

CFR Citation: 29 CFR 1915, (Revision)

Abstract: This regulatory action will revise the existing standards covering shipyard employment. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, recognize new technology. and eliminate outmoded or redundant provisions. This project will be coordinated with RIN 1218-AA55, a project to include all pertinent 1910 standards into Part 1915. Later this project may be broken down into separate Subparts.

Timetable:

Action	Date	FH Cite
Withdrawn	02/27/85	23 - 20
Small Entit	ty: Undetermined	
Service Control of the Control of th	St. Parks Tree Edition	

Affected Sectors: 373 Ship and Boat

Building and Repairing

Government Levels Affected: State,

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Room N3605, Washington, DC 20210, 202 523-8063

RIN: 1218-AA62 [FR Doc. 85-6488 Filed 04-26-85; 8:45 am] BILLING CODE 4510-23-T

DEPARTMENT OF LABOR (DOL)

Current and Projected Rulemakings

Office of the Assistant Secretary for Veteran's Employment & Training Service (ASVET)

149. ANNUAL REPORT FROM FEDERAL CONTRACTORS

Legal Authority: 38 USC 2012(d) CFR Citation: 41 CFR 61-250

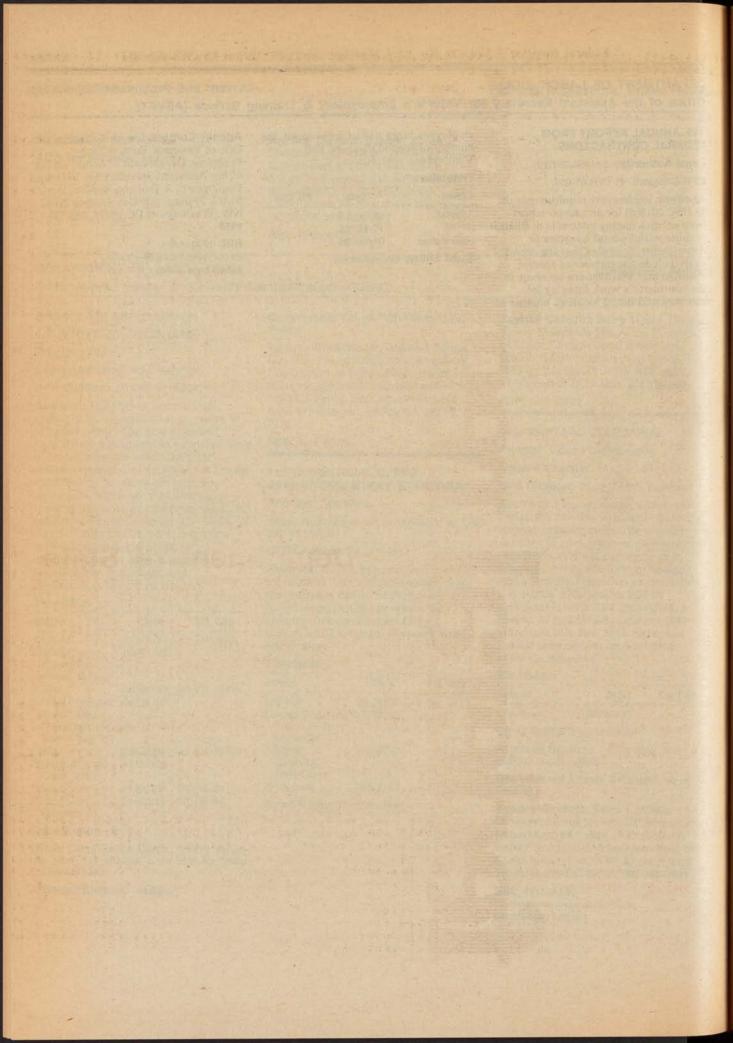
Abstract: Implements requirements of 38 USC 2012(d) for an annual report from entities having contracts of \$10,000 or more with Federal agencies or departments. Specifies that the report shall include the number of special disabled and Vietnam-era veterans in the contractor's work force by job category and hiring location, number of employees hired and of those hired, the number of special disabled and Vietnam-era veterans.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/85	L WAY
NPRM	10/00/85	
Final Action	01/00/86	
Small Entity:	Undetermined	

Agency Contact: Joseph C. Juarez, Dir., Ofc. of Veterans' Emp. & Trng Programs, Department of Labor, Office of the Assistant Secretary for Veteran's Employment & Training Service, Rm S1316, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-9110

RIN: 1293-AA01 [FR Doc. 85-6488 Filed 04-26-85; 8:45 am] BILLING CODE 4510-23-T





Monday April 29, 1985

Part XIII

Department of State

Semiannual Regulatory Agenda



STATE

DEPARTMENT OF STATE

22 CFR Ch. I

[Docket No. SD-191]

Semiannual Agenda of Regulations and Regulatory Flexibility Agenda

AGENCY: Department of State.

ACTION: Publication of regulatory agenda.

DEPARTMENT OF STATE (STATE)

SUMMARY: As required by Executive Order 12291 and OMB Bulletin 85-6, the April 1985 agenda of regulations of the Department of State is set forth below. The agenda also contains regulatory flexibility information required by the Regulatory Flexibility Act of 1980 (Pub. L. 96-354).

FOR FURTHER INFORMATION CONTACT: K. E. Malmborg, Assistant Legal Adviser

for Management, Department of State, Room 4427A, 2201 C Street, N.W., Washington, D.C. 20520, telephone (202) 632-2350.

DATED: March 7, 1985.

Ronald I. Spiers,

Under Secretary for Management.

DEPARTMENT OF STATE (STATE)

FOREIGN MISSIONS ACT REGULATIONS

Legal Authority: 22 USC 4301 et seq; 22 USC 254(e)

CFR Citation: Not yet determined

Abstract: The Foreign Missions Act creates certain authorities for the Secretary of State relating to the regulation of foreign missions, diplomatic, consular, and international organizations. Exercise of those authorities could involve restricting or controlling the access of such missions to American vendors of goods and services. Exercise of other authorities in

the Foreign Missions Act could affect the location of premises of foreign missions. Exercise of authority in the Diplomatic Relations Act, 22 USC 254(a) et seq., as amended by Title VI of P.L. 98-164, will have an impact on the acquisition of liability insurance coverage for the operation of motor vehicles, vessels, and aircraft by personnel of foreign missions, and could in certain situations, subject foreign missions to surcharges or fees. The regulations under consideration would provide procedures for exercise of these authorities. These regulations are at the stage of preliminary

Current and Projected Rulemakings

consideration. No timetable has been established other than that established in Title VI of P.L. 98-164.

Timetable:

Action

Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: James E. Nolan, Director, Office of Foreign Missions, Department of State, Room 2105, 2201 C Street, NW, Washington, D.C. 20520, 202 632-3416

RIN: 1400-AA00

DEPARTMENT OF STATE (STATE)

Completed Actions

COMPLETED RULEMAKINGS INTERNATIONAL TRAFFIC IN ARMS

Priority: Agency Determination CFR Citation: 22 CFR 120

Completed:

Reason Date FR Cite
Final Action 12/06/84 49 FR 47682
Final Action 01/01/85
Effective

Small Entity: No

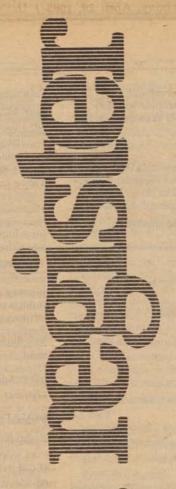
Agency Contact: William B. Robinson

202 632-9755

RIN: 1400-AA02

[FR Doc. 85-6489 Filed 04-26-85; 8:45 am]

BILLING CODE 4710-08-T



Monday April 29, 1985

Part XIV

Department of Transportation

Semiannual Regulatory Agenda



DOT

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Chs. I and II

23 CFR Chs. I and II

33 CFR Chs. I and IV

41 CFR Ch. 12

46 CFR Chs. I and III

49 CFR Subtitle A, Chs. I-VI

[OST Docket No. 59; Notice 85-2]

Department Regulations Agenda; Semiannual Summary

AGENCY: Department of Transportation.

ACTION: Department Regulations Agenda.

SUMMARY: The Regulations Agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding twelve months or such longer period as may be anticipated, or for which action has been completed since the last Agenda. The Agenda provides the public with information about the Department of Transportation's regulatory activity. It is expected that this information will enable the public to be more aware of, and allow it to more effectively participate in, the Department's regulatory activity.

ADDRESSES: The mailing address for the initiating offices of the Department which appear in the Agenda are 400 Seventh Street, S.W., Washington, D.C. 20590, except for the Federal Aviation Administration which is located at 800 Independence Avenue, S.W., Washington, D.C. 20591; the U.S. Coast Guard, which is located at 2100 Second Street, S.W., Washington, D.C. 20593; and the Saint Lawrence Seaway Development Corporation, which is located at 400 Seventh Street, S.W., Box 44090, Washington, D.C. 20026-4090.

FOR FURTHER INFORMATION CONTACT:

General

For further information on the Agenda, in general, contact: Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590, 202-426-4723.

Specific

For further information about any particular item on the Agenda, contact the individual listed in the column headed "Agency Contact" for that item.

SUPPLEMENTARY INFORMATION:

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Appendix D - Index of CAB Regulations with Their Corresponding New RIN Numbers

Background

Improvement of government regulations is a prime goal of the Reagan Administration. There should be no more regulations than necessary, and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they originally were designed.

To help the Department of Transportation ("Department") achieve these goals, and in accordance with Executive Order 12291 ("Federal Regulation": 46 FR 13193; February 19, 1981) and the Department's Regulatory Policies and Procedures (44 FR 11034;

February 26, 1979), the Department prepares a semiannual Regulations Agenda for publication in the Federal Register. The Agenda summarizes all current and projected rulemaking. reviews of existing regulations and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding twelve months or such longer period as may be anticipated or for which action has been completed since the last Agenda.

The Agendas are based on reports submitted by the initiating offices in January and July each year. After these reports are consolidated for, and reviewed by, the Department Regulations Council, the Department's Regulations Agenda is prepared and published in the Federal Register. The Department's last Agenda was published in the Federal Register on October 22, 1984 (49 FR 41857). The next one is scheduled for publication in the Federal Register in October 1985.

Regulatory Flexibility Act

In 1980, Congress passed the Regulatory Flexibility Act (RFA), Pub. L. 96-354, which requires the designation of those regulations for which a Regulatory Flexibility Analysis will be prepared. i.e., those regulations that would have a significant economic impact on a substantial number of small entities. The heading "Small Entity" will indicate whether a Regulatory Flexibility Analysis is required by a "yes" or a "no." If a regulatory flexibility analysis will be prepared for a particular rulemaking, that fact also will be noted under the heading "Analysis."

The RFA also requires that each year the Department publish a list of those regulations that have a significant economic impact on a substantial number of small entities and are to be reviewed under the Act during the succeeding twelve months. The Agenda includes those regulations to be reviewed under the RFA or those for which review has been concluded since the last Agenda. A "yes" or "no" will be found under the heading "small entity." for each such regulation. It should be noted, however, that after a preliminary assessment of the regulations listed for RFA review, it may be found that the regulations, in fact, do not have a significant economic impact on a substantial number of small entities and a full RFA review will be unnecessary.

Definitions

The Agenda covers all rules and regulations of the Department, including those that establish conditions for financial assistance. The following definitions are provided for ease in understanding the information in this document.

- (1) Initiating office means an operating administration or other organizational element within the Department, the head of which is authorized by law or delegation to issue regulations or to formulate regulations for issuance by the Secretary:
- (2) Significant regulation means a regulation that is not an emergency regulation and that in the judgment of the head of the initiating office, or the Secretary, or the Deputy Secretary
 - (a) Is a major regulation;
- (b) Concerns a matter on which there is substantial public interest or controversy;
- (c) Has a major impact on another operating administration or other parts of the Department or other Federal Agency;
- (d) Has a substantial effect on State and local governments;
- (e) Has a substantial impact on a major transportation safety problem;
- (f) Initiates a substantial regulatory program or change in policy;
- (g) Is substantially different from international requirements or standards; or
- (h) Otherwise involves important Department policy.
- (3) Major regulation means a significant regulation for which a Regulatory Impact Analysis is required to be prepared.
- (4) Emergency regulation means (a) a regulation that, in the judgment of the head of the initiating office, circumstances require to be issued without notice and opportunity for public comment or made effective in less than 30 days after publication in the Federal Register; or (b) is governed by short-term statutory or judicial deadlines.
- (5) Nonsignificant regulation means a regulation that, in the judgment of the head of the initiating office, is neither a significant nor an emergency regulation.

A preliminary and final Regulatory Impact Analysis is required for each

- proposed and final regulation, respectively that
 - (1) Is likely to result in:
- (a) An annual effect on the economy of \$100 million or more;
- (b) A major effect on the general economy in terms of costs, consumer prices, or production;
- (c) A major increase in costs or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions;
- (d) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets; or
- (2) The Secretary or head of the initiating office determines deserves such an analysis.

Explanation of Information on the Agenda

The format for this Agenda is required by Office of Management and Budget Bulletin No. 85-6 (December 13, 1984).

First, the Agenda is divided by initiating offices. Then, in accordance with the OMB Bulletin, for each initiating office the Agenda is divided into three categories: (1) current and projected rulemakings, (2) reviews of existing regulations, and (3) completed actions. These categories are further subdivided into priority rulemakings (or regulations) and other rulemakings. Priority rulemakings are divided into major and non-major, with non-major including all significant rulemakings that do not require a regulatory impact analysis. The priority entries include those regulations that were designated for review by the Presidential Task Force on Regulatory Relief. The "other rulemakings" include all those defined by the Department as nonsignificant, including the routine and frequent rulemakings. For each entry, the Agenda provides the following information: (1) a short descriptive title; (2) the legal basis for the action being taken or the regulation being reviewed; (3) the related regulatory citation in the Code of Federal Regulations; (4) an abstract of the review or the proposed or final regulation; (5) a timetable, including the earliest expected date for a decision on whether to issue the proposed or final regulation, or complete the review and determine the corrective action to be

taken. (The action taken can be revocation or revision of the regulation, or it can be a determination that no regulatory action is necessary because the regulation is found to be achieving its goals and the goals and objectives of Executive Order 12291 and the Department's Regulatory Policies and Procedures.); (6) a statement as to whether the Regulatory Flexibility Act applies because of the rulemaking's effect on small entities; (7) if there is information that does not fit in the other categories, it will be included under a separate heading, entitled "Additional Information"; (8) a listing of any analyses an initiating office will prepare or has prepared for the rulemaking document; e.g., a Regulatory Impact Analysis or Evaluation, an Environmental Impact Statement (EIS), a Regulatory Flexibility Analysis, or an Urban Impact Analysis. (It should be noted that, even though a Regulatory Impact Analysis is not required for some items on the Agenda, the Department requires an economic analysis for all of its regulations. This economic analysis is contained in the Regulatory Evaluation.); (9) an agency contact office or official who can provide further information, including advice on how to obtain documents referenced in the Agenda; and (10) a "RIN" number assigned solely to identify an individual action in the Agenda. Finally, for priority rulemakings, the method by which it was determined that the rulemaking was "priority" is also provided.

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules) to keep those requirements operationally current, only the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations are included; individual regulations are not listed.

If a regulatory docket number has already been established, it may be provided under the "Additional Information" heading. If a member of the public desires further information regarding a particular proposal or regulation, reference should be made to this docket number. The Federal Highway Administration also provides an FHPM number at this point for easier reference by those who use the Federal-

DOT

aid Highway Program Manual (FHPM). The numbers following the FHPM represent, respectively, the volume, chapter, section and subsection at which the material is located in the FHPM.

In the "Timetable" column, abbreviations are used to indicate the particular documents being considered for issuance by that date. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, NPRM for Notice of Proposed Rulemaking, and FR for Final Rule. Listing a future date in this column is not an indication that a proposed or a final rule will be issued on that date; it is the earliest date on which a decision is expected to be made on whether to issue the document listed. Submittal of any proposed or final rule to the Office of Management and Budget for review, under Executive Order 12291, must follow such a decision. For major rules, this review could take 60 days or more. If any document is issued, publication in the Federal Register would follow within a few days. In addition, these dates are based on current schedules. Subsequently received information could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

It should be noted that some of the items on the Agenda result from programs that were established to review existing regulations and revoke or revise those regulations that the initiating office determined were not achieving their intended purpose. Projects under regulatory development that resulted from a review of existing regulations to determine whether they should be revoked or revised are preceded by the word "Review" in the "Title" column. Because some reviews can be large-scale undertakings, and because there are already a number of these in the regulatory development process, the Department thought it would provide the public with valuable information if it indicated not only which regulatory reviews are under consideration but also which reviews have now reached the stage where proposed revisions are being, or have been, prepared. The number of regulatory projects that an initiating office can handle is limited by available resources. Therefore, the number of

projects in the regulatory development stage may limit the number of reviews that can be added.

General

To allow for easier use of the Agenda and for quick comparison with earlier-Agendas, the Department has instituted the following additional procedures in the Agenda: (1) Items listed on the Agenda retain the same order in each semiannual publication. If subheadings are used within an initiating office's listing, then the same order is retained within each subheading. (2) New items generally are added at the end of the appropriate portion of the Agenda. A dot (1) preceding an entry indicates that the entry appears in its present section of the Agenda for the first time.

Civil Aeronautics Board

The Civil Aeronautics Board (CAB) ceased operations on December 31, 1984. Under the Federal Aviation Act, as amended, most of the continuing functions transferred to the Department of Transportation. As explicitly noted in the "Civil Aeronautics Board Sunset Act of 1984" (Pub. L. 98-443, October 4, 1984). most of the CAB rules and pending rulemakings were carried over to DOT intact. All the rulemaking actions of the CAB completed between the publication of the last Unified Agenda and the end of 1984 are listed in a separate "CAB Completed Actions section". All rulemaking actions completed since January 1, 1985, or currently pending at DOT are listed in this document under "Office of the Secretary".

When the word "Act" is used in conjunction with the former CAB rules, it means the Federal Aviation Act of 1958, as amended, 49 U.S.C. 1301 et seq., including amendments made by the Airline Deregulation Act of 1978 (Pub. L. 95-504, 92 Stat. 1705), the Civil Aeronautics Board Sunset Act of 1984 (Pub. L. 98-443, October 4, 1984), and the International Air Transportation Competition Act (Pub. L. 96-192, 94 Stat. 35).

ER-, EDR-, SPR-, SPDR-, and similar designations appearing in parentheses were the internal designations for final rules and proposed rules used by the Civil Aeronautics Board. NPRMs and final rules issued by the Department relating to aviation economic matters are referenced with the DOT internal designation system. Docket numbers, however, remain the same as assigned

by the CAB if the proceeding was initiated by that agency.

Mailing Lists for Regulatory Documents

To assist the public in obtaining regulatory documents issued within the Department of Transportation, an Appendix A has been included in this document. The appendix contains instructions on how to be placed on mailing lists for copies of regulatory documents, including the Department's Semiannual Regulations Agenda, issued by the operating administrations of the Department and the Office of the Secretary. There is no charge for this service; however, because of the costs involved, the number of copies of a document forwarded to an individual requestor may be limited. Persons already on mailing lists for particular documents within the Department will remain on those lists and should not reapply.

By following the instructions specified in the appendix, a person can be placed on a mailing list for future copies of the Department's Regulations Agenda. which will be updated and published in the Federal Register every year during April and October. By using the Agenda, individuals can determine which Notice or Advance Notice of Proposed Rulemaking, to be issued by elements of the Department, is of interest to them. Then, using the instructions in the appendix, such persons also can be placed on a mailing list to ensure that, after the document of interest is issued, a copy will be mailed to them for their review and comment. In this way. individuals will be relieved of the burden of having to review the Federal Register, perhaps on a daily basis. The Department expects that this process will ensure that those people placed on mailing lists will receive early notice so that their views on the document can be adequately prepared and presented within the established comment period.

General Rulemaking Contact Persons

To assist persons desiring to obtain general information concerning the rulemaking process within the Department's operating administrations, an Appendix B has been added to the Agenda. This appendix sets forth the addresses and the telephone numbers of the persons who can respond quickly to requests for general rulemaking information. Please note, however, that questions related to particular rulemaking actions should still be

referred to the contact person listed with the particular rulemaking on the Agenda.

Public Rulemaking Dockets

To facilitate the inspection of docket files and the submission of comments by the public, an Appendix C sets forth the addresses and working hours for the Rules Docket for each operating administration.

Request for Comments

Agenda

Our Agenda is intended primarily for the use of the public. Since its inception, we have made modifications and refinements that we believe provide the public with more helpful information as well as make the Agenda easier to use. We would also like you, the public, to make suggestions or comments on how the Agenda could be further improved. For example, do you find the information presented in an easily understandable manner? Do you find it easy to follow a regulation's development from Agenda to Agenda? Do you find that the format for setting out the information enables you to use the Agenda easily? Do you find that the explanation of the information in the Agenda is clearly explained in the preamble to the Agenda? Your responses to these questions or any other comments or suggestions you may have should be sent to Neil R. Eisner, whose address appears above.

Reviews

In an effort to comply further with the spirit of Executive Order 12291 and the Regulatory Flexibility Act, we are also seeking suggestions on existing regulations that should be included in our review of existing regulations list; that is, which existing regulations issued by an operating administration of the Department or the Office of the Secretary do you believe need to be reviewed to determine whether they should be revised or revoked? The Department is particularly interested in obtaining information on requirements that have a "significant economic impact on small entities" and therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please send them, along with your explanation of why they should be reviewed, to the concerned operating administration or the Office of the Secretary, at the appropriate address noted in the "Addresses" paragraph above.

In accordance with the Regulatory Flexibility Act, comments are specifically invited on regulations that are targeted for review under the RFA. Those comments should be addressed to the "contact" person of the operating administration involved, at the appropriate address noted in the "Addresses" paragraph above.

Purpose

The Department is publishing this Regulations Agenda in the Federal Register to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity. Knowledge of the nature and scope of this activity, as well as the specific proposals and reviews being considered. should result in more effective public participation in the Department's regulatory activity. For example, awareness of the dates when notices may be issued seeking public comment should allow appropriate planning and more efficient use of the comment period. By providing the expected date for a decision on whether to issue a final rule, the Department expects that more appropriate planning by those concerned with the regulation will also be possible. This publication in the Federal Register does not impose any binding obligation on the Department, or any of the offices within the Department, with regard to any specific item on the Agenda or the Review List. Regulatory action in addition to the items listed is not precluded. If further information is desired on any of the items listed in the Agenda or the Review List, the public is encouraged to contact the individual listed for the particular item. Additional information concerning the Agenda, in general, or the Department's Regulatory Policies and Procedures may be obtained from Neil R. Eisner, whose address and telephone number appear above.

Issued in Washington, D.C. on March 29, 1985.

Elizabeth Hanford Dole,

Secretary of Transportation.

Appendix A - Instructions for Obtaining Copies of Regulatory Documents

United States Coast Guard (USCG)

Persons who desire to obtain a copy of any regulatory document to be issued by the USCG that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), United States Coast Guard, 2100 Second Street, S.W., Washington, D.C. 20593.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for Notices and Advance Notices of Proposed Rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling 202-426-8058 or by writing to: Federal Aviation Administration, Office of Public Affairs. Attention: Public Information Center, APA-430, 800 Independence Avenue, S.W., Washington, D.C. 20591.

Federal Highway Administration (FHWA)

The FHWA maintains a consumer mailing list for individuals and agencies wishing to routinely receive Federal-aid highway related rulemaking actions. Persons may selectively choose to receive rulemaking materials in a number of separately identified program categories from the Code of Federal Regulations, Title 23. Those wishing to take advantage of the FHWA consumer mailing list may obtain additional information by writing to: Consumer Affairs Representative, Office of Public Affairs, Room 4208, Federal Highway Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Persons who desire to obtain a copy of any regulatory document to be issued by the FHWA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), Federal Highway Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Federal Railroad Administration (FRA)

Persons who desire to obtain a copy of any regulatory document to be issued by the FRA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name

DOT

of contact person), Federal Railroad Administration, 400 7th Street, S.W., Washington, D.C. 20590.

National Highway Traffic Safety Administration (NHTSA)

Persons who desire to obtain a copy of any other regulatory document to be issued by the NHTSA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), National Highway Traffic Safety Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Urban Mass Transportation Administration (UMTA)

Persons who desire to obtain a copy of any regulatory document to be issued by UMTA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), Urban Mass Transit Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Saint Lawrence Seaway Development Corporation (SLSDC)

Persons who desire to obtain a copy of any regulatory document to be issued by SLSDC that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the address specified below: (Name of contact person), Saint Lawrence Seaway Development Corporation, 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090.

Research and Special Programs Administration (RSPA)

Persons wishing to be placed on mailing lists for regulatory documents to be issued by RSPA should contact: Mr. Roosevelt McKinley, Jr., Information Services Division, DMT-11, 400 7th Street, S.W., Washington, D.C. 20590.

Maritime Administration (MARAD)

Any one desiring a copy of a MARAD regulatory document referred to in the Agenda may request a copy of that document by contacting Mrs. Georgia Stamas, Secretary, Maritime Administration, 400 Seventh Street, S.W. (Room 7300), Washington, D.C. 20590, (202) 426-5746.

Office of the Secretary (OST)

Persons desiring to receive future copies of the Regulations Agenda should submit their request to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General Counsel, Department of Transportation, Washington, D.C. 20590, (202) 426-4723.

Persons who have an interest in specific regulatory documents to be issued by the Office of the Secretary should forward requests for copies of those documents to the same address. These requests should fully identify the document desired. Persons requesting a rulemaking document on an aviation matter (of the kind formerly handled by the CAB) will be placed on a mailing list for all OST aviation related rulemakings.

Appendix B - General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

USCG - Capt. Chris Holland, Marine Safety Council, USCG Headquarters Building, Room 4402, 2100 Second Street, S.W., Washington, D.C. 20593. Telephone: 202/426-1477.

FAA - John H. Cassidy, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Ave., S.W., Room 915A, Washington, D.C. 20591. Telephone: 202/426-3073.

FHWA - Michael J. Laska, Office of the Chief Counsel, 400 7th Street, S.W., Room 4223, Washington, D.C. 20590. Telephone: 202/426-0761.

FRA - Mike Haley, Office of Chief Counsel, 400 7th Street, S.W., Room 8201, Washington, D.C. 20590. Telephone: 202/472-9042.

NHTSA - Roger Fairchild, Office of Chief Counsel, 400 7th Street, S.W., Room 5219, Washington, D.C. 20590, Telephone: 202/426-2992.

UMTA - Katherine Cowen, Office of Chief Counsel, 400 7th Street, S.W., Room 9228, Washington, D.C. 20590. Telephone: 202/426-4011.

SLSDC - Fredrick A. Bush, General Counsel's Office, 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090. Telephone: 202/426RSPA - Vita Simon, Office of Chief Counsel, 400 7th Street, S.W., Room 8420, Washington, D.C. 20590. Telephone: 202/755-4972.

MARAD - Mrs. Georgia Stamas, Secretary, Maritime Administration, 400 7th Street, S.W., Room 7300B, Washington, D.C. 20590, Telephone: 202/426-5746.

OST - Neil Eisner, Office of Regulation and Enforcement, 400 7th Street, S.W., Room 10424, Washington, D.C. 20590. Telephone: 202/426-4723.

Appendix C - Public Rulemaking Dockets

The following is a list of Rule Docket locations for the various operating administrations where the public may review regulatory dockets and hand deliver comments on advance notices and notices of proposed rulemaking:

USCG - Marine Safety Council, 2100 2nd Street, S.W., Room 4402, Washington, D.C. 20593. Working Hours: 7:30-4:00 (Monday-Friday).

FAA - Rules Docket, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Ave., S.W., Room 915G, Washington, D.C. 20591. Working Hours: 8:30-5:00.

FHWA - Docket Room, 400 7th Street, S.W., Room 4205, (Federal Motor Carrier Safety Regulations in Room 3404), Washington, D.C. 20590. Working Hours: 7:45-4:15.

FRA - Docket Clerk, 400 7th Street, S.W., Room 8201, Washington, D.C. 20590. Working Hours: 8:30-5:00.

NHTSA - Docket Room, 400 7th Street, S.W., Room 5109, Washington, D.C. 20590. Working Hours: 8:00-4:00.

UMTA - Docket Clerk, 400 7th Street, S.W., Room 9223, Washington, D.C. 20590. Working Hours: 8:30-5:00.

SLSDC - 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090. Working Hours: 8:15-4:45.

RSPA - Docket Branch, 400 7th Street, S.W., Room 8426, Washington, D.C. 20590. Working Hours: 8:30-5:00.

MARAD - Docket Clerk, 400 7th Street, S.W., Room 7300, Washington, D.C. 20590. Working Hours: 9:00-5:30.

OST - Docket Clerk, 400 7th Street, S.W., Room 4107, Washington, D.C. 20590. Working Hours: 9:00-5:30.

Appendix D - Index of CAB Regulations with Their Corresponding New RIN Numbers

New OST RIN	Old CAB RIN	Title
2105-AA35	3024-AA00	Essential Air Service Subsidy Guidelines
2105-AA36	3024-AA02	Obligation of Carriers to Provide Adequate Service at Eligible Points
2105-AA37	3024-AA07	Elimination of Mandatory Joint Fares
2105-AA38	3024-AA12	Hawaiian Joint Fares
2105-AA39	3024-AA16	Airline Time and Mileage Guides
2105-AA40	3024-AA18	Direct Air Carrier Responsibility for Returning Stranded Charter Passengers
2105-AA41	3024-AA19	Liberalization of Air Carrier Charter Rules
2105-AA42	3024-AA21	Nondiscrimination on the Basis of Handicap by Airlines
2105-AA43	3024-AA22	Consumer Protections for Members of Scheduled-Service Tour Groups
2105-AA44 2105-AA45	3024-AA24 3024-AA25	Zones for Airline Mail Rates Air Travelers: Age Discrimination
2105-AA46	3024-AA26	Policy Statement on Airline Preemption
2105-AA47	3024-AA31	Insurance for On-Demand Air Taxi Operators and Canadian Air Taxis
2105-AA48	3024-AA34	Indirect Air Carriers-Group Contractor Exemptions
2105-AA49	3024-AA38	Duration of Certificate Authority and Analysis of Criteria for Air Carrier Selection in Limited Designation International Markets
2105-AA50	3024-AA42	Modification or Withdrawal of Exemption to Foreign Air Carriers to Carry Travel Agents or Other Travel Promoters Free or at Reduced Rates
2105-AA51	3024-AA44	On-Time Arrival Standards for Airlines
2105-AA52	3024-AA46	Alignment of Airline Uniform System of Accounts and Reports with Generally Accepted Accounting Principles
2105-AA53	3024-AA47	Revise Definition of Airline Revenue and Nonrevenue Passengers
2105-AA54	3024-AA48 3024-AA49	Reduce Reporting Requirements of the Air Carrier Uniform System of Accounts and Reports
2105-AA55 2105-AA56	3024-AA49 3024-AA50	Large Aircraft Certificated Carriers; Change the Applicability of Form 41 Reduce Air Carrier Service Segment Data Reports
2105-AA57	3024-AA52	Exemptions from Reporting Airline Stock Ownership
2105-AA58	3024-AA53	Revision of Stock Ownership Reports by Affiliates of Air Carriers
2105-AA59	3024-AA59	Alaskan Air Service Subcontract Agreements
2105-AA60	3024-AA61	Revising the Definition of Commuter Air Carrier
2105-AA61	3024-AA62	Small Aircraft Certificated Air Carriers: Amend Applicability of Part 298 and Revise Reporting on CAB Form 298 C
2105-AA62	3024-AA63	Requests for Confidential Treatment of Aviation Economics-Related Materials Filed with DOT
2105-AA63	3024-AA65	Air Service Terminations in Foreign Markets
2105-AA64	3024-AA66	Employee Responsibilities and Conduct
2105-AA65 2105-AA66	3024-AA67 3024-AA68	Navigation of Foreign Civil Aircraft Nondiscrimination in Federally Assisted Asisting Federal Research at DOT
2105-AA67	3024-AA71	Nondiscrimination in Federally-Assisted Aviation Economics Related Programs of DOT Overseas Military Personnel Air Charter Tariffs
2105-AA68	3024-AA72	Effect of Expiration of a Bilateral on Foreign Air Carrier Authority
2105-AA69	3024-AA73	Joint Tariff Filing by Foreign Air Freight Forwarders
2105-AA70-	3024-AA76	Unfair and Deceptive Practices by Airline Ticket Agents
2105-AA71	3024-AA77	Streamline Airline Passenger Origin-Destination Survey Reporting
2105-AA72	3024-AA82	Smoking Aboard Aircraft; Notice to Passengers
2105-AA73	3024-AA83	Direct Flights
2105-AA74	3024-AA86	Reconsideration of the 1-Hour Exemption for Denied Boarding Compensation
2105-AA75	3024-AA87	Price Advertising
2105-AA76 2105-AA77	3024-AA88 3024-AA90	Require Specific Categories of Records and Retention Periods for Commuter Air Carriers Receiving Subsidy Implementation of Statute Requiring Interest on Subsidy Claims
2105-AA78	3024-AA92	Diversion of Flights Within a Metropolitan Area
2105-AA79	3024-AA97	Removal of Policy Statement on Standard Conditions in Foreign Air Carrier Permits
2105-AA80	3024-AB02	Guidelines for Allocating Costs for Air Carriers Providing "Hold In" Service Under Section 419
2105-AA81	3024-AB03	Nondiscrimination on the Basis of Handicap by the Board
2105-AA82	3024-AB04	Simplified Aviation Exemption Procedures
2105-AA83	3024-AB05	Filing Requirements for International Air Cargo Tariffs
2105-AA84	3024-AB06	Baggage Liability Notices in International Air Transportation
2105-AA85	3024-AB07	Airline Interline Agreements
2105-AA86 2105-AA87	3024-AB09	Essential Air Service Subsidy for the Freely Associated States
2105-AA88	3024-AB10 3024-AB11	Currency-Related Adjustments for International Air Cargo Rates Simplified Airline Countersign Notices
2105-AA89	3024-AB12	Policy Statement on Standard Foreign Fare Level for Air Carriers
2105-AA90	3024-AB14	Sharing of Single Air Carrier Designator Codes
2105-AA91	3024-AB15	Disclosure of CRS-Generated Data, Display Criteria and Loading Formats
2105-AA92	3024-AB16	Employment Discrimination Against Handicapped Persons by Air Carriers
2105-AA93	3024-AB17	Nine Point Connection Rule
2105-AA94	3024-AB18	Placement of International Airline Baggage Liability Notices
2105-AA95 2105-AA96	3024-AB19	Confidentiality of Parts 241 and 298 Airline Report
	3024-AB20	Denied Boarding Compensation for Change in Class of Service

Appendix D - Index of CAB Regulations with Their Corresponding New RIN Numbers-Continued

New OST RIN	Old CAB RIN	Title	ale to the same of
2105-AA97	3024-AB21	Payment of Denied Aircraft Boarding Compensation by Vouchers	
2105-AA98	3024-AB25	Consumer Protection for Default by Scheduled Air Carriers	

Office of the Secretary—Priority Rulemakings: Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1 2 3	*Allocation of "Slots" at Washington National Airport *Nondiscrimination on the Basis of Handicap (Mass Transit Programs) *Construction Differential Subsidy (CDS) Repayments; Total Repayment Policy	2105-AA00 2105-AA01 2105-AA15

^{*}Indicates priority regulation.

Office of the Secretary—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
-	Misselly Business Enterprine Brogram (Direct Contracting)	2105-AA03
4	*Minority Business Enterprise Program (Direct Contracting)	2105-MAUS
5	*Review: Minority Business Enterprise Program (Financial Assistance Programs)	2105-AA04
6	*Public Availability of Information	2105-AA05
7	*Nondiscrimination in Federally-Assisted Programs of the Department of TransportationState Transportation Agencies' EEO Affirmative Action Programs	2105-AA06
8	*Nondiscrimination on the Basis of Handicap (Air Travel)	2105-AA18
9	*Implementation of CAB Antitrust Authority	2105-AA23
10	*Commercial Space Transportation: Licensing Commercial Space Launch Activities	2105-AA25
11	*Commercial Space Transportation: Third-Party Liability Insurance for Commercial Space Launch Activities	
12	*Policy Statement: Commercial Space Transportation: Licensing of Commercial Launch Sites	
13	*Review of Sample Size and Administration of the Airline Passenger Origin-Destination Survey	
14	*Review of the Form 41 Report of Financial and Operating Statistics for Large Certificated Air Carriers	
15	*Liberalization of Air Carrier Charter Rules	
16	*Nondiscrimination on the Basis of Handicap by Airlines	
17	*Insurance for On-Demand Air Taxi Operators and Canadian Air Taxis	2105-AA47
18	*Duration of Certificate Authority and Analysis of Criteria for Air Carrier Selection in Limited Designation International Markets	2105-AA49
19	*Nondiscrimination in Federally-Assisted Aviation Economics Related Programs of DOT	2105-AA66
20	*Effect of Expiration of a Bilateral on Foreign Air Carrier Authority	2105-AA68
21	*Airline Interline Agreements	2105-AA8
22	*Sharing of Single Air Carrier Designator Codes	2105-AA9
23	*Consumer Protection for Default by Scheduled Air Carriers	2105-AA9
24	*Electronic Filing of Tariffs	2105-AB0
25	*Department of Transportation Acquisition Regulation 48 CFR Chapter 12 - Final Rule	

^{*}Indicates priority regulation.

Office of the Secretary-Other Rulemakings-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
26 27 28 29	Title VI Civil Rights Regulation	2105-AA09
30 31 32	Nondiscrimination on the Basis of Handicap (Directly Conducted Programs). Air Carrier Cargo Tariff Publications. Collection of Service Segment Data from Foreign Air Carriers.	2105-AA29 2105-AA31 2105-AA33

Office of the Secretary—Other Rulemakings—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
33	Collection of Financial Information from the Commuter Air Carrier Industry	2105-AA34
. 34	Airline Time and Mileage Guides	. 2105-AA39
35	Direct Air Carrier Responsibility for Returning Stranded Charter Passengers	. 2105-AA40
36	Zones for Airline Mail Rates	. 2105-AA44
37	Air Travelers: Age Discrimination	. 2105-AA45
38	Policy Statement on Airline Preemption	. 2105-AA46
39	Indirect Air Carriers-Group Contractor Exemptions	. 2105-AA48
40	Alignment of Airline Uniform System of Accounts and Reports with Generally Accepted Accounting Principles	. 2105-AA52
41	Revise Definition of Airline Revenue and Nonrevenue Passengers	. 2105-AA53
42	Reduce Air Carrier Service Segment Data Reports	. 2105-AA56
43	Revising the Definition of Commuter Air Carrier	. 2105-AA60
44	Requests for Confidential Treatment of Aviation Economics- Related Materials Filed with DOT	. 2105-AA62
45	Navigation of Foreign Civil Aircraft	. 2105-AA65
46	Overseas Military Personnel Air Charter Tariffs	. 2105-AA67
47	Joint Tariff Filing by Foreign Air Freight Forwarders	2105-AA69
48	Unfair and Deceptive Practices by Airline Ticket Agents	. 2105-AA70
49	Streamline Airline Passenger Origin-Destination Survey Reporting	2105-AA71
50	Smoking Aboard Aircraft; Notice to Passengers	2105-AA72
51	Direct Flights	2105-AA73
52	Require Specific Categories of Records and Retention Periods for Commuter Air Carriers Receiving Subsidy	2105-AA76
53	Implementation of Statute Requiring Interest on Subsidy Claims	2105-AA77
54	Diversion of Flights Within a Metropolitan Area	2105-AA78
55	Guidelines for Allocating Costs for Air Carriers Providing "Hold-In" Service Under Section 419	2105-AA80
56	Simplified Aviation Exemption Procedures	2105-AA82
57	Filing Requirements for International Air Cargo Tariffs	2105-AA83
58	Baggage Liability Notices in International Air Transportation	2105-AA84
59	Essential Air Service Subsidy for the Freely Associated States.	2105-AA86
60	Currency-Related Adjustments for International Air Cargo Rates	2105-AA87
61	Simplified Airline Countersign Notices	2105-AA88
62	Policy Statement on Standard Foreign Fare Level for Air Carriers	2105-AA89
63	Employment Discrimination Against Handicapped Persons by Air Carriers	2105-AA92
64	Confidentiality of Parts 241 and 298 Airline Reports	2105-AA95
65	Cargo Rate Changes on 30 Days Notice	2105-AA99
66	Establishment of New Class Service Mail Rate for Bush Operations Within Alaska	2105-AB01

Office of the Secretary-Priority Reviews-Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
67	*Comprehensive Review of CAB Consumer Rules	2105-AB03

^{*}Indicates priority regulation.

Office of the Secretary—Priority Rulemakings: Non-Major—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
68 69	*Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970	2105-AA16 2105-AA19

^{*}Indicates priority regulation.

Office of the Secretary-Other Rulemakings-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
70	Assignment of Certain Aviation Economic Functions	2105-AA21
71	Transfer of CAB Functions - Delegations to Secretarial Officers	2105-AA22

Office of the Secretary—Civil Aeronautics Board—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
72	Essential Air Service Subsidy Guidelines	2105-AA35
73	Obligation of Carriers to Provide Adequate Service at Eligible Points	2105-AA36
74	Elimination of Mandatory Joint Fares	2105-AA37
75	Hawaiian Joint Fares	2105-AA38
76	Consumer Protections for Members of Scheduled-Service Tour Groups	2105-AA43
77	Modification or Withdrawal of Exemption to Foreign Air Carriers to Carry Travel Agents or Other Travel Promoters Free or at Reduced Rates.	2105-AA50
78	On-Time Arrival Standards for Airlines	2105-4451
79	Reduce Reporting Requirements of the Air Carrier Uniform System of Accounts and Reports	2105-AA54
80	*Large Aircraft Certificated Carriers: Change the Applicability of Form 41	2105-AA55
81	Exemptions from Reporting Airline Stock Ownership	2105-AA57
82	Revision of Stock Ownership Reports by Affiliates of Air Carriers	2105-AA58
83	Alaskan Air Service Subcontract Agreements	2105-AA59
84	Small Aircraft Certificated Air Carriers: Amend Applicability of Part 298 and Revise Reporting on CAB Form 298 C	2105-AA61
85	Air Service Terminations in Foreign Markets	2105-AA63
86	Employee Responsibilities and Conduct	2105-AA64
87	Reconsideration of the 1-Hour Exemption for Denied Boarding Compensation	2105-AA74
88	Price Advertising	2105-AA75
89	Removal of Policy Statement on Standard Conditions in Foreign Air Carrier Permits	2105-AA79
90	Nondiscrimination on the Basis of Handicap by the Board	2105-AA81
91	Disclosure of CRS-Generated Data, Display Criteria and Loading Formats	2105-AA91
92	Nine Point Connection Rule	2105-AA93
93	Placement of International Airline Baggage Liability Notices	2105-AA94
94	Denied Boarding Compensation for Change in Class of Service	2105-AA96
95	Payment of Denied Aircraft Boarding Compensation by Vouchers	2105-AA97

^{*}Indicates priority regulation.

U.S. Coast Guard-Priority Rulemakings: Major-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
96	*Damage Stability and Flooding Protection Standards for Great Lakes Bulk Dry Cargo Vessels (80-159)	2115-AA01
97	*Segregated Ballast, Dedicated Clean Ballast, and Crude Oil Washing on Existing Tank Vessels of 20,000 to 40,000 Deadweight Tons (82-028)	2115-AA05
98	*Shipping Fairway System off the Coast of California (83-032)	2115-AA05 2115-AB29

^{*}Indicates priority regulation.

U.S. Coast Guard-Priority Rulemakings: Non-Major-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
99 100 101 102 103	*Review: Licensing of Pilots; Manning of VesselsPilots (77-084) *Review: Qualifications of the Person in Charge of Oil Transfer Operations, Tankerman Requirements (79-116) *Licensing of Officers and Motorboat Operators and Registration of Staff Officers (81-059) *Intervals for Drydocking and Tailshaft Examination on Inspected Vessels (84-024) *Safety Rules for Vessels Engaged in Chemical Waste Incineration at Sea (84-025)	2115-AA03

U.S. Coast Guard—Priority Rulemakings: Non-Major—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
104 105	*User Fees for Coast Guard Services (84-026) *Licensing of Pilots-Manning of Vessels-Pilots (84-060)	2115-AB73 2115-AB67

^{*}Indicates priority regulation.

U.S. Coast Guard—Other Rulemakings—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
106	VTS Houston-Galveston, TX (74-029)	2115-AA07
107	Review: Fixed Fire Extinguishing Systems on Uninspected Vessels (74-284)	2115-AA08
108	Review: Stability Standards for Hopper Dredges (76-080)	2115-AA11
109	Review: Construction and Equipment; Existing Self-Propelled Vessels Carrying Bulk Liquefied Gases (77-069)	2115-AA00
110	Requirement for First Purchaser List Kept by Boat Dealers (77-115)	2115-AA16
111	Review: Miscellaneous Changes to 46 CFR 56 (77-140)	2115-AA17
112	Lifesaving Systems for Great Lakes Vessels (77-202)	2115-AA19
113	Reception Facilities (78-035)	
114	Liquefied Natural Gas Waterfront Facility (78-038)	2115-AA22
115	Review: Private Aids to Navigation and State Aids to Navigation (78-157)	2115-AA27
116	Review: Aids to Navigation - General Interference with, Damages to and Charges for Aids to Navigation (78-159)	2115-AA28
117	Approval of Inflatable Personal Flotation Devices (PFDs) (78-174)	
118	Crane Operator Qualifications and Standards for Offshore Crane Design Inspection, Testing and Operation (79-059)	2115-AA34
119	Workplace Safety and Health Requirements for Facilities on the Outer Continental Shelf (79-077)	2115-AA35
120	Vessel Personnel Licensing and Certification Standards of Foreign Countries (79-081)	2115-AA36
121	Joint U.SCanada Vessel Traffic Management regulations for the Pacific region (79-131)	2115-AA39
122	Deepwater Port Liability Fund Requirements (79-158)	2115-AA41
123	Modification to Line Throwing Device Requirements (79-160)	2115-AA42
124	Launching Devices for Liferafts (79-168)	2115-AA45
125	Inflatable Liferaft Stability (80-113)	2115-AA50
126	Maneuvering Performance Regulations (80-136)	
	Servicing Inflatable Liferafts (81-010)	
127	Personal Flotation Devices (81-023)	A STATE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS
128	Automated Main and Auxiliary Machinery (81-030)	2115-AA59
129	Safety Rules for Self-propelled Vessels Carrying Hazardous Liquids and Bulk Liquefied Gases (81-052)	
130	General Bridge Permit Regulations (81-057)	2115-AA61
131	Relocation of Boundary Lines (81-058)	2115-AA63
A LANGE OF THE PARTY OF THE PAR	Update of 46 CFR part 153 (81-078)	
133	Acceptance of ASME Boilers with ASME S, E, A, and H stamps (81-079)	
135	Shipping Safety Fairway Amendments, Gulf of Mexico (81-080)	2115-AB57
	General Revision of 46 CFR 151, Barges Carrying Certain Bulk Dangerous Cargoes (81-082)	2115-AA70
136	Tank Vessels Carrying Noxious Liquid Substances in Bulk; Pollution Prevention and Control, Equipment and	211011110
137	Operational Requirements (81-101)	2115-AA73
100	Fairways on the Southern Coast of Alaska (81-103)	2115-AA74
138	Fees for Numbering of Undocumented Vessels (82-001)	The second second
139	Suspension and Revocation Proceedings (82-002)	
140	OSV Subchapter (82-004)	
11/2/07/07	Subchapter "D" & "O" Barges - Internal Inspections (82-005)	2115-AA78
142	Casualty Reporting Requirements for Recreational Boats (82-015)	2115-AA82
143	Rewrite of 33 CFR Part 157 (82-030)	2115-AA88
144	Hand Held Flashlights. Independent Inspection Agencies (82-042)	2115-AA91
145	Aids to Navigation on Outer Continental Shelf (82-054)	2115-AA92
146	Natural Ventilation Regulations for Small Boats (82-056)	
147	Update Bulk Liquefied Gas Tanker Requirements (82-058)	2115-AA95
148	Casualty Reporting Requirements (82-069)	2115-AB30
149	Visual Distress Signals-Strobe Lights (82-084)	2115-AB18
150	Nautical Schools: Implementing the Maritime Educational Training Act of 1980 (82-092)	2115-AB21
151	Documentation of Vessels; Controlling Interest (82-105)	2115-AB27
152	Documentation of vessels, Controlling Interest (62-105).	2115-AB32
153	Sailing School Vessel Regulations (83-005)	2115-AB32
154	Revocation of Military Explosives Regulations (83-006) Carriage and Use of Liquefied or Non-liquefied Flammable Gas as Cooking Fuels on Vessels Carrying Passengers	Z113-AD33
155	for Hire (83-013)	2115-AB35

U.S. Coast Guard-Other Rulemakings-Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
156	Reassessment of Coast Guard Fire Protection Regulations to Incorporate SOLAS 1974 (83-026)	2115-AB36
157	Extend Applicability of Certain Western Rivers Provisions of the Inland Navigation Rules to Other Waters (83-028)	2115-AB37
158	Independent Laboratory Inspection of Lifesaving Equipment (83-030)	2115-AB38
159	Reassessment of Coast Guard Marine Engineering Regulations Incorporation of SOLAS 74 Amendments (83-043)	2115-AB41
160	Requirement for Federal Pilots on Foreign Trade Vessels Where a Pilot is not Required by State Law State of	
161	Maine (83-044)	2115-AB49
162	Revisions to the Advance Notice of Arrival and Departure Regulations (83-048)	2115-AB49 2115-AB50
163	Editorial Changes to Title 46 CFR Resulting from P.L. 98-89 (83-067)	2115-AB54
164	Editorial Changes to Title 46 CFR Resulting from P.L. 98-89 (83-067)	2115-AB51
165	Requirements for Mobile Offshore Drilling Units (83-071)	
166	Amendments to Bridge Lighting Requirements (84-022)	2115-AB56 2115-AB62
167	Documentation of Vessels, Hailing Port Markings (84-027)	2115-AB62 2115-AB64
168	Cargoes of Particular Hazard (84-039)	
169	Marine Portable Tanks (84-043)	2115-AB63 2115-AB69
170	Ships' Stores and Supplies of Hazardous Materials (84-044)	
171	Oil-Water Interface Detectors (CGD 84-052)	2115-AB65
172	River Service Dry Cargo Barges; Load Line Regulations (84-058)	2115-AB66
173	Personal Flotation Device Components (84-068)	2115-AB71
174	Lifesaving Equipment-Implementation of 1983 Amendments to SOLAS 1974 (84-069)	2115-AB70
175	Accommodations, Rails and Guards (84-073)	2115-AB72 2115-AB68

U.S. Coast Guard—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
176	Safety/Security Zone Regulations	2115-AA97
177 178	Drawbridge Requisitions	2115-AA98
	Drawbridge negulations	2115-AA

U.S. Coast Guard—Priority Reviews—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
179	*Vessel Reporting Requirements	2115-AB28

^{*}Indicates priority regulation.

U.S. Coast Guard—Other Reviews—Existing Regulations Under Review

quence Number	Title	Regulation Identifier Number
180	Regulatory Flexibility Act Reviews	
181	Equipment for Lifeboats, Life Batte, Lifelland, L.D.	2115-AB01
182	Magazines Hesearch Vessels, Handling, Use and Control of Explosives and Other Dangerous Articles:	2115-AB42
183	Magazines	2115-AB43
184	LOUDOOK Enifies Caroo Veccele	2115-AB44
185	Logbook Entries, Cargo Vessels General Lifesaving Requirements, Tank Vessels	2115-AB45
186	General Lifesaving Requirements, Tank Vessels Special Operating Requirements, Uninspected Vessels	2115-AB46
	7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-	2115-AB47

U.S. Coast Guard-Other Rulemakings-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
187 188 189 190 191 192 193	Valve Inspection for Thermal Fluid Heaters (80-064) Numbering System Requirements (82-076) Shipboard Navigational Equipment (83-004) Miscellaneous Amendments to Recreational Boating Standards (83-012) Emergency Position Indicating Radiobeacons (EPIRB) (80-024) Material Standards for Fixed Structures (83-035) Redocumentation of Vessels Sold at Sea (83-066)	2115-AA49 2115-AB17 2115-AB31 2115-AB34 2115-AA48 2115-AB40 2115-AB52

Federal Aviation Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
194	*Parts Manufacturer Approvals	
195	*Airborne Low-Level Wind Shear Equipment Requirements	
196	*Review: Update of Part 139	2120-AA10
197	*Use of Alcohol or Drugs	2120-AA16
198	*Aircraft Owners and Pilot Association - Duration of Airman Medical Certificates	2120-AA41
199	*Certification: Student Recreational, Recreational, Student Other Than Recreational and Private Pilots	
200	*Amend Part 23 to Include Requirements for Crash-Resistant Fuel Systems	2120-AA57
201	*High Density Airport Traffic Rule	2120-AA72
202	*Airplane Cabin Fire Protection	2120-AA87
203	*Metropolitan Washington Airports Policy	2120-AA89
204	*Expansion of CVR/FDR Equipment Requirements on U.S. Aircraft	2120-AA95
205	*Mode S Transponder	2120-AB03
206	*Improved Criteria for Seat Safety Standards	2120-AB21
207	*Airplane Cabin Fire Protection	2120-AB22
208	*Civil Helicopter Noise Certification	2120-AB33
209	*Improved Flammability Standards for Materials Used in the Interiors of Transport Category Airplane Cabins	2120-AB34
210	*Slot Transfer Methods	2120-AB37
211	*Slot Allocation Alternative Methods	2120-AB38
212	*Proposed Department of Energy Prohibited Areas	
213	*Aviation Consumer Action Project Public Citizen Health Research Group, Petition to Amend Part 121 - Medical Equipment Requirements	2120-AB40
214	*Anti-Misting Kerosene	2120-AB41
215	*Elimination of Airport Delays	2120-AB42
216	*Shoulder Harnesses in Normal, Utility, and Acrobatic Category Airplanes	2120-AB43
217	*Proposed Revision to Noise Certification Standards for Propeller Driven Small Airplanes	2120-AB47
218	Charges for Use of Metropolitan Washington Airports	2120-AB48
219	*Proposed Limits on the Growth of Noise from Certain Airplanes and Airplane Types	2120-AB50

^{*}Indicates priority regulation.

Federal Aviation Administration—Other Rulemakings—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
220	Review: Part 91 Notice	2120-AA07
221	Review: Part 91 Review Lost Communications	2120-AA08
222	Review: Objects Affecting Navigable Airspace	2120-AA09
223	Review: Objects Affecting Navigable Airspace. Pilot Oxygen Mask Requirements	2120-AA11
224	Review: Metropolitan Washington Airports Regulations	2120-AA12
225	Review: Revision of Part 91	2120-AA13
226	Recording of Aircraft Titles and Security Documents - Notice of Lien	2120-AA14
227	Cessna Finance Petition	2120-AA15
228	Incorporative Instruments or Equipment	2120-AA19
229	Parachute Jumping, Notice and Authorization Requirements	2120-AA21
230	Terminal Control Area (TCA) New York (Modification)	2120-AA24
231	Terminal Control Area (TCA) New York (Modification) Terminal Control Area (TCA) Las Vegas (Modification)	2120-AA25

Federal Aviation Administration—Other Rulemakings—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
232	Flight Operations Control Systems	0400 440
233	Review: Rotorcraft Regulatory Review Program Notice No. 3	2120-AA2
234	Review: Rotorcraft Regulatory Review Program Notice No. 4	2120-AA2
235	Review: Rotorcraft Review Notice No. 5-Operations and Maintenance	2120-AA2
236	Temporary Flight Restrictions	2120-AA3
237	Foreign Air Carriers and Operators of Certain Large U.S Registered Airplanes	2120-AA3
238	Standards for Approval of an Automatic Takeoff Thrust Control System	2120-AA4
239	Special Review: Transport Category Airplane Airworthiness Standards	2120-AA4
240	Flight After Structural Failure	2120-AA4 2120-AA4
241	Implementation of SAFER Propulsion System Recommendations	2120-AA4
242	FY-1982 Miscellaneous Amendments	2120-AA4
243	Proposed Minimum Aeronautical Experience Requirements - Instrument Rating	2120-AA5
244	Amend Part 23 to Include Empennage Fatigue Requirements	2120-AA5
245	Regulation of Motor Vehicles Carrying Passengers for Hire at Washington National Airport	2120-AA5
246	Airport Improvement Program.	2120-AA6
247	Noise Standards: Aircraft Type and Airworthiness Certification	2120-AA7
248	Revise Part 23 to Include Commuter Category Airplanes	2120-AA7
249	SFAR 38-1Certification and Operating Requirements	2120-AA7
250	Accelerated Ground Training - Flight Engineers' Skill Requirements	2120-AA7
251	Instrument Flight Rule Requirements	2120-AA7
252	Airplane Simulator Use in Airman Certification.	2120-AA8
253	Transport Rotorcraft Structural Fatigue and Damage Tolerance	2120-AA83
254	Fire Protection Requirements for Cargo or Baggage Compartments	2120-AA8
255	FAR 23.49(b) Stall Speeds for Single Engine and Multiengine Airplanes of 6,000 lbs. or less	2120-AA90
256	Use of X-Ray Systems	2120-AA92
257	Mechanical Reliability Reports.	2120-AA96
258	Amendment of Sections 91.171, 91.172, and Appendices E and F of Part 43	2120-AA9
259	Renewal of Inspection Authorization	2120-AA98
260	National Airspace Review (NAR) Terminal Airspace Task Group Recommendations	2120-AA99
261	General Aviation Safety Panel's Recommendations on Weather Minimums	2120-AB02
262	Fatigue Limit Test (Propellers)	2120-AB04
263	Electronic Fuel Controls	2120-AB05
264	Turbo Prop Engine Propeller Brake Proposals	2120-AB06
265	Flight Time, Duty Time and Rest Requirements.	
266	Standards for Approval of A Reduced V1 Methodology for Takeoff on Wet Runways and Flight Path Requirements	2120-AB08
	for Engine Loss During Takeoff	0400 4045
267	Standards for Approval for High Altitude Operation of Subsonic Airplanes.	2120-AB17
268	Subpart F Equipment Airworthiness Regulations	2120-AB18
269	Appendix G, Continuous Turbulence Criteria.	2120-AB19
270	Review of FAR 33.87(a)(7)	2120-AB20
271	Advanced V/Stol Rotorcraft Standards	
272	Rebuilt Engine Maintenance Records	2120-AB25
273	Protective Breathing Equipment	2120 4020
274	Occupant Protection/Restraint Standards for Parts 27 and 29 Rotorcraft	2120-AD32
275	Transport Rotorcraft Performance	2120-AB35
276	Type Certification Procedures - Special Categories of Aircraft	2120 4044
277	Enforcement of Passenger Information Regulations	2120-AB49
278	Low Fuel Quantity Indicators	2120-AB45
279	Dealer's Aircraft Registration Certificate	2120-AB49

Federal Aviation Administration—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
280	Part 95 Instrument Flight Rules	2120-AA63
281	Airworthiness Directives	2120-AA64
	Standard Instrument Approach Procedures	Land Control of the C
282	Standard instrument Approach Procedures	2120-AA65

Federal Aviation Administration	-Priority Reviews-Existin	ng Regulations Under Review
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Se- quence Number	Title	Regulation Identifier Number
284	*Airmen Medical-Standards	2120-AA70

^{*}Indicates priority regulation.

Federal Aviation Administration—Other Reviews—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
285	Terminal Control Areas (TCA's): Phoenix	2120-AA22
286	FAR 23 Airworthiness Review	2120-AA75
287	Part 21Certification Procedures for Products and Parts	2120-AB09
288	Part 21—Certification Procedures for Products and Parts	2120-AB12
289	Part 67Medical Standards and Certification Part 141Pilot Schools	2120-AB13
290	Part 141Pilot Schools	2120-AB14
291	Part 121 Certification and Operations: Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft.	2120-AB27
292	Part 135 - Air Taxi Operators and Commercial Operators	2120-AB28

Federal Aviation Administration—Priority Rulemakings: Non-Major—Completed Actions

Se- quence Number	Title Title	Regulation Identifier Number
293 294 295 296	*Airport Noise Compatibility Planning *Floor Proximity Emergency Escape Path Marking *Flammability Requirement for Aircraft Seat Cushions *Improved Cabin Materials FAR 25.853	2120-AA03 2120-AA86 2120-AA88 2120-AB23

^{*}Indicates priority regulation.

Federal Aviation Administration—Other Rulemakings—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
297 298 299 300	Review: Rotorcraft Regulatory Review Program Amendment No. 2 Primary Category Aircraft	2120-AA27 2120-AA51 2120-AB16 2120-AB30

Federal Aviation Administration—Other Reviews—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
301 302	Maintenance, Preventive Maintenance, Rebuilding, and Alteration Part 45Identification and Registration Marking	2120-AB10 2120-AB11

Federal Highway Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Se- quence Number	Title:	Regulation Identifier Number
303	*Splash/Spray Suppressant Devices on Truck Tractors, Semitrailers and Trailers	2125-AA84

^{*}Indicates priority regulation.

Federal Highway Administration—Priority Rulemakings: Major—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
304	*Driver's Record of Duty Status	2125-AB22

^{*}Indicates priority regulation.

Federal Highway Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title Title	Regulation Identifier Number
305 306 307 308 309 310	*Review: Design Standards for Highways *Truck Size and Weight; Interpretation and Policy Statement; Proposed Rulemaking *Federal Motor Carrier Safety Regulations *Review: Outdoor Advertising Control and Acquisition *Review: Environmental Impact and Related Procedures *Air Quality Procedures for Use in Federal-Aid Highway and Federally Funded Transit Programs	2125-AB35 2125-AA04

^{*}Indicates priority regulation.

Federal Highway Administration—Other Rulemakings—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
311	Review: Civil Rights Requirements	
312	Review: Civil Rights Requirements	2125-AA08
313	Review: Contract Procedures	2125-AB08
314	Review: General Materials Requirements	2125-AA18
315	Review: Accommodation of Utilities.	2125-AA19
316	Review: Utility Relocation, Adjustments and Reimbursement	2125-AA20
317	Emergency Relief	2125-AA21
318	Acceleration of Projects.	2125-AA50
319	Pavement Design Policy	2125-AA87
320	Skid Accident Reduction Program.	2125-AA88
321	Participation in Contract Claim Awards and Settlements	
322	Highway Construction or Alteration Necessitated by Construction of Water Resources Development Projects	2125-AB02
323	Erosion and Sediment Control on Highway Construction Projects.	
324	Navigational Clearances for Bridges	2125-AB05
325	Report Requirements	2125-AB07
326	Federal-Aid Program Approval and Project Authorization	2125-AB15
327	Supportive Services for Disadvantaged and Women Business Enterprises	2125-AB18 2125-AB19
328	Heduired Contract Provisions	2125-AB19 2125-AB20
329		A STATE OF THE PARTY OF THE PAR
330		2125-AB21
331	Railroad-Highway Projects	2125-AB23
332	Truck Size and Weight, nevisions	2125-AB25
333	Equal Employment Opportunity on Federal and Federal-aid Construction Contracts (Including Supporting Contracts)	2125-AB26
334	Samples and Testing of Materials and Construction	2125-AB27
335	Labor and Employment	2125-AB31
336	Ambient Temperature in Heavy Duty Truck Cabs	2125-AB37 2125-AA26

Federal Highway Administration—Other Rulemakings—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
337	Parious Compliance with Motor Carrier Noise Standards	2125-AA27
338	Review: Compliance with Motor Carrier Noise Standards	2125-AA33
339	Retail Fertilizer Distribution Exemption	2125-AA34
340	Retail Fertilizer Distribution Exemption Review: Notification, Reporting and Recording of Accidents	2125-AA35
341	Paliend Grade Crossing	2125-AA36
342	Railroad Grade Crossings	2125-AA79
343	Citizen Band Radios on Buses	2125-AB33
344	Parts and Accessories Necessary for Safe Operation and Inspection, Repair, and Maintenance	
345	Transfer of Endoral Aid Highway Funds	2125-AA64
A COLOR	Transfer of Federal-Aid Highway Funds Federal-Aid Highway Programs: State Internal Audit Responsibilities	2125-AB29
346	Administration of Negotiated Contracts	2125-AB30
347	Review: Highway Planning Program Administration.	2125-AA10
348	Use and Disposition of Property Previously Acquired By States For Withdrawn Interstate Segments	2125-AA11
349		
350	Review: Coordination of Federal and Federally Assisted Programs and Projects	
351	Mass Transit and Special Use Highway Projects	2125-AB36
352	Certification of Enforcement of Heavy Venicle Use Tax	2125-AB30
353	Review: The Acquisition Function	2125-AA23
354	Review: Relocation Assistance	2125-AA81
355	Public Hearings and Location Design Approval	2125-AB09
356	Highway Beautification: Outdoor Advertising: Technical Amendment	2125-AB32

Federal Highway Administration—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
357 358	Manual on Uniform Traffic Control Devices	2125-AA37 2125-AA38

Federal Highway Administration—Other Reviews—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
359	Rear End Underride Protection	2125-AA58

Federal Highway Administration—Priority Rulemakings: Non-Major—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
360	*Employee Safety and Health Standards	2125-AA06

^{*}Indicates priority regulation.

Federal Highway Administration—Other Rulemakings—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
361	Forest Highways	2125-AB03 2125-AA25
362 363 364	Review: Disqualifying Offenses, Drugs	2125-AA31 2125-AA63

Federal Highway Administration—Other Rulemakings—Completed Actions—Continued

Se- quence Number	Title	Regulation Identifier Number
365 366	Transfers of Allocated Urban Funds	2125-AA65 2125-AB24

Federal Highway Administration—Other Reviews—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
367	Motorist Aid Systems	2125-AA48

National Highway Traffic Safety Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
368 369	*Heavy Duty Vehicle Brake Systems (Formerly Truck and Trailer Brake Systems) *Occupant Crash Protection - Test procedures and other issues	2127 4000
370 371 372	*Post-1985 Passenger Car Fuel Economy Standards	2127-AB32 2127-AB33 2127-AA03

^{*}Indicates priority regulation.

National Highway Traffic Safety Administration—Priority Rulemakings: Major—Completed Actions

Se- quence Number	Title Tribe Control of the Control o	Regulation Identifier Number
373 374	*MY 1985-1986 Light Truck Fuel Economy Standards *MY 1984-1985 Light Truck Average Fuel Economy Standards	2127-AA75 2127-AB22

^{*}Indicates priority regulation.

National Highway Traffic Safety Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title :	Regulation Identifier Number
375	*National Minimum Drinking Age	0407 4000
376	*Heavy Trailer Stability	2127-AB30
377	*Child Destraint Tables Archae	2127-AB42
1000000	*Child Restraint Tether Anchorages	2127-AA39
378	National Driver Register	2127-AA98
379	*Theft Prevention Standard	The second second
380	*Splash and Spray Suppression Devices	2127-AB31
381	*Uniform Ties Quality Conding Standards Translation	2127-AA97
301	*Uniform Tire Quality Grading Standards - Treadwear Amendments	2127-AB21

^{*}Indicates priority regulation.

National Highway Traffic Safety Administration—Other Rulemakings—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier, Number
382	Truck Rear Underride Protection	2127-AA43
383	Flammability of School Bus Interior Materials	2127-AA44
384	Pedestrian Protection	2127-AA45
385	Seating Reference Point/Motor Vehicle Driver's Eye Range	2127-AA46
386	Controls and Displays	2127-AA06
387	Windshield Defoggers	2127-AA91
388	Brake Systems	2127-AA13
389	Hydraulic and Air Brake Systems	2127-AA92
390	Hydraulic Brake Systems	2127-AA94
391	Brake Hoses	2127-AA90
392	Commercial Vehicle Conspicuity	2127-AA12
393	Lamps, Reflective Devices, and Associated Equipment	2127-AA16
394	Lamps, Reflective Devices, and Associated Equipment	2127-AA17
395	Lamps, Reflective Devices, and Associated Equipment	2127-AA18
396	Lamps, Reflective Devices, and Associated Equipment	2127-AA19
397	Lamps, Reflective Devices, and Associated Equipment	2127-AA77 2127-AB35
398	Lamps, Reflective Devices, and Associated Equipment	2127-AB35 2127-AB37
399	Lamps, Reflective Devices and Associated Equipment	2127-AB39
400	Lamps, Reflective Devices and Associated Equipment	2127-AB39
401	Lamps, Reflective Devices and Associated Equipment	2127-AB40 2127-AB21
402	Rear View Mirror Systems	2127-AA23
403	Rear View Mirror Systems	
404	Rear View Mirrors.	2127-AB09
405	Referee Brake Fluids	Service Complete
406	Air Brake Systems	2127-AB34
407	Steering Control Rearward Displacement	2127-AA32
408	Door Locks and Door Retention Components	2127-AB13
409	Seat Belt Assemblies	2127-AA35
410	Occupant Crash Protection - Response to Petitions for Reconsideration	
411	Seat Belt Assembly Anchorages	2127-AA95
412	Child Seating Systems	2127-AA80
413	Child Restraint Systems	2127-AB41
414	Motorcycle Helmets	
415 416	Tire Identification and Recordkeeping	2127-AB36
417	Air Brake Systems	2127-AB12
417	Highway Safety Standards	2127-AA96
419	Incentive Grant Criteria for Alcohol Traffic Safety ProgramsAmendment	2127-AB23
420	Vehicle Classification - Compact Vans/Station Wagons	2127-AA57
420	Anthropomorphic Test Dummies	2127-AA48
422	Defect and Noncompliance Reports	2127-AB44
423	Consumer InformationStopping Distance.	2127-AA50
424	Consumer Information - Wet Stopping Distance	
72.4	Constitution 11 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	200

National Highway Traffic Safety Administration—Priority Reviews—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
425 426 427 428	*Lamps, Reflective Devices, and Associated Equipment *Head Restraints *Side Door Strength *Federal Motor Vehicle Safety Standard No. 301 - Fuel System Integrity	2127-AA60 2127-AA58 2127-AA59 2127-AB43

[&]quot;Indicates priority regulation.

National Highway Traffic Safety Administration—Other Reviews—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
429	Occupant Protection In Interior Impact	2127-AB16
430	Windshield Glazing Materials	2127-AA73
431	Seating Systems	2127-AA69
432	Windshield Mounting	2127-AA74
433	Child Seating Systems	2127-AA70
434	School Bus Seating System	2127-AA65
435	Highway Safety Programs; Assessment and Status	2127-AB19
436	Voluntary Tire Registration	2127-AB18
437	Occupant Protection In Interior Impact. Windshield Glazing Materials Seating Systems Windshield Mounting Child Seating Systems School Bus Seating System Highway Safety Programs; Assessment and Status Voluntary Tire Registration Uniform Tire Quality Grading.	2127-A610

National Highway Traffic Safety Administration—Priority Rulemakings: Non-Major—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
438	*Child Seating Systems	2127-AB08

^{*}Indicates priority regulation.

National Highway Traffic Safety Administration—Other Rulemakings—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
439	Controls & Displays	2127-AA05
440	Brake Hoses.	2127-AA09
441	Lamps, Reflective Devices, and Associated Equipment	2127-AA79
442	Lamps, Reflective Devices, and Associated Equipment Lamps, Reflective Devices, and Associated Equipment	2127-AB10
443	Lamps, Reflective Devices, and Associated Equipment	2127-AB11
444	Motorcycle Controls	2127-AA28
445	Motorcycle Controls Motorcycle Controls and Displays Seat Belt Assemblies	2127-AA29
446	Seat Belt Assemblies	2127-AA37
447	Evidential Breath Testing Devices.	
448	Calibrating Devices for Evidential Breath Testing Devices	2127-AA99 2127-AB00

National Highway Traffic Safety Administration—Priority Reviews—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
449 450	*Hydraulic Brake Systems*Fuel System Integrity	2127-AA62 2127-AA61

^{*}Indicates priority regulation.

Federal Railroad Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
451	*Alcohol and Drugs	2130-AA18

^{*}Indicates priority regulation.

Federal Railroad Administration—Other Rulemakings—Current	and Projected Rulemakings	
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Se- quence Number	Title	Regulation Identifier Number
452	Safety Standards for Cabooses. Amendments to Regulations Implementing Section 905 of the 4R Act. Special Safety Inquiry. Rules of Practice.	2130-AA01
453	Amendments to Regulations Implementing Section 905 of the 4R Act	2130-AA04
454	Special Safety Inquiry	2130-AA06
455	Rules of Practice	2130-AA07
456	Special Safety Inquiry; Rail Passenger Equipment	2130-AA25
457	Special Safety Inquiry; Rail-Highway Grade Crossing Safety	2130-AA27
458	Special Safety Inquiry; Railroad Power Brakes	2130-AA28
459	Railroad Locomotive Safety Standards	2130-AA29
460	Railroad Operating Rules	2130-AA30
461	Freight Car Safety Standards.	2130-AA31
462	Hules of Practice Special Safety Inquiry; Rail Passenger Equipment Special Safety Inquiry; Rail-Highway Grade Crossing Safety Special Safety Inquiry; Railroad Power Brakes. Railroad Locomotive Safety Standards Railroad Operating Rules Freight Car Safety Standards. Review of Locomotive Cab Safety Review of Radio Communication	2130-AA32
463	Review of Radio Communication	2130-AA34

Federal Railroad Administration—Other Reviews—Existing Regulations Under Review

Se- quence Number	Title Landing to the manufacture of the same of the sa	Regulation Identifier Number
464	Regulatory Flexibility Act Reviews.	2130-AA10

Federal Railroad Administration—Other Rulemakings—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
465	Adjustment of Monetary Threshold For Reporting Accidents/Incidents	2130-AA33

Urban Mass Transportation Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
466	*"Buy America" Requirements of the Surface Transportation Assistance Act of 1982	2132-AA15

^{*}Indicates priority regulation.

Urban Mass Transportation Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
467 468 469	*Implementation of Section 19 of the Urban Mass Transportation Acts of 1964 Nondiscrimination *Environmental Impact and Related Procedures *Charter Bus Regulations	2132-AA01 2132-AA03 2132-AA04
470 471	*Air Quality Procedures for Use in Federal-Aid Highway and Federally Funded Transit Programs *Major Capital Investment Projects	2132-AA19 2132-AA22
472	*Extension of Safety Requirements to all Federally Assisted Buses	2132-AA24

^{*}Indicates priority regulation.

Urban Mass Transportation Administration—Other Rulemakings—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
473 474 475	Innovative Techniques and Methods	2132-AA05 2132-AA06
	Technology Introduction	2132-AA07
476 477	School Bus Operations	2132-AA09
478	Section 15 Reporting Requirements for Section 9 Apportionment Grants; Penalty Procedures for Non-compliance	2132-AA20 2132-AA23

Saint Lawrence Seaway Development Corporation—Other Rulemakings—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
479	St. Lawrence Seaway Tariff of Tolls Amendment	2135-AA06

Research and Special Programs Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
480 481 482 483	*Review: Performance-Oriented Packaging Standards. *Data Collection and Reporting: Hazardous Materials Incident Reports *Reportable Quantities of Hazardous Substances. *Packaging and Placarding Requirements for Liquids Toxic by Inhalation.	2137-4468

^{*}Indicates priority regulation.

Research and Special Programs Administration—Other Rulemakings—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
484	Definition of a Flammable Solid	2137-AA05
485	Review: Revision of Operating Procedures for Motor Vehicles	2137-AA07
486	Use of Interested Inspectors for Cylinder Inspections	2137-4408
487	Consolidation and Revision of Requirements for the Carriage of Explosives by Vessel	2137-AA10
488	Oxidizing Materials Definition, Criteria and Proposed Regulations	2137-AA11
489	Interior Piping.	2137-AA21
490	Miscellaneous Hazardous Materials Communications Regulations	2137-AA25
491	Radiation Level Specifications	2127 4427
492	Private Carriers Licensed to Use Radioactive Materials	2127-4428
493	Specification Packages of Type B and Fissile Radioactive Materials	2137-4429
494	Quality Assurance for Radioactive Materials Shippers	2137-AA30
495	Placarding of Empty Tank Cars	2137-4435
496	DOT Specification 51 Portable Tanks	2127 4426
497	Monitoring External Corrosion Control	2137-AA38
498	Steel Pipe	2137-AA40
499	Specification and Use Requirements for MC 306, MC 307, and MC 312 Cargo Tanks (Including Proj. 301-83 and Incorporates Docket HM 183)	
500	Reclassification of Cordeau Detonant Fuse	2137-AA54
501	Records for Hydrostatic Testing, Operation and Maintenance and Accident Reporting	2137-AA58
502	Records for Hydrostatic Testing, Operation and Maintenance and Accident Reporting. Nondestructive Testing of Girth Welds	2137-AA59
503	Intrastate Liquid Pipelines	2127 4460
504	Confirmation or Revision of Maximum Operating Pressure for Certain Changes in Class Location	2137-4462
505	Specification 8W and 8WA Welded Steel Cylinders	2137-AA63
506	Revision of the IM Tank Table	2137-AA64

Research and Special Programs Administration—Other Rulemakings—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
507 508 509 510 511 512 513 514 515 516	Cylinder Retester Identification Numbers Clarification of Welding Requirements for Gas Pipelines Ovality of Field Bends in Steel Pipe Damage Prevention Program for Gas Pipelines (Docket No. PS-59) Modifications to DOT Specification 21PF-1 Overpacks. Marking Owner's Symbols on Compressed Gas Cylinders. Tritium and Carbon-14; Low Specific Activity Radioactive Materials Transported for Disposal Exceptions for Specified Quantities of Radioactive Materials Reclassification of Special Fireworks Designation of Testing Laboratories; United Nations Packagings	2137-AA65 2137-AA69 2137-AA70 2137-AA71 2137-AA72 2137-AA74 2137-AA75 2137-AA78 2137-AA80

Research and Special Programs Administration—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
517 518 519	Conversion of Individual Exemptions to Regulations of General Applicability Minor Regulatory Adjustments to Regulations of General Applicability Matter Incorporated by Reference (Hazardous Materials)	2137-AA43 2137-AA44 2137-AA45

Research and Special Programs Administration—Other Reviews—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
520	Rewrite and Recodification of Section 173.34.	2137-AA73

Research and Special Programs Administration—Other Rulemakings—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
521 522 523	Shipment of Matches Location, Size, and Operating Pressure of Pipelines Isolated Corrosion Pitting	2137-AA13 2137-AA22 2137-AA57

Research and Special Programs Administration—Other Rulemakings: Routine and Frequent—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
524	Implementation of the ICAO Technical Instructions	2137-AA48

Maritime Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
525	*Vessel Obligation Guarantees; Vessel Requirements, United States Construction	2133-AA29

^{*}Indicates priority regulation.

Maritime Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Se- quence Number	Title Title	Regulation Identifier Number
526 527 528 529 530 531 532 533 534	*Cargo Preference-U.S. Flag Vessels-Determination of Fair and Reasonable Rates for Liner Vessels. *Award and Administration of Operating-Differential Subsidy (ODS) for Dry Bulk Cargo Vessels. *Review: Operating-Differential Subsidy (ODS) Rates for Liner Vessels. *Participation by Vessels Built with CDS in the Carriage of Oil from Alaska in the Domestic Trade. *Obligation Guarantees. *Establishment of Mandatory Position Reporting System for Vessels. *Determinations of Non-availability of U.SFlag Vessels. *Cargo Preference - U.S. Flag Vessels - Determination of Fair and Reasonable Rates for Bulk Vessels. *Notice of Intent to Redesignate Essential Trade Routes.	2133-AA02 2133-AA04 2133-AA07 2133-AA19 2133-AA30 2133-AA31 2133-AA43 2133-AA43

^{*}Indicates priority regulation.

Maritime Administration—Other Rulemakings—Current and Projected Rulemakings

quence Number	Title - Called All Market Annual Control of the Con	Regulation Identifier Number
505	Fordered Income Tay Appendix of the Constant County of the Ford	
535	Federal Income Tax Aspects of the Capital Construction Fund.	2133-AA05
536	Requirements and Procedures for the Administration of Condition Surveys and Maintenance and Repair Subsidy	2133-AA08
537	Requirements for Establishing United States Citizenship	2133-AA15
538	Statistical Data for Use In Operating-Differential Subsidy (ODS) Application Hearings	2133-AA16
539	Suspension of ODS Agreements for All or Portion of the Vessels Included Therein	2133-AA17
540	Rules of Practice and Procedures; for Hearing in Operating-Differential Subsidy (ODS) Application; Applications for Subsidies and Other Direct Financial Aid.	2133-AA20
541	Federal Tort Claims	2133-AA32
542	Vessel Obligation Guarantees; Waivers for Foreign-Built Main Diesel Engines	2133-AA33
543	Making Excess or Surplus Federal Property Available to the United States Merchant Marine Academy (USMMA), State Maritime Academies and Approved Nonprofit Maritime Training Institutions	2133-AA34
544	Blanket Approval for Bareboat Charters and Sales of Pleasure Boats to Non-citizens	2133-AA40
545	Merchant Marine Training; Regulations and Minimum Standards for State, Territorial or Regional Maritime Academies and Colleges	2133-AA42
546	Elimination of Restrictions on Non-Subsidized Voyages by Subsidized Liner Companies.	2133-AA45
547	General Procedures for Determining Operating-Differential Subsidy (ODS) for Liner Vessels.	2133-AA46

Maritime Administration—Priority Rulemakings: Non-Major—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
548 549	*Obligation Guarantees *Cargo Preference; U.SFlag Vessels	2133-AA30 2133-AA37

^{*}Indicates priority regulation.

Maritime Administration—Other Rulemakings—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
550	Treatment of Subsidy During Voyage Deviations	2133-AA18
551	Priority Use and Allocation of Shipping Services, Containers and Port Facilities and Services for National Defense	2133-AA39
552	Admission and Training of Midshipmen at the United States Merchant Marine Academy	2133-AA41

DEPARTMENT OF TRANSPORTATION (DOT) Office of the Secretary (OST)

Current and Projected Rulemakings Priority Rulemakings: Major

1. ALLOCATION OF "SLOTS" AT WASHINGTON NATIONAL AIRPORT

Priority: Major

Legal Authority: 49 USC 1303; 49 USC 1347; 49 USC 1348(a); 49 USC 1348(b); 49 USC 1348(c); 49 USC 1354(a); Federal Aviation Act of 1958, as amended, Sec 103; Federal Aviation Act of 1958, as amended, Sec 306; Federal Aviation Act of 1958, as amended, Sec 307(a); Federal Aviation Act of 1958, as amended, Sec 307(b); Federal Aviation Act of 1958, as amended, Sec 307(c); Federal Aviation Act of 1958, as amended, Sec 313(a); 49 USC 106(g); Act for the Administration of Washington Natl Airport, Sec 2

CFR Citation: 14 CFR 93

Abstract: Proposed amendment to establish procedures for allocating the hourly number of instrument flight operations (takeoffs and landings) or "slots" that may be reserved at Washington National Airport (WNA) in accordance with the FAA's High Density Rule. This proposal is considered a significant rulemaking project due to substantial public interest and potential costs to airlines. The Department of Justice has expressed concerns about continuing the antitrust immunity under which the airline scheduling committees currently allocate slots at WNA. A new method of allocation may become necessary.

Timetable:

Action	Date	FR Cite
NPRM	10/27/80	45 FR 71236
Emergency Regulation	11/03/80	45 FR 72637
Comment Period extended	01/05/81	46 FR 932
Public Hearing	02/03/81	
To be withdrawn	00/00/00	

Small Entity: No

Additional Information: The CAB in conjunction with the FAA

commissioned the Polinomics Research Laboratories, Inc., to research the allocation problem. A report of its findings has been prepared. Another report by Econ, Inc., analyzing a slot allocation auction procedure has been prepared under an FAA contract. The emergency regulation was published in the Federal Register on November 3, 1980 (45 FR 72637). The NPRM for a long term solution to the slot allocation problem was issued on October 27, 1980 (45 FR 71236). A public hearing was held on February 13, 1981, and the comment period was extended until February 26, 1981 (46 FR 932, January 5, 1981). On June 1, 1984, the FAA issued NPRM 84-6, dealing with slot transfers among carriers, and NPRM 84-7 proposing a slot allocation method for use if a scheduling committee should fail to allocate slots. These NPRMs are discussed in the FAA portion of the agenda. The withdrawal of this NPRM might be accomplished in conjunction with final action on NPRMs 84-6 and

Analysis: Preliminary RIA 10/27/80

Agency Contact: Harvey Safeer, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-3331

RIN: 2105-AA00

2. NONDISCRIMINATION ON THE BASIS OF HANDICAP (MASS TRANSIT PROGRAMS)

Priority: Major

Legal Authority: 29 USC 794 Rehabilitation Act of 1973, as amended; 49 USC 1612(a) Urban Mass Trans. Act of 1964, as amended; 23 USC 142 Note Federal-aid Highway Act of 1973, as amended; 49 USC 1612(d) Urban Mass Trans. Act of 1964, as amended CFR Citation: 49 CFR 27

Abstract: The Department's rule concerning mass transit service for handicapped persons is currently an interim final rule published July 20, 1981 (48 FR 37488). This rule was issued after a court decision said that section 504 did not authorize the Department's previous mass transit requirements. In 1983, Congress enacted section 317(c) of the Surface Transportation Assistance Act of 1982, which requires the Department to publish a new rule. The Department published an NPRM for this new rule on September 8, 1983 (48 FR 40684). The Department will review the comments and publish a final rule based on this NPRM.

Timetable:

Action	Date		FR	Cite
NPRM	09/08/83	48	FR	40684
Extension of Comment Period	10/31/83	48	FR	50125
Final Action	04/00/85			

Small Entity: Yes

Analysis: Preliminary RIA 09/08/83

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA01

3. CONSTRUCTION DIFFERENTIAL SUBSIDY (CDS) REPAYMENTS; TOTAL REPAYMENT POLICY

Priority: Major

Legal Authority: 46 USC 1114(b)Merchant Marine Act, 1936, as amended, Sec. 204(6); 46 USC 1117 Merchant Marine Act, 1936, as amended, Sec. 207; 46 USC 1156 Merchant Marine Act, 1936, as amended, Sec. 506; 46

Current and Projected Rulemakings Priority Rulemakings: Major

USC 1204 Merchant Marine Act, 1936, as amended, Sec. 714

CFR Citation: 46 CFR 276

Abstract: The regulation would amend 46 CFR 276 which would set forth the Department's policy in considering requests for repayment of construction-differential subsidy as authorized under the provisions of the Merchant Marine Act of 1936, as amended.

Timetable:

Action	Date	FR Cite
First NPRM	11/02/78	43 FR 51045
Second NPRM	05/05/80	45 FR 29610
Interim . Rulemaking	10/15/80	45 FR 68393
Amendment to Interim Rule	11/24/80	45 FR 77445

Action	Date		FR Cite
Third NPRM	01/31/83	48	FR 4408
NPRM Public Comment Period closed	04/01/83		
NPRM Comment Period extended to	05/02/83		

Next Action Undetermined

Small Entity: No

Additional Information: First NPRM, November 2, 1978 (43 FR 51045). Second NPRM, May 5, 1980 (45 FR 29610). Interim Rulemaking, October 15, 1980 (45 FR 68393). Amendment to Interim Rule, November 24, 1980 (45 FR 77445). The interim rule was invalidated by the U.S. Court of Appeals of the D.C.

Circuit in 1982. Third NPRM, January 31, 1983 (48 FR 4408). Public comment period closed on April 1, 1983. Comment period on NPRM extended until May 2, 1983. The FY 1985 Commerce, Justice and State Department Appropriations Act prohibits enforcement of any new CDS payback rule until May 15, 1985.

Analysis: Regulatory Evaluation 01/31/83

Agency Contact: Warren Dean, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2972

RIN: 2105-AA15 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Office of the Secretary (OST)

4. MINORITY BUSINESS ENTERPRISE PROGRAM (DIRECT CONTRACTING)

Priority: Agency Determination

Legal Authority: EO 11625; EO 12138; 45 USC 803; PL 95-507

CFR Citation: 49 CFR 23

Abstract: As part of the NPRM that proposed its minority business program rule, (49 CFR Part 23), the Department proposed rules concerning minority business involvement in direct DOT procurement. However, because of the program established by Public Law 95-507, these proposed rules became unnecessary, and were never finalized. That program provides for subcontracting plans and goals in certain direct Federal contracts as well as for disadvantaged business setasides under the Small Business Administration 8(a) program. The Department intends to withdraw this proposal.

Timetable:

Small Entity: No

Action	Date		FR	Cite
NPRM	05/17/79	44	FR	28928
NPRM Comment Period End	07/16/79			
Final Action concerning financial assistance programs	03/31/80	45	FR	21172
Withdraw Proposed Rule	00/00/00			

Additional Information: The Department published a final rule concerning its financial assistance

concerning its financial assistance programs on March 31, 1980 (45 FR 21172). The Department has concluded that further rulemaking in the direct contracting field is unnecessary at this time, and intends to withdraw this proposed rule.

Analysis: Regulatory Evaluation 05/17/79

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA03

5. REVIEW: MINORITY BUSINESS ENTERPRISE PROGRAM (FINANCIAL ASSISTANCE PROGRAMS)

Priority: Agency Determination

Legal Authority: 42 USC 2000d Civil Rights Act of 1964, Title VI; 49 USC 1730; 45 USC 906; 49 USC 1615; PL 97-424, Sec 105(f)

CFR Citation: 49 CFR 23

Abstract: The Department is reviewing its regulation establishing a minority business enterprise (MBE) program in its financial assistance programs (49 CFR Part 23). This regulation has been controversial, is of interest to most DOT grant recipients and contractors, and affects the operations of all DOT financial assistance programs. As part of the Administration's program of reviewing regulations that are costly or

Current and Projected Rulemakings Priority Rulemakings: Non-Major

controversial, the Department has decided that it is necessary to consider revisions of the existing rule. The aim of the revisions would be to reduce regulatory burdens associated with the present rule and clarify the administration of some provisions about which questions have been raised. On the basis of this review, the Department intends to publish an NPRM that would propose changes in the administrative mechanism through which the Department's minority business program is carried out. This review is to improve the administration of the existing program, and it is not intended to affect the major policy provisions of the regulation.

Timetable:

Action	Date		FR	Cite
Final Action	03/31/80	45	FR	21172
NPRM make interim amend to final rule, pend. revision of entire rule	03/12/81			16282
Final Action for interim amendment	04/27/81	46	FR	23457
NPRM	06/00/85			

Small Entity: Yes

Additional Information: Final Rule published March 31, 1980 [45 FR 21172]. NPRM to make interim amendment to this final rule, proposing to delete two controversial provisions, pending revision of the entire rule published

Current and Projected Rulemakings Priority Rulemakings: Non-Major

March 12, 1981 (46 FR 16282). Final rule for interim amendment published April 27, 1981 (46 FR 16202). Further action to revise existing rule under consideration.

Analysis: Final RFA 04/27/81; Regulatory Evaluation 04/27/81

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA04

6. PUBLIC AVAILABILITY OF INFORMATION

Priority: Agency Determination

Legal Authority: 5 USC 552 Freedom of Information Act

CFR Citation: 49 CFR 7

Abstract: This involves a revision of DOT's Freedom of Information Act regulations. Specific areas to be addressed include fees to be charged for search and reproduction costs and the establishment of more precise criteria to enable the Department to determine when a waiver of fees is in the public interest. It would also address records relating to those functions of the Civil Aeronautics Board that were transferred to the Department. This rulemaking is significant because of substantial public interest. It is needed because the Freedom of Information Regulations need periodic revision to keep current with changes in case law, policy, and implementation costs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	06/00/85	

Small Entity: No

Additional Information: The regulations were last revised in 1975 (40 FR 7915). A new revision is currently under internal development.

Agency Contact: Rebecca H. Lima, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Washington, DC 20590, 202 426-4542

RIN: 2105-AA05

7. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF THE DEPARTMENT OF TRANSPORTATION--STATE TRANSPORTATION AGENCIES' EEO AFFIRMATIVE ACTION PROGRAMS

Priority: Agency Determination

Legal Authority: Federal-Aid Highway Act of 1968, as amended, Sec 22(a); RR Revitalization & Regulatory Reform Act of 1976, Sec 905; 49 USC 1615 Urban Mass Transportation Act of 1964, as amended; 29 USC 794 Rehabilitation Act of 1973, Sec 504

CFR Citation: 49 CFR 1.48(c); 49 CFR 2.49(u); 49 CFR 1.51(a)

Abstract: The proposed regulation would set forth requirements and procedures for all State Departments of Transportation (DOTs) equal employment opportunity compliance programs. It would also consolidate FHWA, FRA, and UMTA responsibilities in this area. This proposed regulation is significant because it would affect the equal opportunity employment programs of all State transportation agencies. It is needed because OST, FHWA, FRA, and UMTA each have responsibility for implementing the equal employment opportunity programs of State DOTs. This proposed rule would assure full coordination among these departmental elements, reduce the burden on the recipients, simplify reporting requirements, and eliminate duplication of effort.

Timetable:

Commence of the Commence of th		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: The proposed regulation was forwarded to EEOC for review and coordination. The primary issue addressed by this proposal was raised in the course of reviewing a related regulation. Further action will be delayed pending the outcome of that review.

Agency Contact: Dorsey Thomas, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4754

RIN: 2105-AA06

8. NONDISCRIMINATION ON THE BASIS OF HANDICAP (AIR TRAVEL)

Priority: Agency Determination

Legal Authority: 29 USC 794; PL 97-248, Sec. 511-519 Airport and Airway Improv. Act of 1982

CFR Citation: 49 CFR 27; 14 CFR 382

Abstract: The Civil Aeronautics Board (CAB) has a regulation providing protection of the rights of handicapped air travellers. Based on recent Congressional action, DOT began enforcing this regulation on January 1, 1985. DOT is preparing an NPRM that would extend to passengers on all airlines the provisions of subparts B and C of the rule, which now applies only to subsidized carriers. This NPRM would respond to the decision of the U.S. Court of Appeals for the D.C. Circuit in Paralyzed Veterans of America v. Civil Aeronautics Board, which said that Section 504 applied to all air carriers, whether or not they receive a direct Federal subsidy.

Timetable:

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Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA18

9. • IMPLEMENTATION OF CAB ANTITRUST AUTHORITY

Priority: Agency Determination

Legal Authority: 49 USC Subtitle I; 49 USC 1378; 49 USC 1379; 49 USC 1382; 49 USC 1384; 49 USC 1386; 49 USC 1551

CFR Citation: 49 CFR 251; 49 CFR 261; 49 CFR 287; 49 CFR 291; 49 CFR 296; 49 CFR 298; 49 CFR 299; 49 CFR 302; 49 CFR 303; 49 CFR 315

Abstract: On January 1, 1985, the authority of the Civil Aeronautics Board (CAB) to approve and grant antitrust immunity to certain aviation-related agreements, mergers, consolidations, acquisitions of control and interlocking relationships transferred to DOT. In order to implement this authority, the Department is proposing regulations

Current and Projected Rulemakings Priority Rulemakings: Non-Major

that 1) specify the information that must be submitted when Department approval is sought; 2) set out the procedures to be followed when an application for approval has been filed; and 3) exempt certain transactions and relationships from the requirement to obtain Department approval. The proposed regulations are, in most respects, very similar to existing regulations of the same subject matter, and were drafted in cooperation with the Antitrust Division, Department of Justice.

Timetable:

Action	Date	FR Cite
NPRM	02/06/85	50 FR 5214
NPRM Comment Period Begin	02/06/85	
NPRM Comment Period End	03/08/85	
Final Action	04/00/85	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Warren Dean, Ass't General Counsel for International Law, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2972

RIN: 2105-AA23

10. COMMERCIAL SPACE TRANSPORTATION: LICENSING COMMERCIAL SPACE LAUNCH ACTIVITIES

Priority: Agency Determination Legal Authority: PL 98-575

CFR Citation: 14 CFR 400 to 405; 14 CFR 411 to 422; 14 CFR 440 to 441

Abstract: This rulemaking addresses the components of the launch license required by the Commercial Space Launch Act of 1984 and describes the Federal interagency process for evaluating license applications. The ANORM proposes a two-part process for reviewing license applications: 1) Mission Review, focusing on national security and foreign policy issues; and 2) Launch Safety Review, focusing on issues affecting public safety, including the safety of property. This rulemakingwill also address regulatory actions necessary to meet U.S. obligations under international law to authorize and supervise private space launches as well as to protect U.S. national security, foreign policy and public

safety interests. The ANPRM states that DOT will regulate private space launches only to the extent necessary to fulfill these objectives. This regulation is significant because it involves substantial public interest and important Departmental policy.

Timetable:

Action	Date	FR Cite
ANPRM and Notice of Policy	03/00/85	
ANPRM Comment Period 03/00/85 -	04/00/85	Marian.
NPRM	05/00/85	

Small Entity: No

Agency Contact: Gerald Musarra, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Washington, DC 20590, 202 426-4723

RIN: 2105-AA25

11. © COMMERCIAL SPACE TRANSPORTATION: THIRD-PARTY LIABILITY INSURANCE FOR COMMERCIAL SPACE LAUNCH ACTIVITIES

Priority: Agency Determination

Legal Authority: PL 98-575, Sec 16 Commercial Space Launch Act

CFR Citation: 14 CFR 410

Abstract: Statute prohibits commercial rocket launches unless they meet third-party liability financial responsibility requirements set by DOT. This regulation will set financial responsibility levels for launchers of rockets and operators of payloads attending a launch and launch sites.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/85	
ANPRM Comment Period Begin	03/00/85	
ANPRM Comment Period End	05/00/85	
NPRM	08/00/85	

Small Entity: No

Additional information: The CFR citations are tentative at this point.

Agency Contact: Robert I. Ross, Department of Transportation, Office of the Secretary, 490 Seventh Street, SW, Washington, DC 20590, 202 472-5580

RIN: 2105-AA26

12. POLICY STATEMENT: COMMERCIAL SPACE TRANSPORTATION: LICENSING OF COMMERCIAL LAUNCH SITES

Priority: Agency Determination Legal Authority: PL 98-575

CFR Citation: Not applicable

Abstract: Describes the Department's policy for licensing private commercial launch sites. Discusses development of standards to be met for location, construction and operation of launch sites.

Timetable:

Action	Date	FR Cite
Issuance of Notice of Policy	05/00/85	

Small Entity: No

Agency Contact: Gerald W. Musarra, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA27

13. • REVIEW OF SAMPLE SIZE AND ADMINISTRATION OF THE AIRLINE PASSENGER ORIGIN-DESTINATION SURVEY

Priority: Agency Determination

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1382

CFR Citation: 14 CFR 241

Abstract: OMB has mandated that the 10 percent sampling requirement contained in the Passenger Origin-Destination Survey be eliminated and that a requirement that the collection include a statistically valid sample be substituted. The NPRM will request comments on the size of the sample and invite the public to propose alternative methods of administering the statutory data collection requirements contained in the Civil Aeronautics Board Sunset Act of 1984. This change has the potential for reducing the burden on the industry. This rulemaking is significant because it may substantially change the reporting requirements for the aviation

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

industry and significantly reduce the associated paperwork burdens.

Timetable:

Action	Date	FR Cite
ANPRM	01/02/85	50 FR 101
NPRM	03/00/85	
Final Action	08/00/85	

Small Entity: No

Affected Sectors: 45 TRANSPORTATION BY AIR

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA30

14. © REVIEW OF THE FORM 41 REPORT OF FINANCIAL AND OPERATING STATISTICS FOR LARGE CERTIFICATED AIR CARRIERS

Priority: Agency Determination

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: OMB stated that the continuation of uniform, detailed financial and operating reporting of domestic air transportation appears to be contrary to airline deregulation. It has mandated that an NPRM be issued soliciting specific recommendations from the affected public. The NPRM will be broad enough in scope to accommodate a wide range of alternatives, including complete elimination of all requirements. The NPRM will specifically request comments on the need for, and frequency of, the collection in the light of the information collection requirements imposed on the airlines by other Federal agencies. Additionally, the NPRM will request specific comments from other agencies that presently use the Form 41 data. This rulemaking is significant because it may substantially change the reporting requirements for the aviation industry and significantly reduce the associated paperwork burdens.

Timetable:

Action	Date	FR Cite
ANPRM	01/02/85	50 FR 101
NPRM	03/00/85	

Small Entity: No

Affected Sectors: 45 TRANSPORTATION BY AIR

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA32

15. LIBERALIZATION OF AIR CARRIER CHARTER RULES

Priority: Agency Determination

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1381; 49 USC 1386

CFR Citation: 14 CFR 207; 14 CFR 208; 14 CFR 212; 14 CFR 298; 14 CFR 380

Abstract: The CAB proposed new charter rules for direct and indirect air carriers. The proposed rules retain the financial protections of existing rules for direct air carriers while eliminating rules restricting the types of groups (such as "affinity" or "single-entity") to whom charters may be sold. The proposal would also retain a security instrument and depository system for indirect air carriers, along with contract rules for public protection. The proposal also highlights depository bank and travel agent responsibilities in handling passenger funds. The proposal replaces one made earlier. DOT is considering what action should be taken. This rulemaking is significant because it is potentially controversial and because it affects the interests of charter carriers and the traveling public.

Timetable:

Action	Date	FR Cite
NPRM (EDR- 439/SPDR-86, Docket 40336)	02/19/82	47 FR 7443
NPRM Comment Period End	04/20/82	
Reply Comment Period End	05/10/82	
NPRM (EDR- 456/SPDR-88, Docket 40336)	04/12/83	48 FR 15639
NPRM Comment Period End	06/13/83	
Reply Comment Period End	06/28/83	
Final Action	08/00/85	
Small Entity: Yo	es	

Agency Contact: Sam Whitehorn, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA41

16. NONDISCRIMINATION ON THE BASIS OF HANDICAP BY AIRLINES

Priority: Agency Determination Legal Authority: 29 USC 794 CFR Citation: 14 CFR 382

Abstract: The CAB considered whether to include provisions regulating carrier employment practices. An NPRM was adopted by the Board on May 31, 1984. It was sent to DOJ and EEOC for approval as required by the Rehabilitation Act. The rulemaking is significant because it involves important Departmental policy and substantial public interest. The current rule is involved in litigation and a Federal Court of Appeals has ordered DOT to redraft it to apply all provisions of the rule to all carriers. The Department of Justice has asked for a rehearing in the case.

Timetable:

Action	Date	FR Cite
NPRM adopted	05/31/84	

by Board

Next Action Undetermined

Small Entity: No

Agency Contact: Robert Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA42

17. INSURANCE FOR ON-DEMAND AIR TAXI OPERATORS AND CANADIAN AIR TAXIS

Priority: Agency Determination

Legal Authority: PL 95-504; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 205; 14 CFR 298

Abstract: This rule would set the minimum per-person aircraft accident liability insurance limits for U.S. and Canadian on-demand air taxi operators at \$150,000, instead of at \$300,000 as it is for other air carriers. The NPRM further includes alternative proposals to set the per-person limit at \$75,000 or \$100,000 or to eliminate all minimum amounts, requiring a public notice instead. Other rules for insurance

Current and Projected Rulemakings Priority Rulemakings: Non-Major

coverage for these carriers would be as in 14 CFR Part 205, including the prohibition on safety-related exclusions. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date		FR	Cite
NPRM (EDR-395, Docket 37531)	02/04/80	45	FR	7566
NPRM (EDR- 395B, Docket 37531)	10/27/81	46	FR	52585
NPRM Comment Period End	12/28/81			
Reply Comment Period End	01/18/82			
NPRM (EDR- 395C, Docket 37531)	03/10/83	48	FR	10073
Comment Period End	05/17/83			
Final Action	06/00/85			

Small Entity: Yes

Agency Contact: Gwyneth Jones, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA47

18. DURATION OF CERTIFICATE AUTHORITY AND ANALYSIS OF CRITERIA FOR AIR CARRIER SELECTION IN LIMITED DESIGNATION INTERNATIONAL MARKETS

Priority: Agency Determination Legal Authority: 49 USC 1371

CFR Citation: 14 CFR 399

Abstract: This action will enable the Department to establish criteria upon which carriers will be selected to serve those markets where the number of U.S. flag carriers is restricted under current bilateral arrangements. The proposal will also examine whether certificate authority should be awarded for a limited duration or on a permanent basis. This rulemaking is significant because it could potentially establish new policy and legal precedent in the selection of carriers for limited designation markets and the duration of the authority which these carriers are awarded.

Timetable:

Action	Date	FR	Cite
ANPRM (PSDR- 78, Docket 40823)	07/27/82	47 FR	32442

Action	Date	FR Cite
NPRM (PSDR- 78A)	09/24/82	47 FR 42122
ANPRM Comment Period End	09/27/82	
Reply Comment Period End	10/12/82	
NPRM Comment Period End	11/27/82	
Reply Comment Period End	12/14/82	
NPRM	03/00/85	

Small Entity: No

Agency Contact: Jeffrey N. Shane, Deputy Asst. Secretary, Department of Transportation, Office of the Secretary, Policy and International Affairs, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4551

RIN: 2105-AA49

19. NONDISCRIMINATION IN FEDERALLY-ASSISTED AVIATION ECONOMICS RELATED PROGRAMS OF DOT

Priority: Agency Determination
Legal Authority: 42 USC 2000d-1

CFR Citation: 14 CFR 379

Abstract: The CAB reviewed its rules that implement Title VI of the Civil Rights Act of 1964, in response to suggestions from the Department of Justice. An NPRM was approved by the Board on June 15, 1982, and was forwarded to the Justice Department for review in accordance with Executive Order 12250. This regulation and its relationship to the DOT Title VI regulation (49 CFR Part 21) are now under review in the Department. The regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM approved by Board	06/15/82	In Suppose
Next Action Unde	termined	

Small Entity: No

Additional Information: The Justice Department is reviewing the NPRM.

Agency Contact: Robert Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA66

20. EFFECT OF EXPIRATION OF A BILATERAL ON FOREIGN AIR CARRIER AUTHORITY

Priority: Agency Determination

Legal Authority: 49 USC 1159b; 49 USC 1324; 49 USC 1372; 49 USC 1386; 49 USC 1481; 49 USC 1502; 5 USC 558; 5 USC 559

CFR Citation: 14 CFR 377

Abstract: In the past, the CAB had held that a foreign air carrier's permit or exemption authority continues after the underlying bilateral Service Agreement expired, by virtue of section 558(c) of the Administrative Procedure Act. This rule would reverse that policy in order to ensure equal competitive opportunities for U.S. carriers. This rulemaking is significant because it involves substantial public interest. It affects the relationship between U.S. and foreign carriers.

Timetable:

Action	Date	FR Cite
NPRM (SPDR-89 and SPDR-89A, Docket 41497)	06/03/83	48 FR 2492
NPRM Comment Period Begin	06/03/83	
NPRM Comment Period End	08/02/83	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Paul Gretch, Ass't General Counsel for International Law. Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Room 10105, Washington, DC 20590, 202 472-5434

RIN: 2105-AA68

21. AIRLINE INTERLINE AGREEMENTS

Priority: Agency Determination

Legal Authority: 49 USC 1324; 49 USC 1371 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1384; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399

Abstract: Republic Airlines petitioned the CAB for emergency rulemaking and other relief concerning changes in carrier interline practices. It stated that a number of major carriers have withdrawn from the current multilateral interline traffic agreement and henceforth will maintain interline arrangements only pursuant to bilateral agreements that are terminable monthly

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

without notice. It alleged that failure to notify passengers that interlining may cease abruptly and without notice could constitute an unfair or deceptive practice within the meaning of section 411 of the Federal Aviation Act of 1958. In addition, it argued that the right to terminate interline agreements without notice could be used for anticompetitive purposes. Republic asked the CAB to adopt interim rules requiring notice to passengers and to institute a rulemaking proceeding to determine whether these no-notice bilateral interline agreements are an unfair method of competition. The CAB denied the request for emergency rules. DOT is now considering the subject of interlining and whether to begin a rulemaking proceeding. This rulemaking would be significant because it would affect competition in a (cont)

Timetable:

Innetable.		
Action	Date	FR Cite
Order 83-12-3 Denial of		
Emergency Action		
Petition filed in		
Docket 41825		
Petition under		

Next Action Undetermined

Small Entity: No

consideration

Additional Information: ABSTRACT: deregulated environment and may affect the convenience of travel for passengers.

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA85

22. SHARING OF SINGLE AIR CARRIER DESIGNATOR CODES

Priority: Agency Determination

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1381

CFR Citation: 14 CFR 399

Abstract: The CAB proposed adding a policy statement that it would regard it as an unfair and deceptive practice and an unfair method of competition if two or more carriers share a single carrier designator code without giving reasonable notice to consumers of the identity of carriers actually providing service under the shared code and the

nature of the relationship between carriers involved. The Board considered a final rule but took no final action. DOT is now considering what action to take. This rulemaking is significant because consumers may be at a disadvantage without full disclosure of the identity of carriers providing services for all parts of the trip.

Timetable:

Action	Date	FR	Cite
NPRM PSDR-85, Docket 42199	10/31/84	49 FR	43709
Final Action	06/00/85		-

Small Entity: No

Agency Contact: Bob Young, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7410

RIN: 2105-AA90

23. CONSUMER PROTECTION FOR DEFAULT BY SCHEDULED AIR CARRIERS

Priority: Agency Determination

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1381

Abstract: Transamerica petitioned the CAB to investigate ways to protect consumers against service defaults by scheduled air carriers in domestic, overseas, and foreign air transportation. Transamerica suggested that the Board condition the award of operating authority to perform direct carrier scheduled service on air carriers developing a default protection plan. For foreign air travel, it suggested that the obligation be limited to outbound flights. The petitioner argued that prompt action is necessary in order to ensure continued public confidence in scheduled air service and to protect passengers from unnecessary financial hardship. DOT is considering what action should be taken on the petition.

Timetable:

Action	Date	FR Cite

Petition filed in Docket 42368

Next Action Undetermined

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA98

24. • ELECTRONIC FILING OF TARIFFS

Priority: Agency Determination Legal Authority: 49 USC 1373

CFR Citation: 14 CFR 221

Abstract: DOT will examine whether conversion from a paper document system to a computerized system of filing and monitoring air carrier tariffs can reduce paper flow, speed up processing, and allow the industry to utilize computer and telecommunications technology to communicate with DOT. The alternative is to maintain the current paper tariffs system. Potential savings to the industry may be greater than to the government, since airlines already utilize automated fare and rate systems. In addition, airlines may be able to implement changes faster, thus responding more quickly to market conditions, and may be less burdened with the cost of producing and transmitting paper documents. The Department may reduce paper flow, experience savings in processing time and staffing, and improve the accuracy and control of tariff data. Costs to the government include systems design and the hardware, software and telecommunications facilities to operate the system.

Timetable:

Action	Date	FR Cite
Request for	06/00/85	
comments		

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Thomas Moore, Chief, Tariffs Division, 400 - 7th Street, SW, Washington, DC 20590, (202) 472-5573

Agency Contact: Desta McDowell, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 7th Street, SW, Washington, DC 20590, 202 472-5573

RIN: 2105-AB00

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

25. © DEPARTMENT OF TRANSPORTATION ACQUISITION REGULATION 48 CFR CHAPTER 12 -FINAL RULE

Priority: Agency Determination

Legal Authority: 40 USC 486(c); 10 USC 2301; 48 CFR 1.301; 49 CFR 1.59

CFR Citation: 48 CFR 1201

Abstract: The Department of Transportation Acquisition Regulation (TAR) is established to implement and supplement the Federal Acquisition Regulations (FAR), (Far Title 48 CFR Chapter 1). The intended effect of the Department's acquisition regulation is to implement the FAR where required and to supplement the FAR in areas where there is no FAR coverage of policies unique to DOT. Lack of a particular subject area in the TAR means the Department accepts the FAR coverage without further implementation. The proposed TAR was published in the FEDERAL

REGISTER on June 1, 1984, 49 FR 22922, as an interim final rule inviting public comments. The changes that were made were appropriate to incorporate the comments received as well as other administrative and editorial changes, and these changes will be made, as appropriate, to incorporate typographical corrections discovered by the Department.

Timetable:

rimetable:		
Action	Date	FR Cite
NPRM Comment Period Begin	06/01/84	49 FR 22922
Interim Final Rule	06/01/84	49 FR 22922
NPRM Comment Period End	07/31/84	
Final Action Effective	01/31/85	
Final Action	04/00/85	
Small Entity: No	0	

Additional Information: This final rule would not represent a significant change. Changes are principally in the areas of format and internal procedures. It is the result of: (1) Reformatting the existing DOT Procurement Regulations (41 CFR Chapter 12); (2) removing old portions which would duplicate new FAR coverage of subject matter not previously contained in Federal Procurement Regulations (41 CFR Chapter 1); and (3) inserting necessary Departmental procedures at those places where the FAR requires agency implementation.

Agency Contact: Roger C. Martino, Chief, Procurement Management Division, Department of Transportation, Office of the Secretary, 400 7th Street, SW., Room 9100, Washington, DC 20590, 202 426-4237

RIN: 2105-AB02 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 49:10-52-T

DEPARTMENT OF TRANSPORTATION (DOT) Office of the Secretary (OST)

Current and Projected Rulemakings Other Rulemakings

26. TITLE VI CIVIL RIGHTS REGULATION

Legal Authority: 42 USC 2000d-4

CFR Citation: 49 CFR 21

Abstract: In 1981, the Department proposed a consolidation and expansion of its existing Title VI regulation (49 CFR Part 21). Few comments were received on this NPRM, and a final regulation was never published. The Department reviewed the existing regulation to determine if changes were needed. It was concluded that the Department can continue to enforce Title VI appropriately through the existing regulation. Consequently the Department does not anticipate further rulemaking action, and intends to withdraw the NPRM.

Timetable:

Action	Date	41	FR	Cite
NPRM	01/19/81	46	FR	5588
NPRM Comment Period End	04/20/81			
To be withdrawn	00/00/00			

Small Entity: No

Additional Information: NPRM published in the Federal Register January 19, 1981 (46 FR 5588). Comment period closed April 20, 1981. No further action is anticipated on this NPRM.

Analysis: Regulatory Evaluation 01/19/81

Agency Contact: Dorsey Thomas, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4754

RIN: 2105-AA02

27. CONSOLIDATION OF TRANSPORTATION GRANTS TO U.S. TERRITORIES

Legal Authority: PL 95-134, Title V

CFR Citation: 49 CFR 29

Abstract: The regulation would comply with Title V of Pub. L. 95-134, which permits departments and agencies to consolidate grant programs, reduce reporting requirements, and waive local matching fund requirements.

Timetable:

Action	Date	FR	Cite
NPRM	01/08/79	44 FR	1765
Next Action Ur	determined		

Small Entity: No

Agency Contact: Irving Glasser, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4455

RIN: 2105-AA08

28. NONDISCRIMINATION ON THE BASIS OF AGE IN DOT FINANCIAL ASSISTANCE PROGRAMS

Legal Authority: PL 94-135, Title III

Abstract: This regulation would prohibit age discrimination by recipients of DOT financial assistance programs. Few comments were received on the NPRM. The Department intends to publish a final rule later this year.

Timetable:

Action	Date	FR	Cite
NPRM	10/22/79 44	FR	60946

Next Action Undetermined

Small Entity: No

Agency Contact: Joseph Austin, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4754

RIN: 2105-AA09

Current and Projected Rulemakings
Other Rulemakings

29. MINORITY BUSINESS ENTERPRISE PROGRAM (FINANCIAL ASSISTANCE PROGRAMS); COUNTING CREDIT FOR SUPPLIERS AND OTHER SERVICE PROVIDERS

Legal Authority: 42 USC 2000d; 49 USC 1730; 45 USC 906; 49 USC 1615; PL 97-424, Sec 105(f), Surface Transp. Assist. Act of 1982

CFR Citation: 49 CFR 27.47(e)(f)

Abstract: The current DOT MBE rule provides that recipients and contractors may receive only 20 percent credit for the cost of goods purchased from MBE suppliers who do not manufacture the goods. The Department intends to propose a regulation to correct the perceived inequities resulting from this approach.

Timetable:

Action

Date FR Cite

NPRM 03/00/85

Small Entity: No

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA20

30. • NONDISCRIMINATION ON THE BASIS OF HANDICAP (DIRECTLY CONDUCTED PROGRAMS)

Legal Authority: 29 USC 794 CFR Citation: 49 CFR 28

Abstract: This regulation would implement the 1978 amendments to section 504 of the Rehabilitation Act of 1973 which made its prohibition of discrimination on the ground of handicap applicable to the directly conducted programs of Federal agencies as well as to their financial assistance programs. The rule would apply to DOT facilities, personnel practices, and regulatory programs. It would be based on a model rule developed by the Department of Justice. The rule would also apply to DOT activities and functions transferred from the Civil Aeronautics Board after that agency's "sunset". A CAB NPRM that was being developed on this subject will be subsumed in this project.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/00/85

Small Entity: Undetermined

Agency Contact: Robert Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA29

31. AIR CARRIER CARGO TARIFF PUBLICATIONS

Legal Authority: 49 USC 1324; 49 USC 1373; 49 USC 1482

CFR Citation: 14 CFR 221.171; 14 CFR 221.173

Abstract: This petition proposes to amend the requirement that air carriers post cargo tariffs at stations, offices, and locations other than their principal office. The petitioners proposed to allow carriers to maintain a memorandum tariff at each location and have a toll-free number for shippers to obtain access to complete tariff information. Petitioners alleged that such a change would substantially reduce the cost and time burden of maintaining and continually updating voluminous files of current and past tariffs at each location.

Timetable:

Action

Date

FR Cite

Petition Filed in 11/27/84 Docket 42660

Next Action Undetermined

Small Entity: No

Additional Information: Petition under consideration.

Agency Contact: Gwyneth Jones, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 262 472-5577

RIN: 2105-AA31

32. © COLLECTION OF SERVICE SEGMENT DATA FROM FOREIGN AIR CARRIERS

Legal Authority: 49 USC 1301; 49 USC 1374; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: Not yet determined

Abstract: DOT is considering a rule that would require submission to DOT of nonstop market data from foreign carriers providing scheduled service between their home countries and the United States. This information is needed to assess potential and actual benefits of bilateral agreements. The

estimated cost would be about \$250,000 a year.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Affected Sectors: 45 TRANSPORTATION

BY AIR

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA33

33. • COLLECTION OF FINANCIAL INFORMATION FROM THE COMMUTER AIR CARRIER INDUSTRY

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 298

Abstract: DOT is considering proposing to collect basic financial information from the commuter air carrier industry. Data would be used for safety purposes, fitness reviews, and various economic analysis such as trust fund revenue generation, and airport and airways development.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Yes

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA34

34. AIRLINE TIME AND MILEAGE GUIDES

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

Current and Projected Rulemakings Other Rulemakings

CFR Citation: 14 CFR 221

Abstract: The DOT currently prohibits fares or rates based upon units of time. This rule would remove these restrictions.

Timetable:

Action	Date	FR Cite
NPRM (EDR-448, Docket 41034)	10/27/82	47 FR 47599
NPRM Comment Period End	12/13/82	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA39

35. DIRECT AIR CARRIER RESPONSIBILITY FOR RETURNING STRANDED CHARTER PASSENGERS

Legal Authority: 49 USC 1324; 49 USC 1371

CFR Citation: 14 CFR 207; 14 CFR 208

Abstract: This rule would make direct air carriers responsible for returning charter passengers stranded by strikes or other interruptions of their services by eliminating the force majeure clause from charter contracts. However, the Department is considering a comprehensive proposal (RIN 2105-AA41 in this agenda) to revise and simplify air charter rules. The Department's final action in this proceeding will be consistent with the comprehensive review of the charter rule.

Timetable:

Action	Date	FR Cite
MATCHES .	07/14/00	45 FD 40040
NPRM (EDR-405, Docket 37169)	07/11/80	45 FR 46812
NPRM Comment Period End	09/25/80	
Reply Comment Period End	10/10/80	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Sam Whitehorn, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA40

36. ZONES FOR AIRLINE MAIL RATES

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1376

CFR Citation: 14 CFR 233, (Proposed)

Abstract: This proposed rule would end the current practice of prescribing fixed rates for the transportation of mail by air, and in its place establish zones for each category of mail. Each zone would be defined by maximum and minimum rates prescribed by DOT, and airlines would be free to contract with the Postal Service for the carriage of mail at any price within the zone.

Timetable:

Illietable.		
Action	Date	FR Cite
NPRM (EDR- 387/PDR-68, Docket 36497)	09/07/79	44 FR 52246
Supplemental NPRM (EDR- 387C/PDR- 68C)	12/18/80	45 FR 83510
Comment Period End	02/17/81	
NPRM Comment	07/17/81	

Next Action Undetermined

Small Entity: No

Period End

Additional Information: ADDITIONAL AGENCY CONTACT: Lawrence Myers (202) 426-5621.

Agency Contact: Barry Molar, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7410

RIN: 2105-AA44

37. AIR TRAVELERS: AGE DISCRIMINATION

Legal Authority: 42 USC 6102

CFR Citation: 14 CFR 376, (Proposed)

Abstract: This rule will prohibit discrimination against air travelers on the basis of age and implement the Age Discrimination Act of 1975. A final rule was adopted by the CAB on April 10, 1980, and was forwarded to the Secretary of HHS for approval, as required by the Age Discrimination Act. The rule was approved by HHS on July 13, 1984, with changes. DOT is making these changes and will publish the final rule shortly.

Timetable:

Action	Date		FR	Cite
NPRM (SPDR-74, Docket 36639)	09/26/79	44	FR	5538
Final Rule adopted by the Board	04/10/80			
HHS approved Final Rule with changes	07/13/84			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Robert Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA45

38. POLICY STATEMENT ON AIRLINE PREEMPTION

Legal Authority: 49 USC 1305 CFR Citation: 14 CFR 399

Abstract: This rule will set out
Department policies for regulation of
the rates, routes, and services of
airlines that have interstate authority.
The CAB concluded that under section
105 of the Federal Aviation Act of 1958
it, not the States, was responsible for
economic regulation (or deregulation, as
the case may be) of all the routes, rates,
or services of any airline holding either
(i) a certificate of public convenience
and necessity to provide interstate air
transportation, or (ii) an exemption
under section 416 of the Act from the
requirement for such a certificate.

Timetable:

Action	Date		FR	Cite
Interim Rule (PS- 83, Docket 34684)	02/15/79	44	FR	9948
Request for comments on Interim Rule (PSDR-56, Docket 34684)	02/15/79	44	FR	9953
Comment Period End	04/16/79			
Final Action	09/00/85			

Small Entity: Yes

Agency Contact: Lawrence Myers, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5621

RIN: 2105-AA46

Current and Projected Rulemakings Other Rulemakings

39. INDIRECT AIR CARRIERS-GROUP CONTRACTOR EXEMPTIONS

Legal Authority: 49 USC 1371; 49 USC 1386

Abstract: This rule would codify the Department's treatment of group contractors. A group contractor, like a charter operator, is an indirect air carrier that purchases air transportation from a direct air carrier and sells it to passengers as a principal rather than as an agent. Unlike charter operators, however, a group contractor is backed up financially by the direct carrier so that a passenger may look to the direct carrier for transportation or refund if the group contractor defaults. Group contracts are currently governed by the CAB Order 81-7-109, July 31, 1981, as modified by Order 82-3-132, March 24, 1982. They are sometimes referred to as "contract bulk fare operators."

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA48

40. ALIGNMENT OF AIRLINE UNIFORM SYSTEM OF ACCOUNTS AND REPORTS WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377

CFR Citation: 14 CFR 241

Abstract: As part of the continuing effort to align the DOT's aviation accounting rules with generally accepted accounting principles, certain sections of the Uniform System of Accounts and Reports need to be deleted or amended. These changes would provide relief from the present requirements for most air carriers.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Affected Sectors: 45 TRANSPORTATION BY AIR

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA52

41. REVISE DEFINITION OF AIRLINE REVENUE AND NONREVENUE PASSENGERS

Legal Authority: 49 USC 1324; 49 USC 1373

CFR Citation: 14 CFR 241

Abstract: The present definition of revenue and nonrevenue passengers for aviation reporting purposes is stated in terms of the exemptions for free and reduced-rate transportation in sections 403(b) of the Federal Aviation Act of 1958. These definitions have become outmoded in the process of air fare deregulation. The DOT is considering several options for revising these definitions.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA53

42. REDUCE AIR CARRIER SERVICE SEGMENT DATA REPORTS

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: This proposed rule would standardize service segment data reporting for aviation. Presently, larger carriers file very detailed service segment data in ADP format while smaller carriers file a condensed version on a hardcopy report. This rule would standardize domestic service segment data at the condensed level.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Affected Sectors: 45 TRANSPORTATION BY AIR

Agency Contact: Jack Calloway. Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA56

43. REVISING THE DEFINITION OF COMMUTER AIR CARRIER

Legal Authority: 49 USC 1324; 49 USC

CFR Citation: 14 CFR 298

Abstract: This rule would clarify the status and obligations of an air taxi that enters into a subcontract with a commuter to operate some of that commuter's scheduled routes.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Yes

Agency Contact: Gwyneth Jones, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA60

Current and Projected Rulemakings
Other Rulemakings

44. REQUESTS FOR CONFIDENTIAL TREATMENT OF AVIATION ECONOMICS- RELATED MATERIALS

FILED WITH DOT

Legal Authority: 49 USC 1324; 49 USC 1482

CFR Citation: 14 CFR 302

Abstract: This rule would revise the procedures governing requests to confidential treatment of material filed with the Department to clarify the relation between those procedures and the Freedom of Information Act.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gwyneth Jones, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA62

45. NAVIGATION OF FOREIGN CIVIL AIRCRAFT

Legal Authority: 49 USC 1324; 49 USC 1372; 49 USC 1508

CFR Citation: 14 CFR 375

Abstract: The CAB proposed to simplify and clarify its rules governing the navigation of foreign aircraft that are not engaged in foreign air transportation. The proposed rule would delete outdated provisions and conform the language of the rule to FAA regulations. In addition, the rule would expand the definition of foreign and civil aircraft to include U.S. registered aircraft owned by non U.S. citizens and would revise the application procedures for foreign aircraft permits to expedite their processing.

Timetable:

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Action	Date	FR Cite
NPRM	10/25/84	49 FR 42948
NPRM Comment Period Begin	10/25/84	
Extension of comment period (SPDR- 91A)	12/13/84	49 FR 48659
NPRM Comment Period End	12/28/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Joanne Petrie, (202) 472-5577.

Agency Contact: George Wellington, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 755-3800

RIN: 2105-AA65

46. OVERSEAS MILITARY PERSONNEL AIR CHARTER TARIFFS

Legal Authority: 49 USC 1373; 49 USC 1386

CFR Citation: 14 CFR 372

Abstract: The reference to tariffs in the rule governing Overseas Military Personnel Charters (OMPC) has become obsolete, at least with respect to domestic air transportation. The CAB was considering whether to eliminate the tariff requirement for all OMPC's and replace it with consumer protection requirements similar to those in its Public Charter rule in Part 380. This proposal is still being considered by DOT.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA67

47. JOINT TARIFF FILING BY FOREIGN AIR FREIGHT FORWARDERS

Legal Authority: 49 USC 1373; 49 USC 1386

CFR Citation: 14 CFR 296; 14 CFR 221

Abstract: This rule would permit indirect cargo air carriers to participate in joint tariffs filed by direct air carriers and direct foreign air carriers for the foreign air transportation of cargo. The rule would require that advance notice be given to the shipper that the shipment will be interlined, and that the shipment is not otherwise consolidated for rating purposes.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Lawrence Myers, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5621

RIN: 2105-AA69

48. UNFAIR AND DECEPTIVE PRACTICES BY AIRLINE TICKET AGENTS

Legal Authority: 49 USC 1378; 49 USC 1381

CFR Citation: 14 CFR 399

Abstract: Enforcement policies currently make reference to tariffs. DOT is considering whether to limit these provisions to foreign air transportation or to eliminate them entirely.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA70

49. STREAMLINE AIRLINE PASSENGER ORIGIN-DESTINATION SURVEY REPORTING

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1382

CFR Citation: 14 CFR 241

Abstract: This rule would standardize reporting instructions for old (prederegulation) and new air carriers, limit interline reporting to large carriers (over \$75 million in operating revenues), and seek suggestions on ways to further reduce and simplify the survey systems' reporting requirements.

Timetable:

The Assessment of the Party of		
Action	Date	FR Cite

Next Action Undetermined

Current and Projected Rulemakings
Other Rulemakings

Small Entity: No

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA71

50. SMOKING ABOARD AIRCRAFT; NOTICE TO PASSENGERS

Legal Authority: 49 USC 1324; 49 USC 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386

CFR Citation: 14 CFR 252; 14 CFR 253

Abstract: This rule would inform passengers of their right to a seat in non-smoking section of an aircraft by one of two proposed alternatives. The first would require airlines to include a prescribed notice on or with their tickets. The second would include smoking in the list of subjects incorporated by reference in the contract of carriage, which would inform passengers that additional information may be obtained from the place of ticketing.

Timetable:

Action	Date	FR	Cite
NPRM (EDR-449, Docket 41009)	11/19/82	47 FR	52190
NPRM Comment Period End	12/20/82		
Final Action	08/00/85		

Small Entity: Yes

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA72

51. DIRECT FLIGHTS

Legal Authority: 49 USC 1381

CFR Citation: 14 CFR 399

Abstract: Donald L. Pevsner petitioned the CAB to institute a rulemaking proceeding to ban use of the term "direct flight" because it is deceptive, and to declare use of the term to be a prima facie violation of section 411 of the Federal Aviation Act of 1958. The Department is now considering what

action to take in response to the petition.

Timetable:

Tilletable.		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Petition under consideration. It has been filed in Docket 41217.

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA73

52. REQUIRE SPECIFIC CATEGORIES OF RECORDS AND RETENTION PERIODS FOR COMMUTER AIR CARRIERS RECEIVING SUBSIDY

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 249

Abstract: This rule would require commuter air carriers receiving subsidy to retain certain records in support of their claims for subsidy; modify or eliminate several of the records prescribed for retention by certificated carriers; and clarify one of the records prescribed for retention by public charter operators and overseas military personnel charter operators. In addition, the proposal would transfer the record retention requirements contained in Part 374a to Part 249.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Yes

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA76

53. IMPLEMENTATION OF STATUTE REQUIRING INTEREST ON SUBSIDY CLAIMS

Legal Authority: 49 USC 1324; 49 USC 1359; 49 USC 1376; 49 USC 1386; PL 97-369

CFR Citation: 14 CFR 326, (Proposed)

Abstract: Under section 322 of the FY 1983 Transportation Appropriations Act, interest may be paid on certain "hold-in" subsidy claims by certificated air carriers under sections 419 and 406 of the Act. This rule would set procedures for payment of that interest.

Timetable:

Action	Date	FR Cite
NPRM (PDR-87, Docket 41855)	12/21/83	48 FR 56599
NPRM Comment Period End	02/21/84	
Reply Comment Period End	03/02/84	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Kip Tourtellot, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5621

RIN: 2105-AA77

54. DIVERSION OF FLIGHTS WITHIN A METROPOLITAN AREA

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1375; 49 USC 1377 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504; ...

CFR Citation: 14 CFR 253; 14 CFR 399

Abstract: The CAB proposed to amend its rules requiring notice of contract terms for domestic travel to require that actual notice be given passengers of terms absolving carriers from any responsibility to transport a passenger to the destination named on the ticket, or to reimburse the passenger for expenses in reaching the airport noted on the ticket when a flight is diverted to another airport in the same metropolitan area. Alternatively, the Board proposed to declare it to be an unfair and deceptive practice to divert a passenger without arranging and paying for alternate transportation to the destination airport named on the passenger's ticket. The Board considered a final rule but did not

Current and Projected Rulemakings
Other Rulemakings

decide what action to take. DOT is now considering what action to take.

Timetable:

Action	Date	FR Cite
NPRM (EDR- 468/PSDR-81, Docket 41683)	09/23/83	48 FR 43343
NPRM Comment Period End	11/07/83	
Reply Comment Period End	11/28/83	

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: PL 96-354; 5 USC 601.

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA78

55. GUIDELINES FOR ALLOCATING COSTS FOR AIR CARRIERS PROVIDING "HOLD-IN" SERVICE UNDER SECTION 419

Legal Authority: 49 USC 1324; 49 USC 1377; 49 USC 1389

CFR Citation: 14 CFR 324

Abstract: DOT subsidizes certain air carriers to provide essential air service to some small communities in the U.S. If a subsidized carrier wants to reduce or suspend its air service to certain communities, DOT "holds-in" the subsidized air carrier until a replacement air carrier can be found to provide the essential level of air service. DOT is considering expanding Part 324 to include a description of the costing methodology used to determine the compensation for losses in such hold-in cases. It is also considering including a description of the types of situations where the various methodologies would be appropriate.

Timetable:

Action	Date	FR	Cite
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Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert Ashby, (202) 426-4723.

Agency Contact: Wayne Watkins, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Washington, DC 20590, 202 426-5950

RIN: 2105-AA80

56. SIMPLIFIED AVIATION EXEMPTION PROCEDURES

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1386

CFR Citation: 14 CFR 302; 14 CFR 389; 14 CFR 389

Abstract: The CAB proposed updating its rules applicable to exemption procedures to conform the rules to the changes brought about by the Airline Deregulation Act and the International Air Transportation Competition Act of 1979, and to modernize the evidentiary and service requirements.

Timetable:

Action	Date	FR Cite
NPRM (PDR- 88/ODR- 27/PSDR-83)	10/05/84	49 FR 39337
Reply comments due	12/04/84	
Notice of Final	06/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Nancy Trowbridge, (202) 755-3805.

Agency Contact: Gwyneth Jones, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Washington, DC 20590, 202 472-5577

RIN: 2105-AA82

57. FILING REQUIREMENTS FOR INTERNATIONAL AIR CARGO TARIFFS

Legal Authority: 49 USC 1301; 49 USC 1324; 49 USC 1371 to 1374

CFR Citation: 14 CFR 221

Abstract: The Department is considering shortening the filing requirements from 60 to 30 days for international cargo tariffs that are within the Standard Foreign Rate Level. This rule would encourage pricing flexibility and standardize the tariffiling requirements for cargo rates and

passenger fares that are within the

Timetable:

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William Control	-	print man
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gwyneth Jones, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA83

58. BAGGAGE LIABILITY NOTICES IN INTERNATIONAL AIR TRANSPORTATION

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1373; 49 USC 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221

Abstract: In response to a petition by Mr. Howard Boros, the CAB proposed to amend the baggage liability notices provided to passengers in foreign air travel. The NPRM proposed to eliminate the disclaimer of liability for fragile and perishable items because that notice is false and misleading.

Timetable:

Action	Date		FR	Cite
NPRM (EDR-477, Docket 41690)	12/18/84	49	FR	4911
NPRM Comment Period Begin	12/18/84			
NPRM Comment Period End	03/19/85			

Small Entity: No

Final Action

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Washington, DC 20590, 202 472-5577

05/00/85

RIN: 2105-AA84

59. ESSENTIAL AIR SERVICE SUBSIDY FOR THE FREELY ASSOCIATED STATES

Legal Authority: 49 USC 1324; 49 USC 1502; S.J. Res. 286 Compact of Free Association; H. Doc. 98-192 Compact of Free Association; H. Doc. 98-192 Compact of Free Association

CFR Citation: 14 CFR 211; 14 CFR 272 (Proposed); 14 CFR 302

Abstract: The Compact of Free Association between the U.S. and the governments of certain territories in the Trust Territory of the Pacific Islands is pending adoption before the U.S. Congress. The Compact of Free Association and related Article IX of the Federal Programs and Services Agreement would make provision for payment of subsidy, if necessary, to maintain essential air transportation to the Federated States of Micronesia and the Marshall Islands when they acquire their new status. The Compact and Agreement also permit the Department under certain conditions to pay subsidy to freely Associated States air carriers and to authorize these carriers to carry local air traffic between Guam, the Commonwealth of the Northern Mariana Islands, and Honolulu, Hawaii. This rule would establish the requirements and procedures for implementing these provisions.

Timetable:

Action	Date	FR Cite
NPRM (EDR- 478/PDR-89, Docket 42721)	01/02/85	50 FR 95
NPRM Comment Period End	04/04/85	
Reply to Comments due	04/25/85	

Small Entity: No.

Agency Contact: Peter Schwarzkopf, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5621

RIN: 2105-AA86

60. CURRENCY-RELATED ADJUSTMENTS FOR INTERNATIONAL AIR CARGO RATES

Legal Authority: 49 USC 1324; 49 USC 1371 to 1379; 49 USC 1381; 49 USC 1384; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399

Abstract: TWA petitioned the CAB to establish an expanded policy of international cargo rate flexibility by which carriers would file for expedited effectiveness certain increased cargo rates on inbound traffic to the United States. The rate changes involved would be currency-related adjustments that carriers file in response to foreign government orders. TWA stated that this change is needed so that airlines are not exposed to penalties for failing to comply with foreign government directives. In addition, it argued that protracted review of these filings has a severe impact on airline revenues

because an airline cannot change its tariffs to reflect currency devaluations. DOT is considering what action to take in response to this petition.

Timetable:

Action	Date	FR Cite
Petition filed in		
Docket 41786		

Next Action Undetermined

Small Entity: No

Agency Contact: Gwyneth Jones, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA87

61. SIMPLIFIED AIRLINE COUNTERSIGN NOTICES

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221; 14 CFR 250; 14 CFR 256

Abstract: The American Association of Airport Executives, the Airport Operators Council International and the Air Transport Association of America petitioned the CAB to simplify its countersign requirements. Presently, airlines are required to display four different consumer protection notices on their ticket counters. The petitioners alleged that the current notices are hard to read and, therefore, do not provide much notice to passengers. They proposed replacing the four notices with one simplified countersign. The CAB adopted an NPRM that proposed a number of alternatives, such as a long and/or short notice, where the notices would be required to be posted and whether a smoking notice should be included. DOT is now considering what action to take in response to the notice and comments filed.

Timetable:

Action	Date	FR Cite
NPRM (EDR-474, Docket 41971)	08/01/84	49 FR 30742
NPRM Comment Period End	09/17/84	- CALLEY
Reply Comment Period End	10/02/84	
Final Action	06/00/85	

Small Entity: Yes

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA88

62. POLICY STATEMENT ON STANDARD FOREIGN FARE LEVEL FOR AIR CARRIERS

Legal Authority: 49 USC 1371; 49 USC 1375; 49 USC 1377; 49 USC 1378; 49 USC 1379; 49 USC 1381; 49 USC 1382; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399

Abstract: The CAB considered adopting a policy statement that would combine the CAB's policies on Standard Foreign Fare Level (SFFL), which are found in numerous orders, into a single, comprehensive rule. DOT is considering what should be included in the rule.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gwyneth Jones, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA89

63. EMPLOYMENT DISCRIMINATION AGAINST HANDICAPPED PERSONS BY AIR CARRIERS

Legal Authority: 29 USC 794; 49 USC 1324; 49 USC 1371; 49 USC 1374; 49 USC 1376; 49 USC 1377; 49 USC 1386; 49 USC 1389; EO 12250 45 FR 72995

CFR Citation: 14 CFR 382

Abstract: The CAB was considering new rules prohibiting unlawful discrimination against otherwise qualified handicapped persons who are employed by, or are seeking employment from, airlines. This proposed rule is required by the Rehabilitation Act of 1973. This action is under consideration at DOT.

Current and Projected Rulemakings Other Rulemakings

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Robert Ashby Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA92

64. CONFIDENTIALITY OF PARTS 241 **AND 298 AIRLINE REPORTS**

Legal Authority: 49 USC 1324; 49 USC 1373; 49 USC 1371; 49 USC 1374; 49 USC

CFR Citation: 14 CFR 241; 14 CFR 298

Abstract: This rule would consider whether some components of individual carrier's reports submitted under Parts 241 and 298 should be kept confidential and for how long.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Jack Calloway, Chief,

Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW Washington, DC 20590, 202 426-7372

RIN: 2105-AA95

65. CARGO RATE CHANGES ON 30 DAYS NOTICE

Legal Authority: 49 USC 1373 CFR Citation: 14 CFR 221.160

Abstract: Would propose to amend regulations to allow cargo tariffs which are within the zones established under 14 CFR 399.41 to be filed on 30 days notice. There are two alternatives: either maintain the status quo (60 days' notice) or change cargo tariff filing regulations to 30 days' notice to be consistent with passenger tariff filing requirements. Standardization of the regulatory tariff filing requirements for both cargo and passenger tariffs would benefit the industry.

Timetable:

Action

Date FR Cite

Next Action Undetermined

Small Entity:

Undetermined

Agency Contact: Tom Moore, Chief, Tariffs Division, Department of Transportation, Office of the Secretary, 400 7th Street, SW, Washington, DC 20590, 202 472-5573

RIN: 2105-AA99

66. ■ ESTABLISHMENT OF NEW CLASS SERVICE MAIL RATE FOR **BUSH OPERATIONS WITHIN ALASKA**

Priority: Undetermined

Legal Authority: 49 USC 1376

Abstract: CAB Sunset Act of 1984 extends Intra-Alaska mail rate authority through December 1988. This rulemaking would consider the establishment of new service mail rates to bush points in Alaska. It would also consider the data reporting requirements and appropriate updating procedures to support the establishment and future revision of these rates.

Timetable:

Action Date FR Cite

ANPRM 03/00/85 Small Entity: Undetermined

Agency Contact: Julien R. Schrenk. Transportation Economist, Department of Transportation, Office of the Secretary, 400 7th Street, NW, Washington, DC 20590, 202 472-5126

RIN: 2105-AB01 [FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-82-T

DEPARTMENT OF TRANSPORTATION (DOT) Office of the Secretary (OST)

67. COMPREHENSIVE REVIEW OF CAB CONSUMER RULES

Priority: Agency Determination

Legal Authority: 49 USC 1301 et seq Federal Aviation Act of 1958, as amended

CFR Citation: 14 CFR 201.6; 14 CFR 203; 14 CFR 205; 14 CFR 221, Subpart N; 14 CFR 249; 14 CFR 250; 14 CFR 252; 14 CFR 253; 14 CFR 254; 14 CFR 296.6 and 297.30; 14 CFR 298.30; 14 CFR 379; 14 CFR 380; 14 CFR 382; 14 CFR 399, Subpart G

Abstract: The Civil Aeronautics Board was an independent agency; its rules have now been transferred to DOT, a cabinet department. This review will identify any CAB rules which are not

consistent with Department or Administration regulatory criteria, such as those that impose an unnecessarily high cost or those with paperwork burdens that can be reduced or which involve a level of benefits or costs which are either higher or lower than necessary. The review will examine all alternatives, from strengthening a given rule to eliminating it. Non-regulatory approaches, including the supplying of information by the government, or regulation by another level of government, will be also considered. The benefits and costs will be known only after these alternatives have been developed. This review is a priority

Existing Regulations Under Review Priority Reviews

because it involves important departmental policy.

Timetable:

Action Date FR Cite Begin Review 02/25/85 End Review 12/31/85

Small Entity: Yes

Additional Information: The committee conducting this review will examine all CAB consumer rules. Rulemaking proceedings on individual regulations may follow, depending on the committee's findings and recommendations.

Existing Regulations Under Review Priority Reviews

Agency Contact: Timothy J. Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 7th Street, SW, Room 10405, Washington, DC 20590, 202 755-2220

RIN: 2105-AB03

(FR Doc. 85-8370 Filed 04-26-85; 8:45 am)

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Office of the Secretary (OST)

Completed Actions Priority Rulemakings: Non-Major

COMPLETED RULEMAKINGS 68. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY **ACQUISITION POLICIES ACT OF 1970**

Priority: Agency Determination

Legal Authority: 42 USC 4601 et seq

CFR Citation: 49 CFR 25

Abstract: This regulation would establish cost-effective policies and procedures governing Federal and Federally-assisted relocation assistance and real property acquisition programs under the Uniform Act. The Department published this NPRM at the request of OMB, and it is anticipated that when a final rule is issued, it will serve as a model for other Federal agencies covered by the Uniform Act.

Timetable:

Action	Date		FR	Cite
NPRM	04/14/83	48	FR	16198
Final Action	03/05/85	50	FR	8955
Final Action Effective	07/03/85			

Small Entity: No

Additional Information: This regulation may become effective at an earlier date at the option of the displacing agency.

Government Levels Affected: Local, State

Analysis: Regulatory Evaluation 04/14/83

Agency Contact: Wayne F. Kennedy, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Washington, DC 20590, 202 426-0342

RIN: 2105-AA16

69. CONVERSION OF CAB PROCEDURAL RULES TO DOT RULES

Priority: Agency Determination

Legal Authority: PL 95-504, Airline Deregulation Act of 1978; 49 USC 1301 et seq. Federal Aviation Act of 1958, as amended; 49 USC Subtitle I

CFR Citation: 49 CFR Chapter II, Subchapter B

Abstract: On January 1, 1985, the Civil Aeronautics Board terminated and most of the continuing functions of the CAB transferred to DOT. This rulemaking

would revise the CAB procedural rules by deleting unnecessary and redundant provisions and designating the appropriate DOT Offices to handle transferred responsibilities. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date		FR	Cite
NPRM	11/01/84	49	FR	46006
NPRM Comment Period Begin	11/21/84	49	FR	46006
NPRM Comment Period End	12/11/84			
Final Action Effective	01/01/85			
Final Action	01/16/85	50	FR	2374

Small Entity: No

Agency Contact: Warren Dean, Assistant General Counsel for Int'l Law, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2972

RIN: 2105-AA19

(FR Doc. 85-8370 Filed 04-26-85; 8:45 am)

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Office of the Secretary (OST)

functions. The functions are assigned to

ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA 70. O ASSIGNMENT OF CERTAIN

ACTIONS THAT STARTED AND

AVIATION ECONOMIC FUNCTIONS Legal Authority: 49 USC Subtitle I; 49

USC 1301 et seq; PL 95-504 Airline Deregulation Act of 1978; PL 98-443 Civil Aeronautics Board Sunset Act of 1984

CFR Citation: 14 CFR 385

Abstract: This rule reissues, in a new form, the CAB rule dealing with the delegation of certain discretionary

DOT officials to implement DOT sunset.

Timetable:

Action	Date	FR	Cite
Final Action	12/31/84	49 FR	50984
Final Action	01/01/85	49 FR	50984

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Completed Actions Other Rulemakings

Agency Contact: Warren Dean, Ass't General Counsel for International Law, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Rm. 10105, Washington, DC 20590, 202 426-2972

RIN: 2105-AA21

71. TRANSFER OF CAB FUNCTIONS - DELEGATIONS TO SECRETARIAL **OFFICERS**

Legal Authority: 49 USC Subtitle 1; 49 USC 1301 et seq; PL 95-504 Airline Deregula-

Completed Actions Other Rulemakings

tion Act of 1978; PL 98-443 Civil Aeronautics Board Sunset Act of 1984

CFR Citation: 49 CFR 1

Abstract: This final rule delegates CAB authority to DOT Secretarial officers to implement CAB sunset.

Timetable:

Action	Date		FR	Cite	
Final Action	12/31/84	49	FR	50994	
Final Action Effective	01/01/85	49	FR	50994	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Warren Dean, Ass't General Counsel for International Law, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Rm. 10104, Washington, DC 20590, 202 426-2972

RIN: 2105-AA22

[FR Doc. 85-8570 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Office of the Secretary (OST)

Completed Actions
Civil Aeronautics Board

COMPLETED RULEMAKINGS 72. ESSENTIAL AIR SERVICE SUBSIDY GUIDELINES

Legal Authority: 49 USC 1324 CFR Citation: 14 CFR 271

Abstract: The Board provided subsidy to airlines to ensure that small communities receive essential air service at a level determined in accordance with 14 CFR Part 398. This rule implements section 419(d) of the Act, which directed the CAB and DOT to establish guidelines for computing the fair and reasonable amount of compensation necessary to guarantee that level of service.

Timetable:

Action	Date	FR Cite
NPRM (EDR-415, Docket 39041)	12/18/80	45 FR 83254
NPRM Comment Period End	02/17/81	
Final Action (ER- 1398, Docket	12/24/84	49 FR 49842

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Joanne Petrie, (202) 472-5577.

Agency Contact: John R. Hokanson, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5950

RIN: 2105-AA35

73. OBLIGATION OF CARRIERS TO PROVIDE ADEQUATE SERVICE AT ELIGIBLE POINTS

Legal Authority: 49 USC 1374; 49 USC 1389

CFR Citation: 14 CFR 399

Abstract: The CAB set essential air service levels under section 419 of the

Act for eligible points (small communities). Some of these points were being served by air carriers that were not providing the required level of service. This rule would have established a new policy under which the CAB would have relied on the "adequate service" provision of section 404(a) of the Act as authority to order these carriers to provide adequate (i.e., essential) service at points they now serve. The rulemaking was withdrawn because it was no longer necessary.

Timetable:

Action	Date		FR	Cite
Withdrawn (PSDR-68A)	10/12/84	49	FR	40043

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA36

74. ELIMINATION OF MANDATORY JOINT FARES

Legal Authority: 49 USC 1374; 49 USC 1484; 49 USC 1601

CFR Citation: 14 CFR 399

Abstract: The mandatory joint fare requirements established in the Domestic Passenger Fare Investigation ended on January 1, 1983, with the end of the CAB's jurisdiction over domestic passenger fares. The CAB issued a proposal on its own initiative and in response to a petition filed by American Airlines to change the joint fare requirements in 1 of 3 ways. The CAB considered eliminating the system in some or all markets, or making interlining mandatory upon request. The rulemaking was terminated because the

CAB no longer had authority to regulate this area.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	07/31/81	PRINCIPAL DESIGNATION OF THE PERSON OF THE P
Withdrawn	10/03/84	49 FR 39069

Small Entity: Yes

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA37

75. HAWAIIAN JOINT FARES

Legal Authority: 49 USC 1374; 49 USC 1484; 49 USC 1601

CFR Citation: 14 CFR 399

Abstract: The CAB proposed to require certain airlines to-provide interline service in Hawaii until the end of 1982, to aid in the transition to domestic fare deregulation. This rulemaking was terminated because the CAB no longer had authority to regulate fares in domestic air transportation.

Timetable:

Action	Date	FR Cite
Supplemental NPRM (PSDR- 75A, Docket 38585)	05/03/82	47 FR 18913
NPRM Comment Period End	06/24/82	
Final Action (PSDR - 75B)	10/03/84	49 FR 39069
Withdrawn (PSDR - 75B)	10/03/84	49 FR 39069

Small Entity: No

Completed Actions
Civil Aeronautics Board

Agency Contact: Joanne Petrie, Department of Transportation, Office-of the Secretary, 400 Seventh Street, SW,

Washington, DC 20590, 202 472-5577

RIN: 2105-AA38

76. CONSUMER PROTECTIONS FOR MEMBERS OF SCHEDULED-SERVICE TOUR GROUPS

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1374; 49 USC 1381; 49 USC 1386

Abstract: The CAB considered whether consumer protection rules were needed for scheduled-service tours. The Board decided not to issue a notice of proposed rulemaking and closed the docket because there were not significant consumer protection problems in this area.

Timetable:

Action	Date	FR Cite
ANPRM (SPDR- 71, Docket 34997)	07/25/79	44 FR 43481
ANPRM Comment Period End	10/23/79	
Reply Comment Period End	11/22/79	
Final Action (SPDR-71A)	01/04/85	50 FR 482

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA43

77. MODIFICATION OR WITHDRAWAL OF EXEMPTION TO FOREIGN AIR CARRIERS TO CARRY TRAVEL AGENTS OR OTHER TRAVEL PROMOTERS FREE OR AT REDUCED RATES

Legal Authority: 49 USC 1324; 49 USC 1373; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 223

Abstract: This rule would have allowed the CAB to modify or terminate exemptions granted to foreign air carriers to carry travel agents or other travel promoters free or at reduced rates at any time without hearing, as the public interest may require. The CAB terminated the rulemaking because there has not been a problem recently in this area.

Timetable:

Action	Date	FR Cite	
NPRM (EDR-428, Docket 39794)	07/15/81	46 FR 36714	
NPRM Comment Period End	08/07/81		
Supplemental NPRM (EDR- 428A)	08/13/81	46 FR 40896	
NPRM Comment Period End	08/21/81		
Withdrawn (EDR-	01/04/85	50 FR 480	

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA50

78. ON-TIME ARRIVAL STANDARDS FOR AIRLINES

Legal Authority: 49 USC 1324; 49 USC 1374; 49 USC 1375; 49 USC 1381

CFR Citation: 14 CFR 399

Abstract: The CAB amended its rules to include a policy statement that unrealistic scheduling will be considered an unfair or deceptive practice or an unfair method of competition under Section 411 of the Act. The requirement that certificated air carriers report their scheduled arrival performance, which was waived temporarily, was also eliminated because it was unnecessary.

Timetable:

Action

NPRM (EDR-301, Docket 27891)	07/29/76	41 FR 31568
NPRM Comment Period End	09/13/76	
NPRM (EDR- 301B/PSDR- 79)	06/29/83	48 FR 29879
Comment Period End	08/29/83	
Reply Comment Period End	09/13/83	
Final Action (PS-	10/17/84	49 FR 40567

Date

FR Cite

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA51

79. REDUCE REPORTING REQUIREMENTS OF THE AIR CARRIER UNIFORM SYSTEM OF ACCOUNTS AND REPORTS

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: This rule would eliminate from the Aviation Uniform System of Accounts and Reports (USAR) 16 financial and statistical schedules, 4 yearly summarization schedules and 9 accounting policy standards. In addition, it would simplify the reporting on some of the remaining schedules for the airline industry.

Timetable:

Action	Date		FR	Cite
NPRM (EDR-472, Docket 42114)	05/02/84	49	FR	18509
NPRM Comment Period End	07/05/84			
Final Action (EDR-472, Docket 42114)	11/28/84	50	FR	232
Final Action Effective	01/01/85			

Small Entity: No

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA54

80. LARGE AIRCRAFT CERTIFICATED CARRIERS: CHANGE THE APPLICABILITY OF FORM 41

Priority: Agency Determination

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: This rule would require only those certificated carriers operating large aircraft (more than 60 seats or more than 18,000 pounds of payload) to file the Form 41 report. Carriers operating other than large aircraft would report under Part 298. This rulemaking is significant because it may significantly impact on the aviation industry and may lead to a reduction in paperwork burdens.

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Timetable:		BUSINESS OF THE
Action	Date	FR Cite
NPRM (EDR- 465/ODR-26, Docket 41607)	08/12/83	48 FR 36601
NPRM Comment Period End	10/10/83	
Reply Comment Period End	10/31/83	
Final Action (ER- 1401,/OR-217, Docket 41607)	12/21/84	50 FR 10
Final Action Effective	01/01/85	

Small Entity: Yes

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA55

81. EXEMPTIONS FROM REPORTING AIRLINE STOCK OWNERSHIP

Legal Authority: 49 USC 1377; 49 USC 1386

CFR Citation: 14 CFR 245

Abstract: The CAB considered whether to change its rules to exempt owners of more than five percent of any class of capital stock or capital of an airline from the filing of reports required by section 407(c) of the Act. The filing of these reports was waived under delegated authority pending the outcome of this rulemaking. The CAB terminated the rulemaking and removed Part 245 because its authority to regulate this area ceased on December 31, 1984.

Timetable:

Action		Date	FR Cite
15 NO. 15	10 100 100	HE VENTON LA	

Action terminated 12/31/84

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW. Washington, DC 20590, 202 472-5577

RIN: 2105-AA57

82. REVISION OF STOCK OWNERSHIP REPORTS BY AFFILIATES OF AIR CARRIERS

Legal Authority: 49 USC 1377; 49 USC

CFR Citation: 14 CFR 246

Abstract: The CAB considered changing a reporting requirement that affiliates of an airline disclose information on their major stockholders in order to improve the ability to monitor foreign citizen ownership of U.S. air carriers. The CAB terminated this rulemaking and removed Part 246 because its authority to regulate this area ceased on December 31, 1984.

Timetable:

Action	Date	FR Cite

Action terminated 12/31/84

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA58

83. ALASKAN AIR SERVICE SUBCONTRACT AGREEMENTS

Legal Authority: 49 USC 1386; 49 USC 1389

CFR Citation: 14 CFR 293

Abstract: Part 293 applies to subcontract agreements involving the operation of scheduled air services by air taxi operators over Alaskan bush routes on a certificated air carrier. The CAB eliminated the current filing requirements and terminated the proposal to require that the certificated carrier file a notice when it intended to subcontract with a different air taxi or when the incumbent on air taxi intended to terminate or reduce the service on the route.

Timetable:

Action	Date	FR Cite
NPRM (EDR- 431/PDR-76, Docket 39990)	09/21/81	46 FR 46592
NPRM Comment Period End	11/20/81	
Final Action (ER- 1388)	09/27/84	49 FR 38075
Final Action Effective	10/29/84	

Small Entity: Yes

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA59

84. SMALL AIRCRAFT CERTIFICATED AIR CARRIERS: AMEND APPLICABILITY OF PART 298 AND REVISE REPORTING ON CAB FORM 298 C

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 298

Abstract: This rule extended the applicability of Form 298-C reporting to certificated air carriers operating small aircraft (60 or fewer seats or 18,000 pounds or less payload), eliminated mail and cargo data from the reporting requirements for all but intra-Alaskan carriers, required all carriers to file four financial data elements, required small certificated carriers to file direct operating expenses by aircraft type and indirect expense in total, and required small certificated carriers to file nonscheduled passenger enplanements by airport.

Timetable:

Action	Date	FR Cite
NPRM (EDR- 465/ODR-26, Docket 41607)	08/12/83	48 FR 3660
NPRM Comment Period End	10/10/83	
Reply Comment Period End	10/31/83	
Final Action (ER- 1400, Docket 41607)	12/21/84	50 FR 14
Final Action Effective	01/01/85	

Small Entity: Yes

Agency Contact: Jack Calloway, Chief, Department of Transportation, Office of the Secretary, Data Requirements & Public Reports Division, DAI-10/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7372

RIN: 2105-AA61

85. AIR SERVICE TERMINATIONS IN FOREIGN MARKETS

Legal Authority: 49 USC 1324; 49 USC

CFR Citation: 14 CFR 323

Abstract: The CAB eliminated all advance notice requirements for terminations of service in foreign air transportation. This created problems in some limited designation markets where the incumbent carrier terminated service without informing the CAB. The CAB proposed to require carriers to report to the CAB if they were

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terminating foreign air service so that the CAB would have time to find a replacement, if necessary. The CAB terminated the rulemaking because it was unnecessary and because there were no significant problems in the area for the last 2 years.

Timetable:

Action	Date	FR	Cite
NPRM (PDR-80, Docket 40903)	08/20/82	47 FR	36433
NPRM Comment Period End	10/19/82		
Withdrawn (PDR-	01/04/85	50 FR	481

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA63

86. EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: PL 95-521

CFR Citation: 14 CFR 370; 14 CFR 300

Abstract: The CAB considered revisions of its ethics rules to reflect its experience since the last revision and to conform to the Ethics in Government Act, Pub. L. 95-521. The rulemaking is no longer necessary because DOT has its own ethics rules.

Timetable:

Action	Date	FR Cite
Action terminate	d 12/31/84	A ANTINET

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA64

87. RECONSIDERATION OF THE 1-HOUR EXEMPTION FOR DENIED BOARDING COMPENSATION

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 250

Abstract: The CAB denied a petition by the Aviation Consumer Action Project (ACAP) to modify the 1-hour exemption to the oversales rule. The exemption provides that carriers need not pay denied boarding compensation to passengers who are accommodated on alternative flights that are scheduled to arrive within 1-hour of the scheduled arrival time of the original flight. ACAP argued that this change will increase overbooking, undermine volunteer solicitation, and result in no compensation to passengers who are injured.

Timetable:

Action	Date	FR Cite
Order 84-12-128 Denial of Petition for Rulemaking	12/28/84	

Small Entity: No

Additional Information: Petition filed in Docket 39932

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA74

88. PRICE ADVERTISING

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1381; 49 USC 1386

CFR Citation: 14 CFR 380

Abstract: The CAB adopted a rule requiring advertising of charter flights, charter tours, or components of charter tours to state the entire price that a passenger must pay for the flight, tour or tour component. The rule will apply to advertising distributed after March 18, 1985.

Timetable:

Action	Date	FR Cite
NPRM (SPDR- 90/PSDR-82, Docket 41184)	11/04/83	48 FR 5090
NPRM Comment Period Begin	11/04/83	
NPRM Comment Period End	01/03/84	
Reply Comment Period End	01/18/84	
Final Action (SPR-195/PS- 113)	12/20/84	49 FR 49438

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA75

89. REMOVAL OF POLICY STATEMENT ON STANDARD CONDITIONS IN FOREIGN AIR CARRIER PERMITS

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1386; 49 USC 1373; 49 USC 1374; 49 USC 1375; 49 USC 1376; 49 USC 1377; 49 USC 1379; 49 USC 1381; ...

CFR Citation: 14 CFR 399

Abstract: The CAB had standard conditions that it placed on permits given to foreign air carriers. Some, but not all of those conditions were listed in the CAB's (now DOT's) statements of general policy for convenience. This rule eliminated the statement of policy because it was duplicative. The conditions, however, remain unchanged and will continue to be included on each foreign air carrier permit.

Timetable:

The second secon				
Action	Date		FR	Cite
NPRM (PSDR-80, Docket 41597)	08/03/83	48 1	FR	35119
NPRM Comment Period End	10/03/83			
Reply Comment Period End	10/18/83			
Final Action (PS- 112)	11/28/84	49	FR	49440

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 49 USC 1382, 49 USC 1481, 49 USC 1482, 49 USC 1502, 49 USC 1504

Agency Contact: Joanne Petrie, Department of Transpostation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA79

90. NONDISCRIMINATION ON THE BASIS OF HANDICAP BY THE BOARD

Legal Authority: 29 USC 794; 49 USC 1324

CFR Citation: 14 CFR 383, (Proposed)

Abstract: The CAB had rules that prohibited discrimination against the handicapped by air carriers. The CAB considered developing rules to prohibit such discrimination by the CAB itself. This rulemaking was terminated because DOT already has a broader rulemaking on this subject.

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Timetable:		AND SEE !
Action	Date	FR Cite

Action terminated 12/31/84

Small Entity: No

Agency Contact: Robert Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 262 426-4723

RIN: 2105-AA81

91. DISCLOSURE OF CRS-GENERATED DATA, DISPLAY CRITERIA AND LOADING FORMATS

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1374; 49 USC 1381; 49 USC 1389; 49 USC 1502

CFR Citation: 14 CFR 255

Abstract: The CAB amended its rules to forbid release of computer-generated sales data on any U.S. air carrier to foreign carriers without the consent of the U.S. carrier. In addition, the CAB adopted rules that would require airline CRS vendors to disclose current display and edit criteria and weights, connect points, and data base update procedures and formats to all interested persons.

Timetable:

Action	Date	FR Cite
NPRM (EDR-476)	09/10/84	49 FR 35507
NPRM Comment Period End	09/25/84	
Reply Comment Period End	10/05/84	
Final Action (ER-	11/26/84	49 FR 46347

Small Entity: No

Agency Contact: Paul Smith, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7410

RIN: 2105-AA91

92. NINE POINT CONNECTION RULE

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1374; 49 USC 1381; 49 USC 1389; 49 USC 1502

CFR Citation: 14 CFR 255

Abstract: The CAB adopted rules that require airline-owned computer reservations systems to maintain the capacity to display connecting flights over a minimum of nine connect points in city-pair markets. This action was a result of the CAB's ongoing effort to eliminate unfair practices in the

computerized reservations system industry.

Timetable:

Action	Date		FR	Cite
ANPRM (EDR- 471, Docket 41686)	03/27/84	49	FR	11643
ANPRM Comment Period End	04/26/84			
Reply Comment Period End	05/11/84			
NPRM (EDR-475)	08/07/84	49	FR	31436
NPRM Comment Period End	08/22/84			
Reply Comment Period End	09/03/84			and the
Final Action (ER- 1395)	11/07/84	49	FR	44451

Small Entity: Yes

Agency Contact: Bob Young, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7410

RIN: 2105-AA93

93. PLACEMENT OF INTERNATIONAL AIRLINE BAGGAGE LIABILITY NOTICES

Legal Authority: 49 USC 1324; 49 USC 1372

CFR Citation: 14 CFR 221

Abstract: The CAB adopted an interpretative amendment to clarify its rules concerning placement of the notice of limitations of baggage liability in international air transportation. The prior rule stated that the notice must be provided "on" the ticket. USAir asked that airlines be allowed to provide the notice "on" or "with" the ticket to permit use of automated ticketing and boarding passes. The final rule granted USAir's request.

Timetable:

Action	Date	FR Cite
Final Action (ER- 1390)	10/12/84	40 FR 004

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA94

94. DENIED BOARDING COMPENSATION FOR CHANGE IN CLASS OF SERVICE

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 250

Abstract: The CAB denied a petition by Mr. Sam A. Gallo to amend the oversales rule to provide compensation to passengers who are involuntarily changed from one class of service to a lower class.

Timetable:

Action	Date	FR Cite
Order 84-12-43 Denial of Petition for Rulemaking	12/13/84	Minne In C

Small Entity: No

Agency Contact: Joanne Petrie, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA96

95. PAYMENT OF DENIED AIRCRAFT BOARDING COMPENSATION BY VOUCHERS

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 250

Abstract: People Express petitioned the CAB to clarify, interpret or amend its oversales rule to allow air carriers to give involuntarily bumped passengers vouchers instead of checks. These vouchers could be used for transportation or mailed in to the airline for a refund. People Express argued that such a change would benefit consumers because it would give them the option to choose a cash refund or free or reduced-rate air transportation without having to make a decision on the spot. The CAB denied the petition because such vouchers would not satisfy the "immediate negotiability" requirement of the rule.

Timetable:

Action	Date	FR Cite
Final Action (ER- 1394)	10/31/84	49 FR 43622
Final Action Effective	11/30/84	

Small Entity: No

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Agency Contact: Joanne Petrie,

Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5577

RIN: 2105-AA97

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) U.S. Coast Guard (USCG)

Current and Projected Rulemakings Priority Rulemakings: Major

96. DAMAGE STABILITY AND FLOODING PROTECTION STANDARDS FOR GREAT LAKES **BULK DRY CARGO VESSELS (80-159)**

Priority: Major

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 45; 46 CFR 93

Abstract: Would require a level of subdivision for new ships which is at least equivalent to that required for Maritime Administration construction loan guarantees. Would reduce the risk of catastrophic sinking and increase the time available to utilize recently improved survival gear. This project is significant because it would initiate a significant change in policy which differs substantially from international standards. Additionally, it could result in a major price increase for an individual industry.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/83	48 FR 8312
NPRM	06/00/85	

Small Entity: No

Additional Information: Docket No. CGD 80-159.

Analysis: Preliminary RIA 06/00/85

Agency Contact: Mr. F. Michael, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-2187

RIN: 2115-AA01

97. SEGREGATED BALLAST DEDICATED CLEAN BALLAST, AND CRUDE OIL WASHING ON EXISTING TANK VESSELS OF 20,000 TO 40,000 DEADWEIGHT TONS (82-028)

Priority: Major

Legal Authority: 46 USC 3705(c); 46 USC 3706(d); 46 USC 2104; 46 USC 3306

CFR Citation: 33 CFR 157

Abstract: This project would amend 33 CFR pt. 157 for the purpose of implementing the tanker construction and equipment standards in 46 USC 3705(c) and 46 USC 3706(d). These statutes require tank vessels of 20,000 to 40,000 DWT that are 15 years old or older to have segregated ballast tanks, dedicated clean ballast tanks or a crude oil washing system by January 1, 1986 or the date they reach 15 years of age; whichever occurs later. This rulemaking is considered significant because of the economic impact of the statute on industry, and Congressional and Administration interest. It is needed because implementing standards mandated by the Port and Tanker Safety Act, will reduce operational pollution from ballasting, tank cleaning and sludge removal on existing tank vessels that are 15 years old or older.

Timetable:

Action	Date	FR Cite
Notice of Intent to Develop Regs	03/18/82	47 FR 11724
Notice of Intent Comment ends	05/03/82	
NPRM	01/24/84	49 FR 2998
Supplemental Information	11/26/84	49 FR 46440
Final Action	04/00/85	

Small Entity: No

Additional Information: A notice of intent to develop regulations under this docket was published on March 18, 1982 (47 FR 11724). Comment period on Notice of intent closed May 3, 1983.

Analysis: Preliminary RIA 10/01/83; Environmental Impact Statement 01/24/84

Agency Contact: Lt. Lantz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AA05

98. SHIPPING FAIRWAY SYSTEM OFF THE COAST OF CALIFORNIA (83-032)

Priority: Major

Legal Authority: 33 USC 1223; 33 USC

CFR Citation: 33 CFR 166: 33 CFR 167

Abstract: Would implement the results of the Port Access Route Study mandated by the Ports and Waterways Safety Act. As a result of the study, the Coast Guard has preliminarily determined that potential conflicts between oil drilling and shipping require creation of a fairway system off the coast of California from the vicinity of San Francisco to Los Angeles/Long Beach and changes to the San Francisco and Santa Barbara channel traffic separation schemes. No structures would be permitted in the fairway.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	THE PARTY

Small Entity: No

Additional Information: Results of the Port Access Study for California were published in the Federal Register on June 24, 1982 (47 FR 27430) and on October 14, 1982 (47 FR 46043). Disapproval of one section of the proposed system by the International Maritime Organization will require a new study of a limited geographical area and may delay publication of the NPRM.

Analysis: Preliminary RIA 06/00/85

Agency Contact: Mr. C. Young. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 245-0108

RIN: 2115-AB29 [FR Doc. 85-6370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) U.S. Coast Guard (USCG)

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

99. REVIEW: LICENSING OF PILOTS; MANNING OF VESSELS-PILOTS (77-084)

Priority: Agency Determination

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 7101; 46 USC 7109; 46 USC 7112; 46 USC 8101; 46 USC 7301

CFR Citation: 46 CFR 10; 46 CFR 157

Abstract: This proposal would: (1) set the minimum age requirement of 21 years, (2) reflect the statutory requirement that requires pilots to have an annual physical examination, (3) change the experience requirement for a tonnage endorsement of "any gross tons," (4) require pilots to maintain knowledge of the routes on their licenses, (5) maintain the authority of the Coast Guard to establish limitations on licenses.

Timetable:

I imetable:		mineral substitution of the second
Action	Date	FR Cite
NPAM	11/28/80	45 FR 79258
Supplemental NPRM	01/27/83	48 FR 3912
Notice of Additional Hearings and Extension of Comment Period	06/30/83	48 FR 30152
Public Hearings 06/08/83 to	07/06/83	
Notice of Reopening and Extension of Comment Period	10/13/83	48 FR 46556
Supplemental NPRM	10/13/83	48 FR 46556
Final Action	04/00/85	

Small Entity: No

Additional Information: Docket No. CGD 77-084. A Regulatory Analysis and Work Plan were completed in October 1978. NPRM published November 28, 1980 (45 FR 79258). Public hearings were held in January and February 1981. A SNPRM was published January 27, 1983 (48 FR 3912). Notice of Public Hearings; Reopening and Extension of Comment Period was published May 9, 1983 (48 FR 20770). Notice of additional public hearing and extension of comment period was published June 30, 1983 (48 FR 30152). Public hearings were held in June and July 1983. Extension and reopening of comment period was published October 13, 1983 (48 FR 46556). A final rule and NPRM are in the clearance process.

Analysis: Regulatory Evaluation 11/28/80 (45 FR 79258)

Agency Contact: Mr. J. Hartke, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2985

RIN: 2115-AA04

100. REVIEW: QUALIFICATIONS OF THE PERSON IN CHARGE OF OIL TRANSFER OPERATIONS, TANKERMAN REQUIREMENTS (79-116)

Priority: Agency Determination

Legal Authority: 46 USC 3703; 46 USC 7317; 46 USC 8703; 46 USC 9101; 46 USC 9102

CFR Citation: 33 CFR 155; 46 CFR 12; 46 CFR 13; 46 CFR 30; 46 CFR 31; 46 CFR 35; 46 CFR 70; 46 CFR 90; 46 CFR 98; 46 CFR 105; 46 CFR 151; 46 CFR 153; 46 CFR 157

Abstract: Would redefine and establish. qualifying criteria for certifying individuals engaged in the carriage and transfer of the various categories of dangerous cargoes in bulk. This is considered significant because of passage of the Port and Tanker Safety Act of 1978 and the fact that the International Convention on the Standards for Training, Certification and Watchkeeping for Seafarers of 1978 will enter into force on April 28, 1984. This rulemaking is necessary because most pollution incidents are the result of personnel error; consequently, the minimum qualifications of persons involved in handling polluting substances should be specified.

Timetable:

Action	Date		FR	Cite
NPRM	12/18/80	45	FR	83268
Begin Public Hearings	01/00/81			
End Public Hearings	02/00/81			
Supplemental NPRM	12/00/84			
Final Action	12/00/85			

Small Entity: Yes

Additional Information: Docket No. CGD 79-116 and 79-116a. Environmental Analysis and Inflationary Impact Statement completed February 1977. Extensive comments were received on the April 25, 1977 NPRM and it was withdrawn on April 30, 1979. NPRM published December 1980 (45 FR 83268 and 45 FR 83290). ADDITIONAL

ANALYSIS: Inflationary Impact Statement.

Analysis: Regulatory Evaluation 12/00/85; Environmental Impact Statement 12/00/85

Agency Contact: LCDR Pendegraft, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2241

RIN: 2115-AA03

101. LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS (81-059)

Priority: Agency Determination

Legal Authority: 46 USC 3306; 46 USC 7101; 46 USC 7102; 46 USC 7103; 46 USC 7104; 46 USC 7105; 46 USC 7106; 46 USC 7107; 46 USC 7108; 46 USC 7009; 46 USC 7110; 46 USC 7111; 46 USC 7112; 46 USC 7113; 46 USC 7114; ...

CFR Citation: 46 CFR 10; 46 CFR 157; 46 CFR 186; 46 CFR 187

Abstract: Would amend the licensing regulations to simplify administration and improve readability to the public. Also to provide a license structure for all mariners with which to advance in an orderly career pattern. Will also delete many unnecessary and outdated licenses. This regulation has been made significant because of its far reaching impact on all licensed officers of the merchant marine.

Timetable:

Action	Date		FR	Cite
ANPRM	10/29/81	46	FR	53624
NPRM	08/08/83	48	FR	35920
Comment Period extended	11/10/83	48	FR	51650
Supplemental NPRM	06/00/85			

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 46 USC 8101; 46 USC 8105; 46 USC 8104; 46 USC 8301; 46 USC 8302; 46 USC 8303; 46 USC 8304; 46 USC 8502; 46 USC 7701; 46 USC 7702; 46 USC 7703;

Analysis: Regulatory Evaluation 08/08/83

Agency Contact: CDR Naccara, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-2240

RIN: 2115-AA64

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

102. INTERVALS FOR DRYDOCKING AND TAILSHAFT EXAMINATION ON INSPECTED VESSELS (84-024)

Priority: Agency Determination Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 31; 46 CFR 61; 46 CFR 71; 46 CFR 91; 46 CFR 107; 46 CFR 167; 46 CFR 189; 46 CFR 176

Abstract: Various Coast Guard regulations specify the intervals for drydocking and tailshaft examinations on inspected vessels. The Coast Guard is considering changing these intervals. Extending the interval between drydockings, if it could be accomplished without diminishing overall vessel safety, could result in significant savings to vessel operators. The ANPRM sought information from industry on developing technology. This regulation is significant because it involves important departmental safety policy.

Timetable:

Action	Date	145	FR	Cite
ANPRM	05/04/84	49	FR	19050
NPRM	08/00/85			

Small Entity: Yes

Analysis: Regulatory Evaluation 08/00/85

Agency Contact: LT Potvin, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-4431

RIN: 2115-AB58

103. SAFETY RULES FOR VESSELS ENGAGED IN CHEMICAL WASTE INCINERATION AT SEA (84-025)

Priority: Agency Determination Legal Authority: 46 USC 3703 CFR Citation: 46 CFR 153 Abstract: Would establish safety rules for the design of vessels engaged in the incineration of chemical wastes at sea. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	The belief

Small Entity: No

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: LCDR D. B. Crawford, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AB60

104. USER FEES FOR COAST GUARD SERVICES (84-026)

Priority: Agency Determination

Legal Authority: 31 USC 9701; 46 USC 3306; 46 USC 3703; 49 USC 108

CFR Citation: 33 CFR 27; 33 CFR 66; 33 CFR 74; 33 CFR 100; 46 CFR 159

Abstract: This proposal would impose fees for certain Coast Guard services in keeping with the Administration's policy of recovering costs of services provided by the Federal Government to identifiable beneficiaries to the extent practicable. This rulemaking is significant because it will set precedent for a whole range of anticipated Coast Guard initiatives and is likely to create an adverse public reaction. It may also involve substantial cost.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Small Entity	y: No	

Agency Contact: Mr. J. Kursban, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2430

RIN: 2115-AB73

105. ● LICENSING OF PILOTS-MANNING OF VESSELS-PILOTS (84-060)

Priority: Agency Determination

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 7101; 46 USC 7109; 46 USC 7112; 46 USC 8101

CFR Citation: 46 CFR 157; 46 CFR 10.05-39

Abstract: This proposal would define "pilotage waters" and "coastwise seagoing vessel." In addition, it would increase the gross tonnage authorization of licensed officers to serve as pilot on self-propelled coastwise seagoing vessels from 1,000 gross tons to 1,600 gross tons.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	See of Sec.

Small Entity: No

Additional Information: This proposal has been split from a previously published NPRM identified by the same title with Coast Guard Docket number 77-084 and RIN 2115-AA04. The project is considered significant because of its far-reaching impact on licensed officers.

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: Mr. J. Hartke, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2985

RIN: 2115-AB67 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) U.S. Coast Guard (USCG)

106. VTS HOUSTON-GALVESTON, TX (74-029)

Legal Authority: 33 USC 1223 CFR Citation: 33 CFR 161

Abstract: Would make mandatory a now voluntary vessel traffic service.

Timetable:

Action	Date	FR	Cite
NPRM	09/18/80	45 FR	62158

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 74-029.

Current and Projected Rulemakings Other Rulemakings

Analysis: Regulatory Evaluation 09/18/80

Agency Contact: Mr. E. LaRue, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-5116

RIN: 2115-AA07

Current and Projected Rulemakings Other Rulemakings

107. REVIEW: FIXED FIRE EXTINGUISHING SYSTEMS ON UNINSPECTED VESSELS (74-284)

Legal Authority: 46 USC 2104; 46 USC 4104; 46 USC 4105; 46 USC 4302; 49 USC 108

CFR Citation: 46 CFR 162.029

Abstract: Would establish standards for the construction and installation of Halon 1301 and other fixed fire extinguishing systems as optional systems for compliance with existing regulations.

Timetable:

Action	Date		FR	Cite
NPRM	04/19/82	47	FR	16648
Final Action	09/00/85			

Small Entity: No

Additional Information: Docket No. CGD 74-284.

Analysis: Regulatory Evaluation 04/19/82

Agency Contact: Mr. K. Wahle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AA08

108. REVIEW: STABILITY STANDARDS FOR HOPPER DREDGES (76-080)

Legal Authority: 46 USC 88; 46 USC 362; 46 USC 367

CFR Citation: 46 CFR 42; 46 CFR 45

Abstract: Would permit a deeper load line assignment for hopper dredges which meet the proposed damage stability standards.

Timetable:

Action	Date	FR	Cite
NPRM	12/10/79	44 FR	70791
Final Action	09/00/85		

Small Entity: No

Additional Information: Docket No. CGD 76-080. Alternative procedure under consideration.

Analysis: Regulatory Evaluation 12/10/79

Agency Contact: LCDR Letourneau, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2187

RIN: 2115-AA11

109. REVIEW: CONSTRUCTION AND EQUIPMENT; EXISTING SELF-PROPELLED VESSELS CARRYING BULK LIQUEFIED GASES (77-069)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 154

Abstract: Would amend regulations for existing self-propelled vessels that carry bulk liquefied gases by including the substantive requirements for the "Code for Existing Ships Carrying Liquefied Gases in Bulk" adopted by the International Maritime Organization (IMO). These amended regulations would increase safety levels for existing ships carrying gas.

Timetable:

Action	Date	FR Cite
ANPRM NPRM	06/30/77 06/00/85	42 FR 33353

Small Entity: No

Additional Information: Docket No. 77-069.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Dr. A. Rowek, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA00

110. REQUIREMENT FOR FIRST PURCHASER LIST KEPT BY BOAT DEALERS (77-115)

Legal Authority: 46 USC 1464 CFR Citation: 33 CFR 179

Abstract: Would require boat dealers to assist in creating a list of retail purchasers so manufacturers could send notice to alert for safety defects.

Timetable:

Action	Date	3	FR Cite
NPRM	12/29/80	45	FR 85475
Next Action	Undetermined		

Small Entity: No

Additional Information: Docket No. CGD 77-115.

Analysis: Regulatory Evaluation 12/29/80

Agency Contact: Mr. Ellison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1065

RIN: 2115-AA16

111. REVIEW: MISCELLANEOUS CHANGES TO 46 CFR 56 (77-140)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 56

Abstract: Would update Title 46, Subchapter F - Marine Engineering. Some facets of these regulations for shipboard piping systems have become obsolete as a result of technological developments and changes in cited codes and standards.

Timetable:

Action	Date	FR Cite
NPRM	01/09/85	50 FR 1073
NPRM Comment Period Begin	01/09/85	
NPRM Comment Period End	03/11/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: Docket No. CGD 77-140.

Analysis: Regulatory Evaluation 01/09/85

Agency Contact: Mr. F. Weidner, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2160

RIN: 2115-AA17

112. LIFESAVING SYSTEMS FOR GREAT LAKES VESSELS (77-202)

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR Subchapter D; 46 CFR Subchapter H; 46 CFR Subchapter I; 46 CFR Subchapter O

Abstract: Would amend regulations for lifeboats and other equipment to improve chances of personnel survival following abandonment of vessel.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	1 1 5 1
Small Entity:	No	
Additional In	formation: Do	cket No.

CGD 77-202.

Analysis: Regulatory Evaluation 09/00/85

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1445

RIN: 2115-AA19

Current and Projected Rulemakings Other Rulemakings

113. RECEPTION FACILITIES (78-035)

Legal Authority: 33 USC 1905 CFR Citation: 33 CFR 154

Abstract: Would require ports and terminals to ensure waste reception facilities are provided to receive vessel oil and chemical wastes.

Timetable:

Action	Date	FR Cite
ANPRM .	03/24/83	48 FR 12395
NPRM	06/19/84	49 FR 25196
Final Action	04/00/85	

Small Entity: No

Additional Information: Docket No. CGD 78-035.

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: LT Davison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-9578

RIN: 2115-AA21

114. LIQUEFIED NATURAL GAS WATERFRONT FACILITY (78-038)

Legal Authority: 50 USC 191; 33 USC 1224

CFR Citation: 33 CFR 126

Abstract: Would establish LNG
Waterfront Facility Safety Regulations
in accordance with Memorandum of
Understanding between USCG and
Materials Transportation Bureau, RSPA.

Timetable:

Action	Date	11)	FR	Cite
ANPRM	08/03/78	43	FR	34362
Supplementary ANPRM	03/08/79	44	FR	12693
NPRM	03/00/85			

Small Entity: Yes

Additional Information: Docket No. CGD 78-038.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: LT Davison.
Department of Transportation, U.S.
Coast Guard, 2100 Second Street, SW,
Washington, DC 20593, 202 426-9579

RIN: 2115-AA22

115. REVIEW: PRIVATE AIDS TO NAVIGATION AND STATE AIDS TO NAVIGATION (78-157)

Legal Authority: 14 USC 2; 14 ⊌SC 83; 14 USC 85; 5 USC 610

CFR Citation: 33 CFR 66

Abstract: Would codify and clarify the regulations concerning State and private aids to navigation.

Timetable:

Antion	Data	ED Cito
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 78-157.

Agency Contact: Mr. Tarrentino, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1974

RIN: 2115-AA27

116. REVIEW: AIDS TO NAVIGATION GENERAL INTERFERENCE WITH, DAMAGES TO AND CHARGES FOR AIDS TO NAVIGATION (78-159)

Legal Authority: 14 USC 81; 14 USC 87; 14 USC 92

CFR Citation: 33 CFR 60; 33 CFR 62; 33 CFR 66; 33 CFR 70; 33 CFR 74; 33 CFR 76

Abstract: Would codify, revise and clarify the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	AND DESCRIPTION OF THE PARTY OF

Small Entity: No

Additional Information: Docket No. CGD 78-159.

Analysis: Regulatory Evaluation 09/00/85

Agency Contact: LT(jg) Bittner, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1973

RIN: 2115-AA28

117. APPROVAL OF INFLATABLE PERSONAL FLOTATION DEVICES (PFDS) (78-174)

Legal Authority: 46 USC 3306; 46 USC 3703; 46 USC 4102; 46 USC 4302

CFR Citation: 46 CFR 160

Abstract: Would establish performance standards for inflatable and hybrid PFDs and procedures for granting product approval to these devices.

Timetable:

Action	Date	FR	Cite
ANPRM	03/15/79	44 FR	15933
NPRM	05/00/85		

Small Entity: No

Additional Information: Docket No. CGD 78-174.

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: Mr. S. Wehr, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AA29

118. CRANE OPERATOR QUALIFICATIONS AND STANDARDS FOR OFFSHORE CRANE DESIGN INSPECTION, TESTING AND OPERATION (79-059)

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 6101; 46 USC 6301; 49 USC 108

CFR Citation: 33 CFR 140; 33 CFR 143; 33 CFR 149; 46 CFR 107; 46 CFR 108; 46 CFR 109

Abstract: Would develop required qualifications for crane operators employed on the Outer Continental Shelf and standards for crane design, inspection, and testing.

Timetable:

Action	Date	FR Cite	
ANPRM	01/10/80	45 FR 2052	
NPRM	07/00/85		

Small Entity: No

Additional Information: Docket No. CGD 79-059.

Analysis: Regulatory Evaluation 07/00/85

Agency Contact: LT. W. Burke, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2307

RIN: 2115-AA34

119. WORKPLACE SAFETY AND HEALTH REQUIREMENTS FOR FACILITIES ON THE OUTER CONTINENTAL SHELF (79-077)

Legal Authority: 43 USC 1333; 43 USC 1347

CFR Citation: 33 CFR 142

Abstract: This regulation would develop occupational safety and health standards for personnel working on OCS facilities.

Timetable:

Action	Date	FR Cite
Notice of Meeting	03/05/81	46 FR 15402
Correction of Notice	03/19/81	46 FR 17702

Current and Projected Rulemakings Other Rulemakings

Action	Date		FR	Cite
NPRM	01/09/84	49	FR	1085
Correction	02/20/84	49	FR	7253
Final Action	07/00/85			

Small Entity: Yes

Additional Information: Docket No. CGD 79-077.

This action is taken in concert with OSHA.

Analysis: Regulatory Evaluation 01/09/84

Agency Contact: LCDR Cross, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2307

RIN: 2115-AA35

120. VESSEL PERSONNEL LICENSING AND CERTIFICATION STANDARDS OF FOREIGN COUNTRIES (79-081)

Legal Authority: 46 USC 9101 CFR Citation: 46 CFR 30

Abstract: Establishes procedures for verification of training, qualification and watchkeeping standards of personnel serving on foreign tank vessels.

Timetable:

Action	Date	FR Cite
Interim Final	04/07/80	45 FR 23425

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 79-081(a).

Analysis: Regulatory Evaluation 04/07/80

Agency Contact: LCDR G. Naccara, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2240

RIN: 2115-AA36

121. JOINT U.S.-CANADA VESSEL TRAFFIC MANAGEMENT REGULATIONS FOR THE PACIFIC REGION (79-131)

Legal Authority: 33 USC 1221 CFR Citation: 33 CFR 161

Abstract: Would implement the provisions of an agreement for a cooperative vessel traffic management system for the Pacific region.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 08/18/83
 48 FR 37433

Next Action Undetermined

Small Entity: No

Additional Information: Next action dependent upon Canadian Government.

Analysis: Regulatory Evaluation 08/18/83

Agency Contact: LCDR T. Thompson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1940

RIN: 2115-AA39

122. DEEPWATER PORT LIABILITY FUND REQUIREMENTS (79-158)

Legal Authority: 33 USC 1509; 33 USC 1517

CFR Citation: 33 CFR 137; 33 CFR 150

Abstract: Would implement provisions of the Deepwater Port Act of 1974 to establish and administer liability limits and compensation relative to accidental oil spills at deep water port sites.

Timetable:

Action	Date		FR	Cite
NPRM	10/02/80	45	FR	67708
Interim Final Rule	06/24/82	47	FR	27478
Final Action	04/00/85			

Small Entity: No

Additional Information: Docket No. CGD 79-158.

Analysis: Regulatory Evaluation 06/24/82

Agency Contact: Mr. F. Martin, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 472-5052

RIN: 2115-AA41

123. MODIFICATION TO LINE THROWING DEVICE REQUIREMENTS (79-160)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 33; 46 CFR 75; 46 CFR 78; 46 CFR 94; 46 CFR 97; 46 CFR 108; 46 CFR 160; 46 CFR 167; 46 CFR 192; 46 CFR 196

Abstract: Would modify the regulation requiring a line throwing device only in cargo vessels over 500 gross tons and passenger vessels on international voyages. This project is to be

withdrawn due to adverse comments received during the NPRM stage.

Timetable:

Action	Date	Nº4	FR	Cite
NPRM	12/11/80	45	FR	81616
To be withdrawn	04/00/85			

Small Entity: No

Additional Information: Docket No. CGD 79-160.

Analysis: Regulatory Evaluation 12/11/80

Agency Contact: LT Gold. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2183

RIN: 2115-AA42

124. LAUNCHING DEVICES FOR LIFERAFTS (79-168)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 160; 46 CFR 163

Abstract: Proposed specification for approval of devices used for launching inflatable liferafts.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Additional Information: Docket No. CGD 79-168.

Analysis: Regulatory Evaluation 08/00/85

Agency Contact: LCDR Riley, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1445

RIN: 2115-AA45

125. INFLATABLE LIFERAFT STABILITY (80-113)

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 160

Abstract: Would provide specific rules for function, size, and placement of stability appendages.

Timetable:

Action	Date	747	FR.	Cite
ANPRM	06/29/81	46	FR	33341
NPRM	01/11/85	50	FR	1538
NPRM Comment Period Begin	01/11/85	7 10		
NPRM Comment Period End	04/11/85			
Final Action	01/00/86			

Current and Projected Rulemakings
Other Rulemakings

Small Entity: No

Additional Information: Docket No. CGD 80-113.

Analysis: Regulatory Evaluation 01/11/85

Agency Contact: Mr. M. Daniels, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1445

RIN: 2115-AA50

126. MANEUVERING PERFORMANCE REGULATIONS (80-136)

Legal Authority: 46 USC 3703 CFR Citation: 46 CFR 1

Abstract: Would establish requirements to improve ship maneuvering and stopping ability for new tank vessels and possibly all vessels in response to mandates in 46 USC 3703. International Maritime Organization

recommendations will be considered.

Timetable:

Action	Date	FR Cite
ANPRM	09/14/81	46 FR 45631
ANPRM	07/17/84	49 FR 28893
NPRM	06/00/85	

Small Entity: No

Additional Information: Docket No. CGD 80-136. Supplemental ANPRM published 7/17/84, 49 FR 28893.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Mr. J. Spencer, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2188

RIN: 2115-AA53

127. SERVICING INFLATABLE LIFERAFTS (81-010)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 160

Abstract: Would allow liferaft servicing in U.S. and foreign ports without Coast Guard Marine inspectors.

Timetable:

Action	Date	FR Cite
NDDM	00/00/85	AL CARRES

Small Entity: No

Additional Information: Docket No. CGD 81-010.

Analysis: Regulatory Evaluation 09/00/85

Agency Contact: LT Keegan, Department of Transportation, U.S.

Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AA57

128. PERSONAL FLOTATION DEVICES (81-023)

Legal Authority: 46 USC 1454; 46 USC

CFR Citation: 33 CFR 175; 33 CFR 181

Abstract: Revokes an obsolete provision and makes several editorial changes.

Timetable:

Action	Date	FR	Cite
NPRM	04/12/82	47 FR	15606

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 81-023.

Analysis: Regulatory Evaluation 04/12/82

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-0108

RIN: 2115-AA58

129. AUTOMATED MAIN AND AUXILIARY MACHINERY (81-030)

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 62

Abstract: Would implement the provisions for periodically unattended machinery spaces and automated machinery in the 1974 SOLAS Amendments and the guidance on system design in the Coast Guard Navigation and Inspection Circular on Automated Main and Auxiliary Machinery.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Consti Fasta	11-	

Small Entity: No

Additional Information: Docket No. CGD 81-030.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: LT Randall,

Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2206

RIN: 2115-AA59

130. SAFETY RULES FOR SELF-PROPELLED VESSELS CARRYING HAZARDOUS LIQUIDS AND BULK LIQUEFIED GASES (81-052)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 1; 46 CFR 153; 46 CFR 154

Abstract: Would revise application and examination procedures by which foreign vessels carrying chemicals and liquified gases obtain a letter of compliance (LOC).

Timetable:

Action	Date	FR	Cite
NPRM	05/10/82	47 FR	20084
Final Action	03/00/85		

Small Entity: No

Additional Information: Docket No. CGD 81-052.

Analysis: Regulatory Evaluation 05/10/82 (47 FR 20084)

Agency Contact: Mr. E. Pfersich, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA62

131. GENERAL BRIDGE PERMIT REGULATIONS (81-057)

Legal Authority: 33 USC 401 CFR Citation: 33 CFR 115

Abstract: Would establish rules for issuing general bridge permits.

Timetable:

Action	Date		FR	Cite
NPRM	09/23/82	47	FR	41988
Final Action	06/00/85			

Small Entity: No

Additional Information: Docket No. CGD 81-057.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Mr. J. Schwartz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 755-7620

RIN: 2115-AA61

132. RELOCATION OF BOUNDARY LINES (81-058)

Legal Authority: 33 USC 151 CFR Citation: 46 CFR 7

Current and Projected Rulemakings
Other Rulemakings

Abstract: Would relocate boundary lines in Part 46 CFR Part 7 in accordance with PL 96-324.

Timetable:

Action	Date		FR	Cite
NPRM	06/07/82	47	FR	24604
SNPRM	09/15/83	48	FR	41454
Comment Period reopened	03/00/84	49	FR	908
SNPRM Final Action	08/13/84 05/00/85	49	FR	32229

Small Entity: No

Additional Information: Public hearings were held 10/18/83 and 10/26/83 and a meeting was held on 1/17/84 with the TSAC working group. Comment period reopened until 3/1/84 (49 FR 908).

Analysis: Regulatory Evaluation 06/07/82

Agency Contact: LCDR B. Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AA63

133. UPDATE OF 46 CFR PART 153 (81-078)

Legal Authority: 46 USC 3703 CFR Citation: 46 CFR 153

Abstract: Would revise and update 46 CFR part 153 through the ninth set of amendments to the IMO Chemical Code.

Timetable:

Action	Date		FR	Cite
NPRM	05/12/83	48	FR	19755
Final Action	05/00/85			

Small Entity: No

Additional Information: Docket No. CGD 81-078.

Analysis: Regulatory Evaluation 05/12/83

Agency Contact: Mr. R. Query, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1217

RIN: 2115-AA66

134. ACCEPTANCE OF ASME BOILERS WITH ASME S, E, A, AND H STAMPS (81-079)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 52; 46 CFR 53 Abstract: Would delete requirement that Coast Guard review plans and inspect power and heating boilers when stamped with ASME S, E, A, or H symbol stamps.

Timetable:

Action	Date		FR	Cite
NPRM	08/18/83	48	FR	37441
Supplemental NPRM	11/03/83	48	FR	50781
Final Action	06/00/85			

Small Entity: No

Additional Information: Docket No. CGD 81-079.

Analysis: Regulatory Evaluation 08/18/83 (48 FR 37441)

Agency Contact: Mr. H. Hime, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2160

RIN: 2115-AA67

135. SHIPPING SAFETY FAIRWAY AMENDMENTS, GULF OF MEXICO (81-080)

Legal Authority: 33 USC 1223; 33 USC 1224

CFR Citation: 33 CFR 166

Abstract: The Coast Guard is proposing to amend existing shipping fairways and to establish new fairway anchorages in the Gulf of Mexico. The fairway modifications and anchorages are necessary to provide for safe access routes in areas of high traffic density and offshore structures.

Timetable:

Action	Date	FR Cite
NPRM	08/09/82	47 FR 34432
Supplemental NPRM	03/30/84	49 FR 12715
Supplemental NPRM	05/03/84	49 FR 18870
Final Action	08/00/85	

Small Entity: No

Additional Information: This supplementary NPRM continues an action originated in 1982 which proposed changes to part 166. A final rule was published on 6/30/83 promulgating only editorial changes to part 166. This NPRM contains specific proposals for changes to fairways and anchorages.

Analysis: Regulatory Evaluation 08/09/82

Agency Contact: Mr. C. Young, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 245-0108

RIN: 2115-AB57

136. GENERAL REVISION OF 46 CFR 151, BARGES CARRYING CERTAIN BULK DANGEROUS CARGOES (81-082)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 151

Abstract: Would revise the rules for barges carrying bulk cargoes by clarifying the language, eliminating unnecessary requirements and upgrading some existing requirements.

Timetable:

Action	Date	FR	Cite
ANPRM	06/04/84	49 FR	23085
NPRM	12/00/85		

Small Entity: No

Additional Information: Docket No. CGD 81-082.

Analysis: Regulatory Evaluation 12/00/85

Agency Contact: R.M. Query, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1217

RIN: 2115-AA70

137. TANK VESSELS CARRYING NOXIOUS LIQUID SUBSTANCES IN BULK; POLLUTION PREVENTION AND CONTROL, EQUIPMENT AND OPERATIONAL REQUIREMENTS (81-101)

Legal Authority: 33 USC 1901 et seq.

CFR Citation: 33 CFR 157

Abstract: Would limit and restrict the discharge of noxious liquid substances made by chemical tankers.

Timetable:

Action	Date	FR Cite
ANPRM	01/13/82	48 FR 1519
NPRM	09/00/85	

Small Entity: No

Additional Information: Docket No. CGD 81-101.

Analysis: Regulatory Evaluation 09/00/85

Current and Projected Rulemakings
Other Rulemakings

Agency Contact: F. Wybenga, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA73

138. FAIRWAYS ON THE SOUTHERN COAST OF ALASKA (81-103)

Legal Authority: 33 USC 1223, 33 USC 1224

CFR Citation: 33 CFR 166

Abstract: Would establish fairways on the southern coast of Alaska implementing the result of a Port Access Route Study.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	NEW YORK

Small Entity: No

Additional Information: Docket No. CGD 81-103.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Mr. C. Young. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 245-0108

RIN: 2115-AA74

139. FEES FOR NUMBERING OF UNDOCUMENTED VESSELS (82-001)

Legal Authority: 46 USC 1472 CFR Citation: 33 CFR 173

Abstract: Would raise fees for the numbering of undocumented vessels in areas where the Coast Guard is the issuing authority.

Timetable:

Action	Date	FR Cite
Notice!	Date	FR Che

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 82-001.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-0108 RIN: 2115-AA75

140. SUSPENSION AND REVOCATION PROCEEDINGS (82-002)

Legal Authority: 46 USC 7701 CFR Citation: 46 CFR 5

Abstract: Revise and Amend 46 CFR Part 5 to (1) incorporate changes due to recent legislative actions (2) improve clarity and conciseness and (3) make substantive procedural changes.

Timetable:

Action	Date	WELL .	FR Cite
NPRM	09/30/83	48	FR 44851
Final Action	04/00/85		-

Small Entity: No

Additional Information: Docket No. CGD 82-002.

Analysis: Regulatory Evaluation 09/30/83

Agency Contact: CDR Stansell, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-2215

RIN: 2115-AA76

141. OSV SUBCHAPTER (82-004)

Legal Authority: 46 USC 3301(3); 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 125 to 136 -

Abstract: Create new 46 CFR subchapter governing Offshore Supply Vessels.

Timetable:

Action	Date		FR	Cite
ANPRM NPRM	02/14/83 06/00/85	48	FR	6636

Small Entity: No

Additional Information: Docket No. CGD 82-004.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: LCDR Gilmour, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2160

RIN: 2115-AA77

142. SUBCHAPTER "D" & "O" BARGES - INTERNAL INSPECTIONS (82-005)

Legal Authority: 46 USC 3306; 46 USC 3307

CFR Citation: 46 CFR 151

Abstract: Change Subchapter "O" Regulation on internal inspection to coincide with drydock interval.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Am Facility

Small Entity: No

Additional Information: Docket No. CGD 82-005.

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: CDR Strasser, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AA78

143. CASUALTY REPORTING REQUIREMENTS FOR RECREATIONAL BOATS (82-015)

Legal Authority: 46 USC 1486

CFR Citation: 33 CFR 173; 33 CFR 174

Abstract: Amend casualty and accident reporting requirements for operators of recreational boats involved in boating accidents.

Timetable:

Action	Date	FR	Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 82-015.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-0108

RIN: 2115-AA82

144. REWRITE OF 33 CFR PART 157 (82-030)

Legal Authority: 46 USC 3306; 46 USC 2104; 46 USC 3703

Current and Projected Rulemakings
Other Rulemakings

CFR Citation: 33 CFR 157

Abstract: Amend pollution regulations to clarify, correct minor errors, and incorporate policy decisions and international interpretations.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: This project is related to CGD 82-028, Segregated Ballast, Dedicated Clean Ballast, and Crude Oil Washing. Any further action on this project must wait until the rulemaking process for CGD 82-028 is completed because any policy decisions that result will be applicable to this rulemaking.

Agency Contact: LT. Lantz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AA88

145. HAND HELD FLASHLIGHTS. INDEPENDENT INSPECTION AGENCIES (82-042)

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 161

Abstract: Would remove two-cell flashlight requirements, and revise material and testing requirements in flashlight approval specification, change "independent laboratory" to "independent inspection agency," throughout Subchapter Q and revise other regulations accordingly.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 82-042.

Agency Contact: LCDR Miante, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2206

RIN: 2115-AA91

146. AIDS TO NAVIGATION ON OUTER CONTINENTAL SHELF (82-054)

Legal Authority: 14 USC 2; 14 USC 83; 14 USC 85; 14 USC 92; 14 USC 633

CFR Citation: 33 CFR 67

Abstract: Would allow manufacturer certification of lights for marking artificial islands and fixed structures.

Timetable:

Action

Date

FR Cite

03/00/85

Small Entity: No

Additional Information: Docket No. 82-054.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: LT Hayden, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1973

RIN: 2115-AA92

147. NATURAL VENTILATION REGULATIONS FOR SMALL BOATS (\$2-056)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 183

Abstract: Would replace existing regulations with voluntary industry standard.

Timetable:

Action

Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 82-

056.

Agency Contact: Mr. L. Gray, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4027

RIN: 2115-AA94

148. UPDATE BULK LIQUEFIED GAS TANKER REQUIREMENTS (82-058)

Legal Authority: 46 USC 3703 CFR Citation: 46 CFR 154 Abstract: Would update and revise standards for self-propelled vessels carrying bulk liquefied gases.

Timetable:

Action

Date FR Cite

NPRM

RM 12/00/85

Small Entity: No

Additional Information: Docket No. 82-058.

Analysis: Regulatory Evaluation 12/00/85

Agency Contact: Mr. F. Wybenga. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA95

149. CASUALTY REPORTING REQUIREMENTS (82-069)

Legal Authority: 43 USC 1333; 43 USC 1348; 33 USC 1509(a)

CFR Citation: 33 CFR 146; 33 CFR 150

Abstract: Would eliminate the cost of salvage, cleaning, gas freeing, and drydocking from damage costs in Title 33.

Timetable:

Action

Date FR Cite

NPRM Final Action 10/19/83 48 FR 48475 04/00/85

Small Entity: No

Additional Information: Docket No. 82-069a

Analysis: Regulatory Evaluation 10/19/83 (48 FR 48475)

Agency Contact: LT Diaduk,

Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1455

RIN: 2115-AB30

150. VISUAL DISTRESS SIGNALS-STROBE LIGHTS (82-084)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 175

Abstract: Would add strobe lights as an optional carriage item for inland rule waters.

Current and Projected Rulemakings Other Rulemakings

Timetable:		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 82-084.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1080

RIN: 2115-AB18

151. NAUTICAL SCHOOLS: IMPLEMENTING THE MARITIME EDUCATIONAL TRAINING ACT OF 1980 (82-092)

Legal Authority: 46 USC 3306; 46 USC 12959(e)

CFR Citation: 46 CFR 166; 46 CFR 167; 46 CFR 168

Abstract: Would update authority cites for Nautical Schools Inspection
Regulations (46 CFR Subchapter "R") and update certain parts to conform with current inspection policies.
Nautical School vessels operated by the United States (formerly called "Public Nautical School Ships") between 15 and 300 gross tons would be subject to inspection for the first time.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	THE PERSON NAMED IN
Small Entity	y: No	

Additional Information: Docket No. CGD 82-092.

Analysis: Regulatory Evaluation 10/00/85

Agency Contact: LCDR Morani, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB21

152. DOCUMENTATION OF VESSELS; CONTROLLING INTEREST (82-105)

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Abstract: Solicits comments on the term "controlling interests" for the purpose of documenting vessels owned by partnerships.

Timetable:				
Action	Date		FR	Cite
ANPRM	11/12/82	47	FR	51170
NPRM	07/16/84	49	FR	28744
NPRM Comment Period Begin	07/16/84	49	FR	35967
NPRM Comment Period End	10/15/84			

Small Entity: Undetermined

Additional Information: Docket No. CGD 82-105. Comment period extended 9/13/84.

04/00/85

Analysis: Regulatory Evaluation 07/16/84

Agency Contact: LCDR Meeks, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1492

RIN: 2115-AB27

Final Action

153. SAILING SCHOOL VESSEL REGULATIONS (83-005)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 169

Abstract: Would generate a new set of inspection regulations for sailing school vessels as mandated by the Sailing School Vessel Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	12/24/84 49	FR 49974
NPRM Comment Period Begin	12/24/84	
NPRM Comment Period End	02/22/85	
Final Action	09/00/85	

Small Entity: Yes

Additional Information: Docket No. CGD 83-005.

Analysis: Regulatory Evaluation 12/24/84 (49 FR 49974)

Agency Contact: LT Astley, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB32

154. REVOCATION OF MILITARY EXPLOSIVES REGULATIONS (83-006)

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805; 49 USC 1806; 49 USC 1807; 49 USC 1808; 46 USC 170

CFR Citation: 46 CFR 145

Abstract: Would revoke 46 CFR concurrently with the Research and Special Programs Administration's Materials Transportation Bureau (MTB) rulemaking and revise other sections in Title 46 accordingly.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Additional Information: Docket No. CGD 83-006. To be published concurrently with Materials Transportation Board rulemaking.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Mr. F. Thompson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1577

RIN: 2115-AB33

155. CARRIAGE AND USE OF LIQUEFIED OR NON-LIQUEFIED FLAMMABLE GAS AS COOKING FUELS ON VESSELS CARRYING PASSENGERS FOR HIRE (83-013)

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 4104; 46 USC 4105; 46 USC 4302

CFR Citation: 46 CFR 25; 46 CFR 58; 46 CFR 147; 46 CFR 184

Abstract: Proposed requirements for the use of liquefied flammable gas as cooking fuel.

Timetable:

Action	Date	FR	Cite
NPRM	03/22/84 49	FR	10685
Supplemental NPRM	06/00/85		

Small Entity: Yes

Additional Information: Docket No. CGD 83-013.

Analysis: Draft RFA 03/22/84; Regulatory Evaluation 03/22/84 (49 FR 10685)

Agency Contact: LCDR Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB35

Current and Projected Rulemakings
Other Rulemakings

156. REASSESSMENT OF COAST GUARD FIRE PROTECTION REGULATIONS TO INCORPORATE SOLAS 1974 (83-026)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306; 46 USC 3503; 46 USC 3703

CFR Citation: 46 CFR Subchapter D; 46 CFR Subchapter I; 46 CFR Subchapter I

Abstract: Would bring Coast Guard regulations into agreement with the international requirements of SOLAS 1974.

Timetable:

Action	Date		FR	Cite
ANPRM	10/01/84	49	FR	38672
ANPRM Comment Period Begin	10/01/84			
ANPRM Comment Period End	11/30/84			
NPRM	06/00/85			

Small Entity: No

Additional Information: Docket No. CGD 83-026. Incorporates part of docket CGD 81-090.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Mr. D. Kerlin, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2197

RIN: 2115-AB36

157. EXTEND APPLICABILITY OF CERTAIN WESTERN RIVERS PROVISIONS OF THE INLAND NAVIGATION RULES TO OTHER WATERS (83-028)

Legal Authority: 33 USC 2071

CFR Citation: 33 CFR 94

Abstract: Would designate certain waters upon which rules 9(a)(ii), 15(b), and 24(i) of the Inland Navigation Rules will apply.

Timetable:

Action	Date		FR	Cite
NPRM	12/08/83	48	FR	54977
Supplemental NPRM	05/03/84	49	FR	18870
Final Action	09/00/85			

Small Entity: Yes

Additional Information: Docket No. CGD 83-028.

Analysis: Regulatory Evaluation 12/08/83 (48 FR 54977)

Agency Contact: LCDR J. Kirkpatrick, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 245-0108

RIN: 2115-AB37

158. INDEPENDENT LABORATORY INSPECTION OF LIFESAVING EQUIPMENT (83-030)

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 159; 46 CFR 160

Abstract: Would establish independent laboratory inspection of lifeboats, liferafts, and launching equipment to replace Coast Guard inspection.

Timetable:

Action	Date	FR Cite
NPRM	08/27/84	49 FR 38151
NPRM Comment Period Begin	08/27/84	
NPRM Comment Period End	12/26/84	
Final Action	10/00/85	

Small Entity: No

Additional Information: Docket No. CGD 83-030.

Analysis: Regulatory Evaluation 08/27/84 (49 FR 38151)

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AB38

159. REASSESSMENT OF COAST GUARD MARINE ENGINEERING REGULATIONS -- INCORPORATION OF SOLAS 74 AMENDMENTS (83-043)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR Subchapter F

Abstract: Would effect a general reassessment of Subchapter F and incorporation of international requirements becoming effective 1 Sept. 1984.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	DOTESTICAL DESIGNATION OF THE PARTY OF THE P

Small Entity: No

Additional Information: Docket No. CCD 83-043.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: LCDR Miante, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2160

RIN: 2115-AB41

160. REQUIREMENT FOR FEDERAL PILOTS ON FOREIGN TRADE VESSELS WHERE A PILOT IS NOT REQUIRED BY STATE LAW; STATE OF MAINE (83-044)

Legal Authority: 33 USC 1226 CFR Citation: 33 CFR 161

Abstract: Would require Federallylicensed pilots on certain self-propelled vessels engaged in foreign trade, when operating in several specified areas in the navigable waters of the United States within the State of Maine, where a pilot is not otherwise required by State law.

Timetable:

Action	Date	FR	Cite
ACTION	Date	THE REAL PROPERTY.	PILC

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 83-044.

Agency Contact: Mr. E. LaRue, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-5116

RIN: 2115-AB48

161. COMPATIBILITY OF CARGOES (83-047)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 150

Abstract: Would consolidate requirements for compatible storage of bulk liquid hazardous materials on tank vessels; would update table from April 14, 1983.

Timetable:

Action	Date	FR Cite
NPRM	01/11/85	50 FR 1551
NPRM Comment Period Begin	01/11/85	
NPRM Comment Period End	02/11/85	
Final Action	12/00/85	

Small Entity: No

Additional Information: Docket No. CGD 83-047.

ADDITIONAL LEGAL AUTHORITY: 48 CFR 1.46(t) also applies.

Analysis: Regulatory Evaluation 02/00/85

Agency Contact: Dr. M. Parnorouskis, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-6262

RIN: 2115-AB49

162. REVISIONS TO THE ADVANCE NOTICE OF ARRIVAL AND DEPARTURE REGULATIONS (83-048)

Legal Authority: 33 USC 1221

CFR Citation: 33 CFR 160; 33 CFR 161

Abstract: This project would remove the reporting requirements for certain dangerous cargoes. The reporting requirements for "cargoes of particular hazard" will be retained, though.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	sometime number

Small Entity: Yes

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: LT Evans, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-9578

RIN: 2115-AB50

163. EDITORIAL CHANGES TO TITLE 46 CFR RESULTING FROM P.L. 98-89 (83-067)

Legal Authority: PL 98-89

CFR Citation: 46 CFR Chapter 1

Abstract: Would amend Title 46, CFR to reflect 46 U.S.C. citations for marine safety laws consolidated and reenacted by P.L. 98-89.

Timetable:

Action	Date		FR	Cite
First Rule	10/04/84	49	FR	39161
Second Rule	01/11/85	50	FR	1524
Third Rule	09/00/85			

Small Entity: No

Additional Information: Docket No. CGD 83-067.

This is an ongoing project which will include numerous revisions to the citations. Accordingly there will be several final rules published under the same docket number.

Analysis: Regulatory Evaluation 10/04/84 (49 FR 39161)

Agency Contact: LCDR D. Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2197

RIN: 2115-AB54

164. SIMPLIFIED ADMEASUREMENT (83-070)

Legal Authority: PL 96-594 CFR Citation: 46 CFR 69

Abstract: This project would unify various separate parts in 46 CFR dealing with admeasurement.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	and the land of

Small Entity: No

Additional Information: Docket No. CGD 83-070.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Mr. D. Lamont, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2192

RIN: 2115-AB51

165. REQUIREMENTS FOR MOBILE OFFSHORE DRILLING UNITS (83-071)

Legal Authority: 46 USC 2104; 46 USC 2303; 46 USC 3305; 46 USC 3306; 46 USC 3311; 46 USC 3312; 46 USC 3318

CFR Citation: 46 CFR Subchapter I-A

Abstract: This project would generally update the regulations pertaining to mobile offshore drilling units. These regulations have not been updated since 1978 and need to reflect provisions of the Outer Continental Shelf Lands Act Amendments of 1978 and 1982 and the treaty for Safety of Life at Sea (1974), which has been accepted by the United States.

Timetable:

Action	Date	FR	Cite
ANPRM	06/01/84	49 FR	22836
NPRM	05/00/85		

Small Entity: No

Additional Information: Docket No. CGD 83-071.

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: LCDR J. Veentjer, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2197

RIN: 2115-AB56

166. AMENDMENTS TO BRIDGE LIGHTING REQUIREMENTS (84-022)

Legal Authority: 33 USC 494; 33 USC 499

CFR Citation: 33 CFR 117; 33 CFR 118

Abstract: Would provide regulatory standards for prescribing or approving signals other than lighting on bridges.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	BIR ST

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Mr. A. Meschter, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-0942

RIN: 2115-AB62

167. DOCUMENTATION OF VESSELS, HAILING PORT MARKINGS (84-027)

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Abstract: Solicits comments on whether regulations requiring marking of hailing port on vessels should be continued and, if so, what changes should be made in methods for determining port to be marked.

Timetable:

Action	Date		FR	Cite
ANPRM	05/17/84	49	FR	20872
NPRM	11/19/84	49	FR	45623
NPRM Comment Period Begin	11/19/84	49	FR	45623
NPRM Comment Period End	02/19/85			
Final Action	04/00/85			
Conall Entitue III				

Small Entity: Undetermined

Analysis: Regulatory Evaluation 11/19/84 (49 FR 45623)

Agency Contact: LCDR Meeks, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1492

RIN: 2115-AB64

Current and Projected Rulemakings Other Rulemakings

168. CARGOES OF PARTICULAR HAZARD (84-039)

Legal Authority: 33 USC 1221 CFR Citation: 33 CFR 126

Abstract: Would update regulations defining "cargo of particular hazard" to make them consistent with Research and Special Programs Administration (RSPA) definitions found elsewhere in the CFR.

Timetable:

Action	Date		FR	Cite
NPRM	11/19/84	49	FR	45597
NPRM Comment Period Begin	11/19/84	49	FR	45597
NPRM Comment Period End	01/03/85			
Final Action	09/00/85			

Small Entity: No

Analysis: Regulatory Evaluation 11/19/84 (49 FR 45537)

Agency Contact: LT E. Davison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-9578

RIN: 2115-AB63

169. ● MARINE PORTABLE TANKS (84-043)

Legal Authority: 49 USC 1801 CFR Citation: 46 CFR 64

Abstract: This proposal would discontinue the Coast Guard specification for Marine Portable Tanks. In their place, the Coast Guard would recognize tanks approved by the Department of Transportation, Research and Special Programs Administration as Intermodal Tanks.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No.

Analysis: Regulatory Evaluation 09/00/85

Agency Contact: Mr. F. Thompson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1577

RIN: 2115-AB69

170. SHIPS' STORES AND SUPPLIES OF HAZARDOUS MATERIALS (84-044)

Legal Authority: 46 USC 3306 CFR Citation: 46 CFR 147 Abstract: Would apply rules for hazardous materials used as ships' stores to offshore structures as well as vessels. Also would reduce the burden on shippers and manufacturers by deleting the requirement for separate Coast Guard classification of Ships' Stores and adopting the classification and identification provisions of the Research and Special Programs Administration found in 49 CFR Subchapter C which are already required for the transportation of hazardous materials.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	Political

Small Entity: No

Analysis: Regulatory Evaluation 08/00/85

Agency Contact: Ms. A. Fanto, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1577

RIN: 2115-AB65

171. O OIL-WATER INTERFACE DETECTORS (CGD 84-052)

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 162

Abstract: This project would propose a new specification for approval of oilwater interface detectors presently required by Annex 1 of MARPOL 73/78.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/85

Agency Contact: Lt. T. Keegan, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AB66

172. ● RIVER SERVICE DRY CARGO BARGES; LOAD LINE REGULATIONS (84-058)

Legal Authority: 46 USC 88 CFR Citation: 46 CFR 45

Abstract: This proposal would exempt dry cargo river barges operating on short voyages in Lake Michigan from the requirements to obtain a Load Line Certificate.

Timetable:

Action	Date	FR Cite
NPRM	12/14/84	49 FR 48762
NPRM Comment Period Begin	12/14/84	
NPRM Comment Period End	02/12/85	
Final Action	09/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 12/14/84

Agency Contact: Lt. R. Fiebrandt, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2606

RIN: 2115-AB71

173. PERSONAL FLOTATION DEVICE COMPONENTS (84-068)

Legal Authority: 46 USC 3306(a); 46 USC 4102; 46 USC 4302

CFR Citation: 46 CFR 164; 46 CFR 160

Abstract: This project would add stateof-the-art synthetic materials as standard components, add performance requirements for nonstandard components, and upgrade out-dated requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 07/00/85

Agency Contact: Mr. S. Wehr, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AB70

174. LIFESAVING EQUIPMENT--IMPLEMENTATION OF 1983 AMENDMENTS TO SOLAS 1974 (84-069)

Legal Authority: 46 USC 3306

CFR Citation: 33 CFR 175; 46 CFR 31; 46 CFR 33; 46 CFR 35; 46 CFR 71; 46 CFR 75; 46 CFR 78; 46 CFR 91; 46 CFR 94; 46 CFR 97; 46 CFR 107; 46 CFR 108; 46 CFR 109; 46 CFR 154; 46 CFR 160; ...

Abstract: This project would implement the provisions of the 1983 amendments to SOLAS 1974 which come into force in July of 1986. It would also reorganize the lifesaving equipment regulations in order to simplify, clarify and reduce redundancy.

Current and Projected Rulemakings Other Rulemakings

Timetable:				
Action	Date	FR Cite		
ANPRM	12/31/84	49 FR 50745		
ANPRM Comment Period Begin	12/31/84			
ANPRM Comment Period End	03/01/85			
NPRM	05/00/85			

Small Entity: No

Additional Information: 46 CFR 30: 46 CFR 90; 46 CFR 112; 46 CFR 113; 46 CFR 167; 46 CFR 189; 46 CFR 192; 46 CFR 196: 46 CFR 199

Analysis: Regulation Evaluation 05/00/85

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AB72

175. @ ACCOMMODATIONS, RAILS **AND GUARDS (84-073)**

Legal Authority: 46 USC 2103; 46 USC 3306; 46 USC 3703; 46 USC 10104

CFR Citation: 46 CFR 32; 46 CFR 77; 46 CFR 96; 46 CFR 195

Abstract: This proposal would eliminate duplicative regulations and clarify language in certain areas.

Timetable:		
Action	Date	FR Cite
NPRM	03/00/85	11,2,26

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Lt. V. Mihal, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-2197

RIN: 2115-AB68

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) U.S. Coast Guard (USCG)

Current and Projected Rulemakings Other Rulemakings: Routine and Frequent

176. SAFETY/SECURITY ZONE REGULATIONS

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to range from 4/85 to 10/85.

Timetable:

Action	Date	FR Cite
Total actions expected to	10/00/85	The second second
end		

Small Entity: No

Agency Contact: CAPT Moran. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-5116

RIN: 2115-AA97

177, ANCHORAGE AREA REGULATIONS

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to range from 04/85 to 10/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	10/00/85	

Small Entity: No

Agency Contact: Mr. L. Manoliades, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-5116

RIN: 2115-AA98

178. DRAWBRIDGE REGULATIONS

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected - 50. Action dates range from 04/85 to 10/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	10/00/85	pund was

Small Entity: No

Agency Contact: Mr. Meschter, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1380

RIN: 2115-AA99

[FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) U.S. Coast Guard (USCG)

179. VESSEL REPORTING REQUIREMENTS

Priority: Agency Determination Legal Authority: 46 USC 391a CFR Citation: 33 CFR 161

Abstract: These regulations were developed and promulgated pursuant to the Port and Tanker Safety Act. They require vessel owners to report their locations, arrivals and departures when

carrying certain hazardous cargoes. The barge industry and certain boat owners in the past have opposed these regulations. These regulations are being reviewed because of their controversy and impact on the barge and towing industry.

Existing Regulations Under Review Priority Reviews

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	06/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: LT Franchini, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 755-1357

RIN: 2115-AB28

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) U.S. Coast Guard (USCG)

Existing Regulations Under Reviews Other Reviews

180. REGULATORY FLEXIBILITY ACT

CFR Citation: 33 CFR 1 to 199; 46 CFR 1 to end

Abstract: In accordance with the Regulatory Flexibility Act, the Coast Guard has been publishing a list of regulations in the Agenda which have been using the Small Business Administration definition of a small entity. The Coast Guard is now-considering developing its own definition.

Timetable:

Action	Date		FR	Cite
Begin Review	06/29/81	46	FR	33404
End Review	09/00/85			

Small Entity: Yes

Additional Information: Review in Process.

Agency Contact: Mr. Bruce Novak, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1477

RIN: 2115-AB01

181. EQUIPMENT FOR LIFEBOATS, LIFE RAFTS, LIFEFLOATS, AND BUOYANT APPARATUS FOR PASSENGER VESSELS

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 75.20

Abstract: Regulations require certain specific items of emergency equipment for use in lifeboats, life rafts and so on. This part is being reviewed as part of the Coast Guard's ongoing program of reviewing all existing regulations periodically.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	05/00/85	

Small Entity: No

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AB42

182. OCEANOGRAPHIC RESEARCH VESSELS, HANDLING, USE AND CONTROL OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES: MAGAZINES

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 194.10

Abstract: Regulations contain specifications for construction, location and maintenance of explosives magazines. This review is being conducted because these regulations will have an impact on small businesses and as such should be reviewed under the authority of the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	Trust land
End Review	05/00/85	

Small Entity: Yes

Agency Contact: LCDR W. Morani, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB43

183. ANNUAL INSPECTIONS, PASSENGER VESSELS

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 71.25

Abstract: Regulations contain specific annual inspection requirements and methods of carrying out those inspections. This regulation is being reviewed to see if there may be some way to reduce inspection costs while maintaining or improving levels of safety.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	05/00/85	

Small Entity: No

Agency Contact: LCDR D. Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB44

184. LOGBOOK ENTRIES, CARGO VESSELS

Legal Authority: 46 USC 2104; 46 USC 201; 46 USC 11304

CFR Citation: 46 CFR 97.35

Abstract: The regulations list requirements for keeping logbooks on Cargo Vessels. This review is part of the Coast Guard's ongoing program to periodically review all regulations for costs and effectiveness.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	THE CITE
End Review	05/00/85	

Small Entity: No

Agency Contact: LCDR. W. Morani, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-4431

RIN: 2115-AB45

185. GENERAL LIFESAVING REQUIREMENTS, TANK VESSELS

Legal Authority: 46 USC 2104; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 33.01

Abstract: Contains general requirements for construction,

Existing Regulations Under Review Other Reviews

maintenance and inspection of life rafts, lifeboats and personal flotation devices. This review is part of the Coast Guard's ongoing program to periodically review all regulations for costs and effectiveness.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	District of
End Review	05/00/85	
Small Entity:		

Agency Contact: CDR D. Strasser, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-2190

RIN: 2115-AB46

186. SPECIAL OPERATING REQUIREMENTS, UNINSPECTED VESSELS

Legal Authority: 46 USC 2104; 46 USC 523p; 46 USC 4104; 46 USC 4105; 46 USC

CFR Citation: 46 CFR 26.03

Abstract: Contains requirements for action to be taken in emergencies. This review is being conducted in

accordance with requirements in the Regulatory Flexibility Act because it affects small entities.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	05/00/85	
10 30 3		

Small Entity: Yes

Agency Contact: LCDR W. Morani. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-4431

RIN: 2115-AB47 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) U.S. Coast Guard (USCG)

Completed Actions Other Rulemakings

COMPLETED RULEMAKINGS 187. VALVE INSPECTION FOR THERMAL FLUID HEATERS (80-064)

Legal Authority: 43 USC 1333(d); 46 USC 2104; 46 USC 3301; 46 USC 3305; 46 USC 3306; 46 USC 3307; 46 USC 3316; 50 USC

CFR Citation: 46 CFR 61

Abstract: Would clarify the inspection standards for valves on thermal heaters.

Timetable:

Action	Date		FR	Cite
NPRM	10/18/82	47	FR	46336
Final Action	08/13/84	49	FR	32192
Final Action Effective	09/12/84			

Small Entity: No

Additional Information: Docket No. CGD 80-064.

Analysis: Regulatory Evaluation 08/13/84 (49 FR 32192)

Agency Contact: LCDR Riley. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-2183

RIN: 2115-AA49

188. NUMBERING SYSTEM REQUIREMENTS (82-076)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 174

Abstract: Would give states greater flexibility in the managing of their numbering systems.

Timetable:

Action	Date	FR Cite
Project Terminated	03/01/85	A MARINE

Small Entity: No

Additional Information: Docket No. CGD 82-076.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1080

RIN: 2115-AB17

189. SHIPBOARD NAVIGATIONAL EQUIPMENT (83-004)

Legal Authority: 46 USC 391(a)

CFR Citation: 33 CFR 164

Abstract: Would implement the requirements of the first set of amendments to the International Convention for the Safety of Life at Sea (SOLAS). The amendments concern requirements for speed logs, rate of turn indicators, RPM indicators, and pitch and mode indicators on vessels fitted with variable pitch propellers.

Timetable:

Action	Date		FR	Cite
NPRM	10/14/83	48	FR	46819
Final Action	10/29/84	49	FR	43463
Final Action Effective	11/29/84			

Small Entity: No

Additional Information: Docket No. CGD 83-004.

Analysis: Regulatory Evaluation 10/29/84 (49 FR 43463)

Agency Contact: Capt. Moran, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 428-4958

RIN: 2115-AB31

190. MISCELLANEOUS AMENDMENTS TO RECREATIONAL BOATING STANDARDS (83-012)

Legal Authority: 46 USC 1454 CFR Citation: 33 CFR 183

Abstract: Would revoke unnecessary regulations.

Timetable:

Action	Date		FR	Cite
NPRM	04/12/84	44	FR	14538
Final Action	10/05/84	49	FR	39327
Final Action Effective	04/03/85	49	FR	39327

Small Entity: No

Additional Information: Docket No. CGD 83-012.

Analysis: Regulatory Evaluation 10/05/84 (49 FR 39327)

Agency Contact: Mr. A. Colihan, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1063

RIN: 2115-AB34

191. EMERGENCY POSITION INDICATING RADIOBEACONS (EPIRB) (80-024)

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 33; 46 CFR 35; 46 CFR 75; 46 CFR 78; 46 CFR 94; 46 CFR 97; 46 CFR 160; 46 CFR 161; 46 CFR 167; 46 CFR 180: 46 CFR 185: 46 CFR 192

Abstract: Would require use of EPIRB's on vessels operating on the Great Lakes.

Timetable:

Action	Date		FR	Cite
NPRM	10/04/82	47	FR	43736
Final Action	10/16/84	49	FR	40407
Final Action Effective	03/29/85			

Small Entity: No

Additional Information: Docket No. CGD 80-024.

Analysis: Regulatory Evaluation 10/16/84 (49 FR 40407)

Agency Contact: Mr. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AA48

192. MATERIAL STANDARDS FOR **FIXED STRUCTURES (83-035)**

Legal Authority: 43 USC 1331

CFR Citation: 46 CFR Subchapter N

Abstract: Would have implemented the Best Available and Safest Technology (BAST) requirement of the Outer Continental Shelf Lands Act Amendments, 1978. This rulemaking has been terminated because there has not been sufficient demonstrated need to continue with the project.

Timetable:

Action	Date	FR Cite
Project Terminated	02/00/85	A TOWN
Small Entity: 1	No	

Additional Information: Docket No. CGD 83-035. Incorporated docket number CGD 80-160.

Agency Contact: LCDR Cross. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-2307

RIN: 2115-AB40

193. REDOCUMENTATION OF **VESSELS SOLD AT SEA (83-066)**

Legal Authority: 46 USC 12121; 49 USC

CFR Citation: 46 CFR 67

Abstract: Would describe procedures for redocumenting a vessel which is sold while the vessel is at sea.

Timetable:

Action	Date		FR	Cite
NPRM	07/19/84	49	FR	29249
NPRM Comment Period Begin	07/19/84			29249
NPRM Comment Period End	09/17/84			
Final Action	02/25/85	50	FR	7596
Final Action Effective	02/25/85			

Small Entity: No

Additional Information: Docket No. CGD 83-066.

Analysis: Regulatory Evaluation 07/19/84 (49 FR 29249)

Agency Contact: LCDR Meeks. Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW. Washington, DC 20593, 202 426-1492

RIN: 2115-AB52 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Aviation Administration (FAA)

194. PARTS MANUFACTURER **APPROVALS**

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 21

Abstract: Would (1) simplify the procedure for approving a PMA applicant's design on the basis of identicality to an already approved design; (2) reduce PMA application and reporting requirements; and (3) add a marking requirement which will facilitate field installation of replacement parts manufactured under a PMA and help avoid use of incorrect parts. The proposed revision is considered to be significant because it is controversial. Differences of opinion exist with respect to the methods

available for showing identicalness of parts. Also the Parts Manufacturer Approval application and reporting requirements may be unnecessarily burdensome. Public comments, agency discussions, and information from other Federal departments and agencies indicate that there is substantial confusion about the PMA process and misinterpretation of PMA regulations. Thus, the agency has commissioned a study and evaluation of the PMA process to determine whether any regulatory changes are necessary. The study is completed and is being reviewed.

Timetable:

Action	Date		FR	Cite
NPRM	12/23/75	42	FR	43985
Second NPRM	01/15/81	46	FR	3775
Third NPRM	09/00/85			

Small Entity: Yes

Current and Projected Rulemakings Priority Rulemakings: Non-Major Additional Information: Docket No. 17147. This project was initiated December 23, 1975. NPRM No. 77-19

was published in the Federal Register (42 FR 43985). Comment period later reopened until January 4, 1978 (NPRM No. 77-19A, 42 FR 61048) and again reopened until May 15, 1978 (NPRM No. 77-19B, 43 FR 15432). Portions of NPRM 77-19 dealing with other subjects were handled separately. Supplemental Notice of Proposed Rulemaking (SNPRM) was published January 15. 1981 (46 FR 3775). Initial comment period closed April 15, 1981; reply comment period closed May 15, 1981. NPRM 77-19D reopening the comment period until August 24, 1981, and the reply comment period until September 21, 1981, was published July 23, 1981 (46 FR 38062). In view of the Congressional. Federal Agency, and public comments on this rulemaking, a Regulatory Flexibility Analysis will be prepared, in conjunction with any future rulemaking.

Current and Projected Rulemakings Priority Rulemakings: Non-Major

whether or not required by the Regulatory Flexibility Act.

Agency Contact: Michele Owsley, Department of Transportation, Federal Aviation Administration, P. O. Box 1689, Ft. Worth, TX 76101, 817 877-2076

RIN: 2120-AA00

195. AIRBORNE LOW-LEVEL WIND SHEAR EQUIPMENT REQUIREMENTS

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121

Abstract: Would revise existing regulation to require all large passenger-carrying aircraft be equipped with a device that will display wind shear information to the pilots. This action is considered a significant project because it will generate substantial public interest and will be controversial. As a result of several accidents involving wind shear, it is necessary to identify equipment that will enable pilots to identify low level wind shear conditions.

Timetable:

Action	Date		FR	Cite
ANPRM	05/03/79	44	FR	25807
ALCON ACCORDING	Ann Michael Commission of the			

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 19110. In 1975, the FAA began a two year effort to develop a wind shear program. As part of the program, FAA began work to develop a wind shear warning and pilot aiding device which has achieved encouraging results. Following the initial announcement of this proposal it was determined that a regulatory analysis would not be required; however, an evaluation will be made and docketed. ANPRM No. 79-11 was published on May 3, 1979 (44 FR 25807) and comment period closed August 3, 1979. (14 CFR Parts 91, 121 & 135.)

Agency Contact: David L. Catey, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA01

196. REVIEW: UPDATE OF PART 139

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1429 Federal Aviation Act of 1958, Sec. 609; 49 USC 1430 Federal Aviation Act of 1958, Sec. 610; 49 USC 1432 Federal Aviation Act of 1958, Sec. 612

CFR Citation: 14 CFR 139

Abstract: Revision of 14 CFR Part 139 to update and clarify the part including fire-fighting, rescue, and airport fueling operation requirements. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: This project was initiated on June 25, 1975, in response to a GAO evaluation of the FAA's Airport Certification Program and the result it has on improving the safety of airports. The project has been delayed for a number of reasons that impacted completion and publication of an NPRM. Some of these reasons are: FAA cost benefit analysis of CFR services, recent changes to the F.A. Act and proposed sunset of CAB. On November 22, 1982 FAA conducted a listening session with aviation industry representatives. A public meeting was held on July 14, 1983, to discuss areas of concern such as airport crash, fire and rescue equipment requirements. snow removal and extended safety areas.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Jose Roman, Jr.,
Department of Transportation, Federal
Aviation Administration, 800
Independence Avenue, SW,
Washington, DC 20591, 202 426-3087

RIN: 2120-AA10

197. USE OF ALCOHOL OR DRUGS

Priority: Agency Determination

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61; 14 CFR 91

Abstract: Proposed rule which will subject Certificated Flight Crewmembers suspected of being under the influence of alcohol to bloodalcohol tests and establish a specific bloodalcohol content level at which a pilot is considered to be intoxicated. This rulemaking is significant because it may involve important departmental policy.

Timetable:

Action	Date	AR.	FR	Cite
NPRM	07/27/81	46	FR	36480
Combination SNPRM and Final Rule	03/00/85			

Small Entity: No

Additional Information: Docket No. 21956.

Analysis: Regulatory Evaluation 07/27/81

Agency Contact: Roger Baker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8194

RIN: 2120-AA16

198. AIRCRAFT OWNERS AND PILOT ASSOCIATION - DURATION OF AIRMAN MEDICAL CERTIFICATES

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a): 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Abstract: Petition to extend the validity period of third-class medical certificates from 24 months to 36 months. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	E	FR	Cite
NPRM	12/02/82	47	FR	54414
Final Action	05/00/85			

Small Entity: No

Additional Information: Docket No. 19176.

Analysis: Regulatory Evaluation 12/02/82

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

Agency Contact: William H. Hark, M.D., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3802

RIN: 2120-AA41

199. CERTIFICATION: STUDENT RECREATIONAL, RECREATIONAL, STUDENT OTHER THAN RECREATIONAL AND PRIVATE PILOTS

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Abstract: This petition proposes to establish a new concept in the certification of pilots to permit the issuance of a student recreational, a recreational, a student other than recreational, and a private pilot certificate. This rulemaking is significant because of substantial public interest.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: James F. Byers, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8196

RIN: 2120-AA54

200. AMEND PART 23 TO INCLUDE REQUIREMENTS FOR CRASH-RESISTANT FUEL SYSTEMS

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would amend Part 23 to include requirements for crashresistant fuel tanks, lines and fittings. This rulemaking is significant because of substantial public interest. Timetable:

Action Date FR Cite

ANPRM 03/00/85

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Earsa L. Tankesley, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA57

201. HIGH DENSITY AIRPORT TRAFFIC RULE

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 93

Abstract: Would rescind the operations reservations rule as it applies to the John F. Kennedy, LaGuardia, and Chicago O'Hare Airports. Under the current rule, an operator must secure a reservation for any instrument flight rule departure or arrival operation at those airports during designated hours. The proposal is considered significant because of the public interest it is likely to generate.

Timetable:

Action	Date		FR	Cite
NPRM	03/31/83	48	FR	13434
Interim Final Rule	03/06/84	49	FR	8237
Final Action	10/00/85	48	FR	8237

Small Entity: No

Additional Information: Docket No. 22471. The rule was originally promulgated to reduce air traffic congestion and delay. With the advent of improved programs, procedures, and air traffic flow management, the rule is felt to be unnecessary. On March 6, 1984, the FAA issued an interim final rule that amended the High Density Rule (49 FR 8237; March 6, 1984). The agency will reexamine within the next 6-9 months (from the 3/1/84 issuance date) the capability of the air traffic control system to handle the unusual demands that a less constrained system may create, such as significant airborne holding and multiple requests by operators for release from gates. This

will be examined in connection with airport capacity and the experience levels of air traffic control personnel.

Analysis: Regulatory Evaluation 03/31/83

Agency Contact: William C. Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA72

202. AIRPLANE CABIN FIRE PROTECTION

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 25; 14 CFR 121

Abstract: This action proposes a new requirement for smoke detectors in lavatories and automatic fire extinguishers in lavatory trash receptacles in air carrier airplanes.

Timetable:

Action	Date	FR	Cite
NPRM	05/17/84	49 FR	21010
NPRM Comment Period Begin	05/17/84	49 FR	21010
NPRM Comment Period End	09/14/84		
Final Action	04/00/85		

Small Entity: No

Agency Contact: Henri P. Branting, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 462-8382

RIN: 2120-AA87

203. METROPOLITAN WASHINGTON AIRPORTS POLICY

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(b) Federal Aviation Act of 1958, Sec. 307(b); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); Act for the Administration of Washington National Airport, Second Washington Airport Act; 64 Stat. 770, Sec. 4

CFR Citation: 14 CFR 93

Abstract: This rulemaking proposes to change the annual passenger ceiling at

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

Washington National Airport from-16 million to 14.8 million or to a figure between 14.8 million and 16 million depending upon the highest annual passenger level forecasted within the next 2 years. It also proposes to allow commuter carriers utilizing smaller. quieter aircraft to conduct a limited number of "stolrunway" operations at National Airport in addition to the operations permitted by the current limitations. This amendment is proposed to guide the future operation and development of Washington National and Dulles International Airports and to improve the quality of the environment in the areas around National. This rulemaking is considered to be significant because of possible public interest.

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Action	Date	FR Cite
SNPRM	06/14/84	49 FR 24626
SNPRM Comment Period	07/16/84	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 21955.

Analysis: Regulatory Evaluation 06/14/84

Agency Contact: Edward P. Faberman, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3773

RIN: 2120-AA89

204. EXPANSION OF CVR/FDR EQUIPMENT REQUIREMENTS ON U.S. AIRCRAFT

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 135

Abstract: This action proposes to change the regulations to expand the minimum flight data recorder (FDR) requirements for existing and newly manufactured pre-1969 type certificated aircraft operating under Part 121. This proposed action also would amend Part 135 to require cockpit voice recorders (CVR) on multiengine-powered, fixedwing aircraft manufactured after a certain date if the aircraft requires two

pilots and is certificated to carry six or more passengers. This is in response to an NTSB recommendation.

Timetable:

Action	Date	FR	Cite
NPRM .	01/08/85	50 FR	949

Next Action Undetermined

Small Entity: No

Agency Contact: John W. Flavin, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8177

RIN: 2120-AA95

205. MODE S TRANSPONDER

Priority: Agency Determination

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1353 Federal Aviation Act of 1958, Sec. 312; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 43; 14 CFR 91; 14 CFR 121; 14 CFR 127; 14 CFR 135

Abstract: Proposes use of Mode S transponder within terminal control areas and generally above 12,500 feet MSL. Also proposes that ATCRBS transponder may be used in those airspace areas. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR	Cite
ANPRM	10/18/83	48 FR	48364
NPRM	03/00/85		

Small Entity: Undetermined

Additional Information: Docket No. 23799. Mode S is considered to be the key airborne link to the new automated National Airspace System. It will also figure as a key component in datalinking information between air and ground.

Analysis: Regulatory Evaluation 10/18/83

Agency Contact: Gene Falsetti, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8783

RIN: 2120-AB03

206. IMPROVED CRITERIA FOR SEAT SAFETY STANDARDS

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop improved load test criteria for occupant seat/ restraint systems on transport airplanes based on the on-going joint FAA/NASA/industry transport airplane crashworthiness program which encompasses tests and studies of past survivable accident data. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Andrew Comment

Small Entity: No

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2120

RIN: 2120-AB21

207. AIRPLANE CABIN FIRE PROTECTION

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop a revision to FAR 25.853 to improve fire protection for lavatories and galleys by requiring that smoke detectors and fire extinguishers, among other things, be installed. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	05/17/84	49 FR 21010
Final Action	04/00/85	

Small Entity: No

Additional Information: Project is to follow completion of Part 121 rulemaking.

Analysis: Regulatory Evaluation 05/17/84

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

Agency Contact: Dick Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2121

RIN: 2120-AB22

208. CIVIL HELICOPTER NOISE CERTIFICATION

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431(b) Federal Aviation Act of 1958, Sec. 611(b); 42 USC 4321 et seq. National Environmental Policy Act, Title 1; EO 11514

CFR Citation: 14 CFR 21; 14 CFR 36

Abstract: Would revise noise certification standards for aircraft to add provisions applicable to helicopters. These would apply to civil helicopters in the normal, transport, and restricted categories, and would provide noise level limits and test procedures for the issuance of new and amended type certificates. It would also prohibit changes in type design of helicopters that might increase their noise levels beyond certain limits. Although this notice contains several provisions similar to those in an earlier notice, which was withdrawn in 1981, it differs from that notice in several important aspects. One is the absence of any limit on manufacture of older non-conforming types; another is the increased commonality between these proposed standards and those adopted by the International Civil Aviation Organization (ICAO).

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		

Small Entity: No

Additional Information: Part 36 of the Federal Aviation Regulations (14 CFR Part 36) contains noise standards for aircraft type and airworthiness certification. As the part is currently organized, Subparts B and C and Appendices A, B, and C apply to transport category large airplane and subsonic turbojet powered airplanes regardless of category. Appendix F contains the provisions applicable to propeller driven light airplanes. This notice proposes to prescribe noise

levels and test procedures for civil helicopters certificated in the normal, transport, and restricted categories. These proposals include rules governing the issuance of new and amended type certificates for helicopters for which application is made on and after the publication date of this notice. The proposed rule would prohibit certain growth or other design changes if those changes might result in noise levels beyond prescribed limits. The proposed rule also provides the test conditions and procedures for conducting helicopter noise tests to demonstrate compliance with the prescribed noise levels.

Analysis: Regulatory Evaluation 06/00/85; Environmental Analysis 06/00/85

Agency Contact: Richard N. Tedrick, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 755-9027

RIN: 2120-AB33

209. IMPROVED FLAMMABILITY STANDARDS FOR MATERIALS USED IN THE INTERIORS OF TRANSPORT CATEGORY AIRPLANE CABINS

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25; 14 CFR 121

Abstract: To develop a revision to FAR 25.853 to improve fire test methods of interior materials that will improve the safety in cabin seating environments. This regulation has been made significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Public Compliance Cost: Initial Cost: \$4,000,000; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1987

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: Dick Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2121

RIN: 2120-AB34

210. SLOT TRANSFER METHODS

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 93

Abstract: This notice proposes a mechanism which would remove Government restrictions on the transfer of slots used by operators at high density airports. The proposal is, in part, in response to recommendations made by a number of air carriers in connection with the FAA's High Density Rulemaking. A separate NPRM on a procedure for initial allocation of slots in the event a scheduling committee is unable to allocate capacity at a high density airport has also been issued. This regulation is significant because of substantial public interest.

Timetable:

Action	Date		FR	Cite
NPRM	06/07/84	49	FR	23806
NPRM Comment Period Begin	06/07/84			
NPRM Comment Period End	08/06/84			

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 06/07/84

Agency Contact: Edward P. Faberman. Acting Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3773

RIN: 2120-AB37

211. SLOT ALLOCATION ALTERNATIVE METHODS

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958.

Current and Projected Rulemakings Priority Rulemakings: Non-Major

Sec. 313; 49 USC 1421(a) Federal Aviation Timetable: Act of 1958, Sec. 601

CFR Citation: 14 CFR 93

Abstract: This notice set forth a procedure to be used if the scheduling committees are unable to allocate newly available slots at the high density airports. The proposal is, in part, a response to the recommendations made by a number of air carriers and commuters in response to the FAA's High Density Rulemaking. Those commenters stated that they are concerned that the scheduling committees may deadlock. A separate NPRM on the transfer of slots has also been issued. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date		FR	Cite
NPRM	06/07/84	49	FR	23788
NPRM Comment Period Begin	06/07/84			
NPRM Comment Period End	08/06/84			

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 05/30/84

Agency Contact: Edward P. Faberman, Acting Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3773

RIN: 2120-AB38

212. PROPOSED DEPARTMENT OF **ENERGY PROHIBITED AREAS**

Priority: Agency Determination

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 106(g) Revised, Pub. L. 97-449, January 12, 1983

CFR Citation: 14 CFR 11.65; 14 CFR 73

Abstract: The proposed establishment or modification of prohibited airspace over these sites is one segment of a Department of Energy (DOE) comprehensive effort to enhance the protection of vital nuclear weapons research, development, and production facilities. If established, helicopter operations at any altitude over the designated sites would be prohibited without prior DOE authorization. This rulemaking is significant because it may be controversial.

Action	Date		FR	Cite
ANPRM	02/08/84	49	FR	04765
Public Hearings Announced	07/20/84	49	FR	29411
Extension of Comment Period	08/07/84	49	FR	31435
ANPRM Comment Period End	11/16/84			

Next Action Undetermined

Small Entity: Yes

Agency Contact: Brent A. Fernald, AAT-238, Airspace & Traffic Rules Br., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8626

RIN: 2120-AB39

213. AVIATION CONSUMER ACTION PROJECT PUBLIC CITIZEN HEALTH RESEARCH GROUP, PETITION TO AMEND PART 121 - MEDICAL **EQUIPMENT REQUIREMENTS**

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec.

CFR Citation: 14 CFR 121.309(d); 14 CFR 121.333(c)

Abstract: This notice proposes to require air carriers to provide medical equipment for use in the diagnosis and treatment of in-flight medical emergencies by qualified personnel. The notice further proposes to require air carriers to report such in-flight medical emergencies, how the medical equipment was used, and the disposition of the patient. The intended effect of this proposal is to enhance the potential for diagnosis and initial treatment of in-flight medical emergencies prior to care at a surface facility. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR	Cite
NPRM	03/00/85		

Small Entity: No

Agency Contact: Andrew Horne, M.D., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3435

RIN: 2120-AB40

214. ANTI-MISTING KEROSENE

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec.

CFR Citation: 14 CFR 121; 14 CFR 135

Abstract: This notice proposes to require turbine engine operations under Part 121 and 135 to be conducted with anti-misting kerosene to reduce the post-crash fire hazard due to ignition of fuel released from a ruptured fuel tank in an impact survivable accident. This rule is significant because of substantial public interest.

Timetable

	C. Strike Street	
Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert Allen, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW. Washington, DC 20591, 202 426-8161

RIN: 2120-AB41

215. ELIMINATION OF AIRPORT DELAYS

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 14 CFR 11.49

CFR Citation: 14 CFR 93

Abstract: This proposed rule is designed to alleviate increased delays throughout the air traffic system. If implemented, the FAA would alter current airline scheduling through a lottery process to more evenly space arrivals and departures throughout the day. Alternatives include voluntary schedule changes by the airlines. The rule, or the alternatives, would benefit the airline industry and the public by limiting delays. This regulation is

Current and Projected Rulemakings Priority Rulemakings: Non-Major

significant because of its involvement with important departmental policy.

Timetable:

FR Cite Action Date 08/20/84 49 FR 33082 NPRM

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24206.

Agency Contact: Edward P. Faberman. Acting Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3775

RIN: 2120-AB42

216. SHOULDER HARNESSES IN NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec 313; 49 USC 1421 Federal Aviation Act of 1958, Sec 601; 49 USC 1423 Federal Aviation Act of 1958, Sec

CFR Citation: 14 CFR 23; 14 CFR 91

Abstract: This notice proposes to amend Parts 23 and 91 of the Federal Aviation Regulations (FAR) to require the installation of shoulder harnesses at all seats of normal, utility, and acrobatic category airplanes with a passenger seating configuration. excluding pilot seats, of nine or less, manufactured after December 31, 1984. and to require the pilot-in-command to brief passengers on how to fasten and unfasten their shoulder harness for takeoff and landings if shoulder harnesses are installed. This proposal responds to the conclusions of an FAA Crashworthiness Study Report, a Petition for Rulemaking from the General Aviation Manufacturers Association (GAMA), and Safety Recommendations from the National Transportation Safety Board (NTSB). This proposal will enhance the crashworthiness of small airplanes manufactured after December 31, 1984. This regulation is significant because of substantial public interest.

Timetable.	THE REAL PROPERTY.	
Action	Date	FR Cite
NPRM	03/00/85	
Small Entity	y: Undetermined	

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: I. Robert Ball. Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106, 816 847-5688

RIN: 2120-AB43

217. PROPOSED REVISION TO NOISE CERTIFICATION STANDARDS FOR PROPELLER DRIVEN SMALL AIRPLANES

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611

CFR Citation: 14 CFR 21: 14 CFR 36

Abstract: Would revise noise certification standards for propellerdriven small airplanes to substitute the use of actual takeoff tests for the level flyover tests currently specified. This proposal would revise test procedures applicable to noise certification tests conducted on or after January 1, 1987. It would also revise the noise level limit numbers to approximate the equivalent of the sound levels measured and corrected in accordance with the current standard. These proposals result from industry requests for certification to be more directly based upon typical inservice noise measurements and from studies conducted in several nations over a three year period under the auspices of the International Civil Aviation Organization. In addition, the FAA proposes to exempt antique airplanes and changes involving the addition of floats or skis from the acoustical change measurement and documentation requirements of Part 21. This regulation is significant because of substantial public interest.

Timetable:

FR Cite Action Date NPRM 06/00/85 Small Entity: Undetermined

Analysis: Draft Regulatory Evaluation 08/00/85

Agency Contact: Richard N. Tedrick, Manager, Noise Policy and Regulatory Branch, Department of Transportation. Federal Aviation Administration, 800 Independence Ave., SW. Washington, DC 20591, 202 755-9027

RIN: 2120-AB47

218. O CHARGES FOR USE OF METROPOLITAN WASHINGTON AIRPORTS

Priority: Agency Determination

Legal Authority: 49 USC 2402 Admin. of Washington National Airport Act; 49 USC 2405 Admin. of Washington National Airport

CFR Citation: 14 CFR 159.181 to 185

Abstract: Proposed revision to reflect changed costs of operating the airports. This rulemaking is significant because it may involve possible controversy resulting from increased landing fees. It is of special interest to the airline industry.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85		

Small Entity: No

Agency Contact: Edward S. Faggen, Department of Transportation, Federal Aviation Administration, Washington National Airport, Hanger 9, Washington, DC 20001, 703 557-8123

RIN: 2120-AB48

219. PROPOSED LIMITS ON THE GROWTH OF NOISE FROM CERTAIN AIRPLANES AND AIRPLANE TYPES

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a): 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431(b) Federal Aviation Act of 1958, Sec. 611(b); 49 USC 1421 et seq National Environmental Policy Act, Title I: EO 11514; 49 USC 106(g)

CFR Citation: 14 CFR 36: 14 CFR 91

Abstract: Would revise both noise certification standards and operating noise rules to ensure that aircraft certificated within certain broad noise groups or "stages" remain within those stages. Those proposals would apply to transport category large aircraft and to turbojet powered aircraft regardless of category. The proposed rule would prohibit modification of both individual

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

airplanes and whole airplane types where those modifications would result in the growth of noise beyond the limits of the airplane's current stage. While the proposal would not restrict airplane changes that result in lower noise, it would in some cases prohibit remodification of those aircraft to return to their original noise levels. The FAA believes that these rules are necessary to correct a defect in the current

regulations and to protect airports, aircraft operators and the public from the effects of that defect. This rulemaking is significant because of intense public interest.

Timetable:

Action Date FR Cite
NPRM 06/00/85
Small Entity: Undetermined

Analysis: Draft Regulatory Evaluation 06/00/85

Agency Contact: Richard N. Tedrick, Manager, Noise Policy and Regulatory Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 755-9027

RIN: 2120-AB50 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Aviation Administration (FAA)

Current and Projected Rulemakings Other Rulemakings

220. REVIEW: PART 91 NOTICE

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 91

Abstract: The agency conducted a Regulatory Review Conference of 14 CFR Part 91, Subpart B, in September 1977, in order to update that part. This action will cover all proposals covered by the review except for lost communications.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 16431.

Agency Contact: Burton Chandler, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8626

RIN: 2120-AA07

221. REVIEW: PART 91 REVIEW LOST COMMUNICATIONS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 91

Abstract: Proposed amendment to simplify lost communications procedures.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 16431.

Agency Contact: William C. Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA08

222. REVIEW: OBJECTS AFFECTING NAVIGABLE AIRSPACE

Legal Authority: 49 USC 1304 Federal Aviation Act of 1958, Sec. 104; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611; 49 USC 1501 Federal Aviation Act of 1958, Sec. 1101

CFR Citation: 14 CFR 77

Abstract: Would revise and reorganize 14 CFR Part 77 in a more logical sequence and present regulatory requirements relating to proposed construction or alteration and their impact on navigable airspace. It is also intended to clarify and strengthen agency actions in determining whether a particular object would be a hazard to air navigation.

Timetable:

Action	Date	FR Cite
Notice of Review	06/19/78	43 FR 26322
Review Conference	12/08/80	
National Airspace Review Begins	07/09/84	
NPRM	07/00/85	

Small Entity: No

Additional Information: Docket No. 16920.

Analysis: Regulatory Evaluation 07/30/84

Agency Contact: Sid Wugalter, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8790

RIN: 2120-AA09

223. PILOT OXYGEN MASK REQUIREMENTS -

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1421 to 1430 Fed. Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 135

Abstract: Proposed rule to permit certain widebody turbojet airplanes to operate up to flight level of 45,000 feet above sea level without requirements for the pilot to use supplemental oxygen.

Timetable:

Action	Date	FR	Cite
NPRM	08/12/82	47 FR	35146
Final Action	05/00/85		

Small Entity: No

Additional Information: Docket No. 23243.

Analysis: Regulatory Evaluation 08/12/82

Current and Projected Rulemakings
Other Rulemakings

Agency Contact: Larry Bedore, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA11

224. REVIEW: METROPOLITAN WASHINGTON AIRPORTS REGULATIONS

Legal Authority: Administration of Washington National Airport Act, Secs. 2 & 5; Second Washington Airport Act; 64 Stat. 770, 72 Stat. 731

CFR Citation: 14 CFR 159

Abstract: Proposed revision to reflect changed operational conditions and policies and to simplify, clarify and consolidate the regulations pertaining to the National Capital Airports.

Timetable:

Action	Date	FR Cite
House		THE OTTO

Next Action Undetermined

Small Entity: No

Agency Contact: Edward S. Faggen, Department of Transportation, Federal Aviation Administration, Washington National Airport Hangar 9, Washington, DC 20001, 703 557-8123

RIN: 2120-AA12

225. REVIEW: REVISION OF PART 91

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 to 1430 Fed. Aviation Act of 1958, Secs. 602 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91

Abstract: This review deals with the air traffic and general operating rules in Part 91 - the most fundamental aviation regulations. This action would reorganize and rearrange the rules without substantive change, to make them easier to use and understand. (Phase I). A later action will review and revise them to eliminate unnecessary burdens in keeping with E.O. 12291. (Phase II). AOPA withdrew its petition on November 20, 1980, so the FAA could proceed with this two-step review. ANPRM 79-2 published the

original AOPA petition for comment on January 22, 1979 (44 FR 4571). NPRM 79-2A proposing reorganization of Part 91 was published on September 10, 1981 (46 FR 45256). NPRM 79-2B extended the comment period to April 9, 1982 (December 10, 1981; 46 FR 60461). Comments received on NPRM 79-2A will form a basis for proceeding with Phase II.

Timetable:

Action	Date		FR Cite
ANPRM-	01/22/79	44	FR 4571
NPRM	09/10/81	46	FR 45256

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18334.

Analysis: Regulatory Evaluation 09/10/81

Agency Contact: James R. Kelln, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8150

RIN: 2120-AA13

226. RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS - NOTICE OF LIEN

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1403 Federal Aviation Act of 1958, Sec. 503; 49 USC 1405 Federal Aviation Act of 1958, Sec. 505; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 49

Abstract: Proposed amendment to prescribe specific procedures for filing Notice of Lien with the Aircraft Registry. This proposal would also require release of the Notice filed upon satisfaction of the lien.

Timetable:

Action	Date	FR	Cite
NPRM	01/13/75	40 FR	2445
And the same	Name of Street, or other death of the last		

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 14236.

Agency Contact: Les Dunlop, Aircraft Registration Program Officer,

Department of Transportation, Federal Aviation Administration, PO Box 25724, Okla City, OK 73125, 405 606-2284

RIN: 2120-AA14

227. CESSNA FINANCE PETITION

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1403 Federal Aviation Act of 1958, Sec. 503; 49 USC 1405 Federal Aviation Act of 1958, Sec. 505; 49 USC 1406 Federal Aviation Act of 1958, Sec. 506; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 47

Abstract: Petition for rulemaking to amend Part 47 to provide all persons who hold a security interest in aircraft the same protection now afforded the seller of an aircraft under a conditional sales contract.

Timetable:

Action	Date		FR	Cite
ANPRM	10/20/77	42	FR	55891
NPRM	05/22/80	45	FR	34826

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 17311.

Analysis: Regulatory Evaluation 05/22/80

Agency Contact: Les Dunlop, Aircraft Registration Program Officer, Department of Transportation, Federal Aviation Administration, PO Box 25724, Okla City, OK 73125, 405 686-2284

RIN: 2120-AA15

228. INOPERATIVE INSTRUMENTS OR EQUIPMENT

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 314; 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314; 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421(a) to 1430 Fed. Av. Act 1958, Secs. 601(a) to 610; 49 USC 1502 Federal Aviation Act of 1958, Secs. 1102

CFR Citation: 14 CFR 43; 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

Abstract: Proposed rule to revise Part 91 to include provisions that will allow the operation of powered aircraft with

Current and Projected Rulemakings
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certain installed instruments and equipment inoperative. The proposal would consolidate minimum equipment list requirements presently contained in various parts of the Federal Aviation Regulations into one regulation.

Timetable:

Action	Date	FR	Cite
NPRM	10/26/81	46 FR	52278
Final Action	04/00/85		

Small Entity: No

Additional Information: Docket No. 22320.

Analysis: Regulatory Evaluation 10/26/81

Agency Contact: Dale C. Ruoff, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8194

RIN: 2120-AA19

229. PARACHUTE JUMPING, NOTICE AND AUTHORIZATION REQUIREMENTS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 105

Abstract: Proposed amendments would require notice of parachute jumps in terms of above mean sea level and would require ATC authorization for jumps in/into a terminal control area.

Timetable:

Action	Date	FR Cite
	4	

Next Action Undetermined

Small Entity: No

Agency Contact: Gene Falsetti, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA21

230. TERMINAL CONTROL AREA (TCA) NEW YORK (MODIFICATION)

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a): 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1510 Federal Aviation Act of 1958, Sec. 1110

CFR Citation: 14 CFR 71

Abstract: Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment.

Timetable:

Action	Date	FR Cite
NPRM .	01/08/81 4	6 FR 2088

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18605.

Analysis: Regulatory Evaluation 01/08/81

Agency Contact: William C. Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA24

231. TERMINAL CONTROL AREA (TCA) LAS VEGAS (MODIFICATION)

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1510 Federal Aviation Act of 1958, Sec. 1110

CFR Citation: 14 CFR 71

Abstract: Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment.

Timetable:

Action -	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Lewis W. Still, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8626

RIN: 2120-AA25

232. FLIGHT OPERATIONS CONTROL SYSTEMS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313 (a); 49 USC 1421 to 1430 Fed. Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 121

Abstract: Based upon a Transamerican Airlines (TIAS) and World Airways (WRLS) joint petition for rulemaking, the FAA is considering amending Part 121 to allow among other things all operations to be conducted under a flight operations control system.

Advance Notice 80-16 (14 FR 67103) issued Oct. 2, 1980, published the entire petition and requested comments to assist the FAA in determining what if any regulatory proposals should be developed.

Timetable:

Action	Date	FR	Cite
ANPRM	10/02/80	45 FR	67103
NPRM	05/00/85		

Small Entity: No

Additional Information: Docket No. 18591.

Agency Contact: Roger E. Riviere, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA26

233. REVIEW: ROTORCRAFT REGULATORY REVIEW PROGRAM NOTICE NO. 3

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 1; 14 CFR 27; 14 CFR 29; 14 CFR 33

Abstract: This NPRM proposes changes to Parts 1, 27, 29, and 33 in the area of propulsion system requirements. Over 100 individual changes are being considered. Significant new rules or changes to rules are being considered in the areas of engine ratings, detailed

Current and Projected Rulemakings
Other Rulemakings

combustion heater requirements, lightning protection, fuel jettisoning systems, fuel system tests, and oil requirements.

Timetable:

Action	Date	FR Cite
NPRM	11/27/84	49 FR 46670
NPRM Comment Period Begin	11/27/84	
NPRM Comment Period End	03/26/85	

Small Entity: No

Analysis: Regulatory Evaluation 11/27/84

Agency Contact: Wilbur Wells, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, 817 877-2551

RIN: 2120-AA28

234. REVIEW: ROTORCRAFT REGULATORY REVIEW PROGRAM NOTICE NO. 4

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 27; 14 CFR 29

Abstract: This is the fourth of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the airframe and related equipment requirements in Parts 27 and 29 of the Federal Aviation Regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	M arraphis

Small Entity: No

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: James Major, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, 817 877-2549

RIN: 2120-AA29

235. REVIEW: ROTORCRAFT REVIEW NOTICE NO. 5-OPERATIONS AND MAINTENANCE

Legal Authority: 49 USC 1341 Federal Aviation Act of 1958, Sec. 301; 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601; 49 USC 1430 Federal Aviation Act of 1958, Sec. 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 43; 14 CFR 45; 14 CFR 61; 14 CFR 91; 14 CFR 121; 14 CFR 127; 14 CFR 133; 14 CFR 135

Abstract: This is the fifth of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the operations and maintenance requirements pertaining to rotorcraft and covered in Parts 43, 45, 61, 91, 121, 127, 133, and 135 of the Federal Aviation Regulations. Part 1 would also be amended to add a definition of a Class D rotorcraft-load combination.

Timetable:

Action	Date	FR	Cite
NPRM	03/00/85	200	12.

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Roger Baker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8194

RIN: 2120-AA30

236. TEMPORARY FLIGHT RESTRICTIONS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 91

Abstract: This proposal features provisions that would allow the Administrator to restrict all flight operations within a designated area under specified situations.

Timetable:

Action	Date	No.	FR	Cite
NPRM	04/29/82	47	FR	18560
Next Action	Undetermined			

Small Entity: No

Additional Information: Docket No.

Analysis: Regulatory Evaluation 04/29/82

Agency Contact: William C. Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA34

237. FOREIGN AIR CARRIERS AND OPERATORS OF CERTAIN LARGE U.S.- REGISTERED AIRPLANES

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 to 1430 Fed Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135

Abstract: This document proposes changes in regulations pertaining to (1) U.S. registered aircraft operated by foreign persons in common carriage and (2) certain large U.S. registered airplanes not operated in common carriage.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: Lawrence P. Bedore, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue; SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA42

238. STANDARDS FOR APPROVAL OF AN AUTOMATIC TAKEOFF THRUST CONTROL SYSTEM

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This action would review certain special conditions issued for Part 25 airplanes and incorporate in Part 25 those that have not been previously incorporated.

Timetable:

Period

Timetable.				
Action	Date	otgi	FR	Cite
NPRM	04/27/84	49	FR	18240
NPRM Comment Period Begin	04/27/84			
Extension of Comment	07/20/84	49	FR	29410

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Action	Date	FR Cite
NPRM Comment Period End	08/27/84	

Next Action Undetermined

Small Entity: No

Additional Information: The special conditions included in this project are automatic take-off thrust control systems (ATTCS). Docket No. 24046.

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 04/27/84

Agency Contact: James M. Walker, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2116

RIN: 2120-AA46

239. SPECIAL REVIEW: TRANSPORT CATEGORY AIRPLANE AIRWORTHINESS STANDARDS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This action would amend the airworthiness standards contained in Part 25 applicable to transport category airplanes to: (1) relieve the regulatory burden wherever possible, (2) ensure the airworthiness standards are practicable for the light transport airplanes common to regional air carrier operation, and (3) update Part 25 for clarity and accuracy.

Timetable:

Action	Date	FR Cite
NPRM	12/03/84	49 FR 47358
NPRM Comment Period Begin	12/03/84	
NPRM Comment Period End	04/04/85	

Small Entity: No

Additional Information: Docket No. 24344

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 12/03/84

Agency Contact: Gary Killion,

Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2112

RIN: 2120-AA47

240. FLIGHT AFTER STRUCTURAL FAILURE

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This ANPRM would request information necessary to conduct safety benefit, cost, environmental, and energy impact analyses for a proposed Part 25 requirement for continued safe flight and landing after failure of any single structural element.

Timetable:

Action	Date	FR Cite
ANPRM	07/11/83	48 FR 31842
Notice of Comment Period extension	08/22/83	48 FR 38004

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23690.

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2120

RIN: 2120-AA48

241. IMPLEMENTATION OF SAFER PROPULSION SYSTEM RECOMMENDATIONS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This action would amend Sec 25.975 to require fuel tank vent protection during ground fires and Sec 25.1189 to require design practices which maximize the probability of engine fuel supply shut-off in a potential fire situation.

Timetable:

Action	Date	FR	Cite
ANPRM	09/26/84	49 FR	38078
ANPRM Comment Period Begin	09/26/84		
ANPRM Comment Period End	01/25/85		

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24251

Agency Contact: James M. Walker, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2116

RIN: 2120-AA49

242. FY-1982 MISCELLANEOUS AMENDMENTS

Legal Authority: 49 USC 1352 Federal Aviation Act of 1958, Sec. 311; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421 to 1430 Fed Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 21; 14 CFR 65; 14 CFR 107; 14 CFR 121; 14 CFR 135; 14 CFR 145

Abstract: This action would amend various sections of the regulations. The proposed amendments are clarifying, editorial, or corrective in nature.

Timetable:

Action	Date	FI	R Cite
NPRM	10/03/83	48 FI	R 45214

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23781.

Analysis: Regulatory Evaluation 10/03/83

Agency Contact: Ida Cronauer.
Department of Transportation, Federal
Aviation Administration, 800
Independence Avenue, SW,
Washington, DC 20591, 202 426-8357

RIN: 2120-AA50

Current and Projected Rulemakings Other Rulemakings

243. PROPOSED MINIMUM **AERONAUTICAL EXPERIENCE** REQUIREMENTS - INSTRUMENT RATING

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314: 49 USC 1421 Federal Aviation Act of 1958. Sec. 601; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 61

Abstract: This action would amend Sec 61.65(a)(1) to delete the words "or commercial" and would amend Sec 61.65(e)(1) to decrease the required hours of pilot flight time.

Timetable:

Action	Date		FR	Cite
NPRM	06/20/83	48	FR	28104

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23672

Analysis: Regulatory Evaluation 06/20/83

Agency Contact: Lauren D. Basham, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8196

RIN: 2120-AA52

244. AMEND PART 23 TO INCLUDE **EMPENNAGE FATIGUE** REQUIREMENTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec.

CFR Citation: 14 CFR 23

Abstract: This action would provide for fatigue integrity of small airplane empennage structure where present Part 23 fatigue requirements apply only to the wing.

Timetable:

Action	Date	FR Cite
NPRM	03/28/85	

Small Entity: No

Additional Information: The FAA is evaluating additional data obtained from NASA.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Earsa L. Tankesley, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106, 816 374-

RIN: 2120-AA58

245. REGULATION OF MOTOR VEHICLES CARRYING PASSENGERS FOR HIRE AT WASHINGTON NATIONAL AIRPORT

Legal Authority: 49 USC 1354 F.A. Act of 1958, Sec. 313; F.A. Act, Sec. 5 of Act for Admin of Wash National Airport

CFR Citation: 14 CFR 159

Abstract: Amendment to require taxicab drivers and other drivers of ground vehicles carrying passengers for hire to and from Washington National Airport to obtain a permit from the FAA Metropolitan Washington Airports. Regulation would prescribe procedures for issuance and revocation of permits.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/83	48 FR 19838
NPRM	07/00/85	

Small Entity: Yes

Analysis: Regulatory Evaluation 07/00/85

Agency Contact: Edward S. Faggen, Department of Transportation, Federal Aviation Administration, Washington National Airport, Hangar 9, Washington, DC 20001, 703 557-8123

RIN: 2120-AA62

246. AIRPORT IMPROVEMENT PROGRAM

Legal Authority: PL 97-248 Airport and Airway Improvement Act of 1982

CFR Citation: 14 CFR 156, (Proposed)

Abstract: This action would prescribe requirements and procedures for applicants desiring to receive financial assistance under the Airport and Airway Improvement Act of 1982. The program provides grants for planning and developing public-use airports and the implementation of noise compatibility programs. Generally, to receive funds, the applicant must be a public agency; although, in some instances, private airport owners may receive funds. Contents of the regulation will be governed by the requirements of the Act and OMB Circular A-102.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: In September 1982, legislation authorizing the Airport Improvement Program was enacted. This same legislation repealed the Airport and Airway Development Act of 1970 which authorized the Airport Development Aid Program (CFR Pt.

Agency Contact: Bob David. Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW. Washington, DC 20591, 202 426-8590

RIN: 2120-AA73

247. NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958. Sec. 603; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611

CFR Citation: 14 CFR 36

Abstract: Part 36 prescribes noise type certification standards for turbo jet powered airplanes and propeller driven small airplanes regardless of category. This review will examine the need to reorganize and realign the noise standards to make them more understandable and easier to use. This review would reorganize existing material into several new subparts, and utilize an improved numbering system to provide for the easier inclusion of future changes. Other improvements would be made by deleting redundancies, obsolete compliance dates, and making other minor changes. Additionally, Part 38 will be reviewed in accordance with Executive Order 12291 to reduce regulatory burdens on the public, including the preparation of both a Regulatory Evaluation and a Regulatory Flexibility Analysis.

Timetable:

Action	Date	FR Cite
NPRM	01/29/85	50 FR 4172
Next Action	Undetermined	

Small Entity: Yes

Current and Projected Rulemakings Other Rulemakings

Additional Information: Will also consider Petition for Rulemaking from the Aerospace Industries of America (Docket No. 23340; Petition Notice No. PR-82-13). Comment Period closed January 20, 1983.

Analysis: Draft RFA 01/29/85; Environmental Assessment 01/29/85; Regulatory Evaluation 01/29/85

Agency Contact: Richard Tedrick, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 755-9027

RIN: 2120-AA74

248. REVISE PART 23 TO INCLUDE COMMUTER CATEGORY AIRPLANES

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would amend Part 23 to include airworthiness standards for multi-engine airplanes having a maximum passenger seating configuration, excluding any pilot seat, of 19 seats, and with a maximum takeoff weight of up to 19,000 pounds.

Timetable:

Action	Date	FR	Cite
NPRM	11/15/83	48 FR	52010
Final Action	03/00/85		

Small Entity: No

Additional Information: Docket No. 23516.

Analysis: Regulatory Evaluation 11/15/83

Agency Contact: Earsa L. Tankesley, Department of Transportation, Federal Aviation Administration, 601 E. 12th St., Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA77

249. SFAR 38-1--CERTIFICATION AND OPERATING REQUIREMENTS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 127

Abstract: This notice would amend SFAR 38 by clearly defining the applicable certification and operating rules appropriate to the operation to be conducted.

Timetable:

Action	Date	FR Cite
Extension of Expiration Date	01/04/85	50 FR 450
NPRM	01/30/85	50 FR 4472
Final Action	05/00/85	

Small Entity: No

Agency Contact: Daniel Keenan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA78

250. ACCELERATED GROUND TRAINING - FLIGHT ENGINEERS' SKILL REQUIREMENTS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 63; 14 CFR 91; 14 CFR 125

Abstract: This proposed action would amend the regulations to allow the flight engineers' normal procedure practical test to be conducted in an approved flight simulator in lieu of conducting it, in flight, in an airplane.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 22781.

Agency Contact: Gary Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA79

251. INSTRUMENT FLIGHT RULE REQUIREMENTS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 135

Abstract: This proposed action would amend the regulations to: (1) allow operation of single-engine aircraft in IFR conditions; (2) permit IFR operations en route with a VFR buffer zone underneath the cloud ceiling and an IFR approach at destination; (3) change IFR minimums at U.S. military airports to be compatible with U.S. civil airport requirements; provide drift down standards during en route operations in IFR conditions in multiengine aircraft; and provide consistency in regulations regarding references to instrument approach requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Additional Information: Docket No. 20164

Agency Contact: Roger E. Riviere, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA82

252. AIRPLANE SIMULATOR USE IN AIRMAN CERTIFICATION

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 61; 14 CFR 121

Abstract: This proposed action would amend the regulations to objectively match maneuver and procedure requirements with a catalog of simulation devices. The amendment should extend the maximum credit to simulation devices that objective requirements will permit.

Timetable:

Action	Date	FR	Cite
NPRM	11/00/85	100	

Small Entity: No

Current and Projected Rulemakings Other Rulemakings

Agency Contact: David C. Gilliom, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3460

RIN: 2120-AA83

253. TRANSPORT ROTORCRAFT STRUCTURAL FATIGUE AND DAMAGE TOLERANCE

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1351 Federal Aviation Act of 1958, Sec. 310; 49 USC 1354 Federal Aviation Act of 1958, Sec. 310; 49 USC 1355 Federal Aviation Act of 1958, Sec. 313; 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1401 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 Federal Aviation Act of 1958, Sec. 1102; 49 USC 1423 Federal Aviation Act of 1958, Sec. 1102; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 29

Abstract: This notice proposes to change Section 29.571 governing the requirements for fatigue substantiation of transport category helicopter structure. It adds a requirement that damage tolerance criteria be used "unless shown to be impractical." The proposal is intended to obtain consistent use of state-of-the-art damage tolerant materials and design features in transport category aircraft.

Timetable:

Date	FR Cite
	FR 772
	-

Small Entity: No

Additional Information: Docket No. 23485.

Public meeting held on February 8, 1983.

Analysis: Regulatory Evaluation 07/00/85

Agency Contact: Robert T. Weaver, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, 817 877-2548

RIN: 2120-AA84

254. FIRE PROTECTION REQUIREMENTS FOR CARGO OR BAGGAGE COMPARTMENTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop criteria for cargo compartment liners required for all categories of cargo compartments except Class A and to investigate compartment volume, ventilation and detection and fire prevention capabilities of certain approved self-extinguishing materials used for cargo compartment liners.

Timetable:

G. H. L. G.				
Action	Date	1175	FR	Cite
NPRM	08/08/84	49	FR	31830
Extension of Comment Period	10/12/84	49	FR	40041
Comment Period Closes	01/10/85			

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24185. This regulation was formerly titled "Cargo Compartment Classification."

Analysis: Regulatory Evaluation 08/08/84

Agency Contact: Richard Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2121

RIN: 2120-AA90

255. FAR 23.49(B) STALL SPEEDS FOR SINGLE ENGINE AND MULTIENGINE AIRPLANES OF 6,000 LBS. OR LESS

Legal Authority: 49 USC 1354 F.A. Act, Sec. 313; 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1423 F.A. Act, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would relieve the current 61-knot stall speed requirements of Part 23 by either deleting the requirement or specifying an alternative requirement.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Additional Information: A new generation of turbo-powered, singleengine airplanes is being developed whose operating efficiency and performance will be greatly reduced if they are required to meet the current stall speed requirements. The object of this rulemaking activity is to permit design and certification of higher performance, single-engine airplanes that may achieve higher cruise speeds with better specific fuel consumption by increasing wing loading.

Analysis: Regulatory Evaluation 03/00/85; Draft RFA 03/00/85

Agency Contact: Earsa Tankesley, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106, 816 374-

RIN: 2120-AA92

256. USE OF X-RAY SYSTEMS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604; 49 USC 1425 Federal Aviation Act of 1958, Sec. 605

CFR Citation: 14 CFR 108; 14 CFR 129

Abstract: This proposed action would amend the regulations to delete reference to 1 milliroentgen and to change wording of sign at each X-ray screening station. It also proposes that the new American Society for Testing and Materials Standards F792-82 be adopted in place of the requirement that the X-ray system have the capability of distinguishing insulated 24-gauge copper wire.

Timetable:

Action	Date	FR	Cite
NPRM	06/18/84	49 FR	24974
NPRM Comment Period Begin	06/18/84	49 FR	24974
NPRM Comment Period End	08/17/84		
Final Action	06/00/85		

Small Entity: No

Additional Information: Docket No. 24115

Analysis: Regulatory Evaluation 06/18/84

Agency Contact: Theofulus P.
Tsacoumis, Department of
Transportation, Federal Aviation
Administration, 800 Independence
Avenue, S.W., Washington, DC 20591,
202 426-4817

RIN: 2120-AA96

257. MECHANICAL RELIABILITY REPORTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121

Abstract: This action would allow certificate holders to mail or deliver mechanical reliability reports to the responsible FAA office within 72 hours after the 24-hour reporting period.

Timetable:

Action	Date		FR	Cite
NPRM	08/13/84	49	FR	32306
NPRM Comment Period Begin	08/13/84			
NPRM Comment Period End	10/12/84			

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24182

Agency Contact: Fred W. Crenshaw, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8098

RIN: 2120-AA97

258. AMENDMENT OF SECTIONS 91.171, 91.172, AND APPENDICES E AND F OF PART 43

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 43; 14 CFR 91

Abstract: This action would delay an October 15, 1982, compliance date to afford operators additional time to accomplish tests and inspections required by Sec. 91.171, correct inappropriate references, and delete a requirement for integrated system tests of ATC transponders by operators.

Timetable:

Action	Date	FR	Cite
ACHOIT	Date	2.63	CHE

Next Action Undetermined

Small Entity: No

Agency Contact: Charles J. Sarich,
Department of Transportation, Federal Aviation Administration, 800
Independence Avenue, S.W.,
Washington, DC 20591, 202 426-8177

RIN: 2120-AA98

259. RENEWAL OF INSPECTION AUTHORIZATION

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 65

Abstract: This action would reconsider Amendment 65-22 which was issued to clarify rules and to adopt additional rules applicable to applicants for, and holders of, an inspection authorization. If necessary, the action would also revise the regulations to improve enforcement procedures pertaining to mechanics' certificates and inspection authorizations.

Timetable:

Action	Date	FR Cite
NPRM	09/11/84	49 FR 35652
NPRM Comment	09/11/84	
Period Begin NPRM Comment	10/11/84	
Period End	10/11/04	

Next Action Undetermined

Small Entity: No

Agency Contact: Charles W. Mayernik, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8203

RIN: 2120-AA99

260. NATIONAL AIRSPACE REVIEW (NAR) TERMINAL AIRSPACE TASK GROUP RECOMMENDATIONS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 91

Abstract: Would (1) term "Terminal control area"; (2) change operating requirements in terminal control areas; (3) change name of airport traffic area to control tower area; (4) standardize two-way radio communications requirements at all airports with

operating control towers; (5) adopt a new definition for airport traffic area; (6) redefine control zone ceiling and lateral dimension limitations; and (7) replace statute miles with nautical mile designations.

Timetable:

Action	Date		FR Cite
ANPRM	02/05/85	50	FR 5054
20 2 2 20 20 20 20	11 11 11		

Next Action Undetermined

Small Entity: No

Agency Contact: Burton Chandler, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8626

RIN: 2120-AB02

261. GENERAL AVIATION SAFETY PANEL'S RECOMMENDATIONS ON WEATHER MINIMUMS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 91

Abstract: Would standardize weather minimums in all airspace at night.

Timetable:

Action	Date	FR Cite
ACTION	Date	rn cite

Next Action Undetermined

Small Entity: No

Agency Contact: Burton Chander, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 203 406-8626

RIN: 2120-AB04

262. FATIGUE LIMIT TEST (PROPELLERS)

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 35

Abstract: Would revise Part 35 Fatigue Limit Test (Propellers) to add requirement for composite propellers to include environmental effects in fatigue evaluation bird impact and lightning protection.

Current and Projected Rulemakings Other Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	03/30/85	

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: M. Buckman, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 273-7079

RIN: 2120-AB05

263. ELECTRONIC FUEL CONTROLS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Abstract: Would revise FAR 33.67 to incorporate requirements for electronic fuel controls for gas turbines.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: H. Alden Jackson, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 273-7078

RIN: 2120-AB06

264. TURBO PROP ENGINE PROPELLER BRAKE PROPOSALS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Abstract: Would revise Part 33 by adding a new section entitled "Engine Propeller Brake Systems Tests." This new section would require tests of the propeller brake with respect to ground locking, dynamic braking, and engine starts and stops.

Timetable:

Action	Date	F	R	Cite
NPRM	12/14/84	49 F	R	48760

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 12/14/84

Agency Contact: Donald F. Perrault, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 273-7081

RIN: 2120-AB07

265. FLIGHT TIME, DUTY TIME AND REST REQUIREMENTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 135

Abstract: This rulemaking is directed at improving the flight time, duty time and rest requirements applicable to flight crewmembers employed by air carriers, air taxis and commuter operators.

Timetable:

Action	Date	FR Cite
NPRM	03/28/84 49	FR 12136
Final Action	04/00/85	

Small Entity: Undetermined

Additional Information: Docket No. 23634. The Regulatory Negotiation Advisory Committee was established on June 27, 1983 to develop recommended rulemaking proposals for this rulemaking (48 FR 21339 and 29771; May 12 and June 28, 1983). The committee met through the summer to discuss such proposals.

Analysis: Regulatory Evaluation 03/28/84

Agency Contact: Edward P. Faberman, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-3773

RIN: 2120-AB08

266. STANDARDS FOR APPROVAL OF A REDUCED V1 METHODOLOGY FOR TAKEOFF ON WET RUNWAYS AND FLIGHT PATH REQUIREMENTS FOR ENGINE LOSS DURING TAKEOFF

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25; 14 CFR 121

Abstract: This proposal would amend Parts 25 and 121 to allow the use of the reduced V1/reduced screen height concept for transport category airplanes when taking off on wet runways and to ensure obstacle clearance during takeoff when the all-engine operating and the one-engine inoperative intended track are different.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		100

Small Entity: No

Additional Information: The rulemaking entitled All-Engine Flight Path (RIN 2120-AB16) has been merged with this project.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Bill Boxwell,
Department of Transportation, Federal
Aviation Administration, Northwest
Mountain Region, 17900 Pacific
Highway South, C-68966, Seattle,
Washington 98168, 206 431-2119

RIN: 2120-AB17

267. STANDARDS FOR APPROVAL FOR HIGH ALTITUDE OPERATION OF SUBSONIC AIRPLANES

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 48 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This proposal would review special conditions issued for high altitude operation and to consolidate and incorporate these special conditions into Part 25.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 03/00/85

Current and Projected Rulemakings
Other Rulemakings

Agency Contact: Mark Quam, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2134

RIN: 2120-AB18

268. SUBPART F - EQUIPMENT AIRWORTHINESS REGULATIONS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To amend Subpart F and other associated subparts such that the regulatory requirements are stated on a functional basis to facilitate certification of 1985 and later airplanes.

Timetable:

Action	Date	FR Cite
NPRM	08/00/86	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/86

Agency Contact: Edwin L. Ross, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2115

RIN: 2120-AB19

269. APPENDIX G, CONTINUOUS TURBULENCE CRITERIA

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This proposal would review Appendix G of Part 25 for possible revision of design criteria.

Timetable:

Action	Date	FR	Cite
A STATE OF THE PARTY OF THE PAR			

Next Action Undetermined

Small Entity: No

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2120

RIN: 2120-AB20

270. REVIEW OF FAR 33.87(A)(7)

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Abstract: This action would revise Part 33 to better define requirements for stabilization of oil temperature during 5-minute periods of the endurance test.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	April 1999
Small Entity:	No	

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: H. Alden Jackson, Department of Transportation, Federal Aviation Administration, New England Region, 12 New England Executive Park, ANE-110, Burlington, Massachusetts 01803, 617 273-7078

RIN: 2120-AB24

271. ADVANCED V/STOL ROTORCRAFT STANDARDS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec.

CFR Citation: 14 CFR 00, (New)

Abstract: This proposed action would establish airworthiness standards for advanced V/Stol rotorcraft. This action is needed since current rotorcraft airworthiness standards in Parts 27 and 29 are insufficient for anticipated tilt rotor and other advanced design rotorcraft.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/86	

Small Entity: No

Analysis: Regulatory Evaluation 03/00/86

Agency Contact: Jim Honaker, Department of Transportation, Federal

Aviation Administration, Southwest Region, P.O. Box 1689, Fort Worth, Texas 76101, 817 877-2552

RIN: 2120-AB25

272. REBUILT ENGINE MAINTENANCE RECORDS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91

Abstract: This action would propose to delete the rule that allows engine manufacturers to designate their overhaul engines as being "zero time engines."

Timetable:

Action	Date	FR	Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Robert J. Baker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8098

RIN: 2120-AB29

273. PROTECTIVE BREATHING EQUIPMENT

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121

Abstract: This action proposes to update the regulations applicable to protective breathing equipment (PBE) and require compliance with Technical Standard Order-C99 (TSO-C99). The proposed changes would specify additional requirements for portable PBE at all required hand fire extinguisher locations and training requirements for crewmembers using PBE.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	OT OFFICE

Small Entity: No

Current and Projected Rulemakings Other Rulemakings

Agency Contact: Roger E. Riviere, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AB32

274. OCCUPANT PROTECTION/RESTRAINT STANDARDS FOR PARTS 27 AND 29 ROTORCRAFT

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 611; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 27; 14 CFR 29

Abstract: This project is to amend Parts 277 and 29 to establish occupant protection standards in minor crashes at a level consistent with the present state of the art without imposing unreasonable economic burdens on industry.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: James Major, Department of Transportation, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, 817 877-2549

RIN: 2120-AB35

275. TRANSPORT ROTORCRAFT PERFORMANCE

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 29

Abstract: This project is to revise and clarify transport rotorcraft performance airworthiness standards and to establish minimum gradients of climb during takeoff.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/85	
Small Entity	: Undetermined	

Agency Contact: Jim S. Honaker, Department of Transportation, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, 817 877-2552

RIN: 2120-AB36

276. ♦ TYPE CERTIFICATION PROCEDURES - SPECIAL CATEGORIES OF AIRCRAFT

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958 Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958 Sec. 601; 49 USC 1423 Federal Aviation Act of 1958 Sec. 603; 49 USC 1424 Federal Aviation Act of 1958 Sec. 604

CFR Citation: 14 CFR 21

Abstract: This notice would propose to amend Part 21 to address procedures which will permit establishing airworthiness requirements for the type certification of special categories of aircraft such as gliders, airships, and compound aircraft for which no airworthiness standards have been issued under Chapter I of 14 CFR.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	THE WHAT
Small Entit	y: Undetermined	

Analysis: Regulatory Evaluation 07/00/85

Agency Contact: James Zahringer, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 426-8374

RIN: 2120-AB44

277. ● ENFORCEMENT OF PASSENGER INFORMATION REGULATIONS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958 Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958 Sec. 601; 49 USC 1423 Federal Aviation Act of 1958 Sec. 603; 49 USC 1424 Federal Aviation Act of 1958 Sec. 604

CFR Citation: 14 CFR 121

Abstract: This notice would propose to amend existing regulations pertaining to passenger compliance with no smoking and seathelt signs and instructions given to them by crewmembers by upgrading those rules to ensure their enforceability.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	
Small Entit	or Hadatamira	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 11/00/85

Agency Contact: Gary Davis,
Department of Transportation, Federal
Aviation Administration, 800
Independence Ave., SW, Washington,
DC 20591, 202 426-8096

RIN: 2120-AB45

278. LOW FUEL QUANTITY INDICATORS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To revise Far 25.1305 to include a requirement to install a means to alert the flightcrew of potentially unsafe low fuel quantities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Neil Schalekamp, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2135

RIN: 2120-AB46

279. ● DEALER'S AIRCRAFT REGISTRATION CERTIFICATE

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501

CFR Citation: 14 CFR 47

Small Entity: Undetermined

Abstract: Proposed amendment to expand eligibility for obtaining a Dealer's Registration Certificate to resident aliens and certain non-citizen corporations.

Timetable:

Action	Doto	rn.	014-
ACTION	Date	FR	Cite
NPRM	08/00/85		

Current and Projected Rulemakings
Other Rulemakings

Agency Contact: Julie A. Stanford, Aircraft Regulation Specialist, Department of Transportation, Federal Aviation Administration, P.O. Box 25724, Oklahoma City, OK 73125, 405 686-2284

RIN: 2120-AB49 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Aviation Administration (FAA)

Current and Projected Rulemakings
Other Rulemakings: Routine and Frequent

280. PART 95 INSTRUMENT FLIGHT

Legal Authority: 49 USC 1348 F.A. Act of 1958, Sec. 307; 49 USC 1510 F.A. Act of 1958, Sec. 1110

CFR Citation: 14 CFR 95

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current.

Total actions expected--2500. 04/00/85 - 04/00/86.

Timetable:

Date	FR Cite
04/00/86	
	A CONTRACTOR OF THE PARTY OF TH

Small Entity: No

Agency Contact: Don Tuna, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8277

RIN: 2120-AA63

281. AIRWORTHINESS DIRECTIVES

Legal Authority: 49 USC 1354(a) F.A. Act, Sec. 313(a); 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1423 F.A. Act, Sec. 603; 49 USC 1431(b) F.A. Act, Sec. 611(b)

CFR Citation: 14 CFR 39

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those

requirements operationally current. Total actions expected-300. 04/00/85 - 04/00/86.

Timetable:		
Action	Date	FR Cite
Total actions	04/00/86	EAL COLUMN

Small Entity: No

expected to

end

Agency Contact: Jack McGrath, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8192

RIN: 2120-AA64

282. STANDARD INSTRUMENT APPROACH PROCEDURES

Legal Authority: 49 USC 1348 F.A. Act, Sec. 307; 49 USC 1354(a) F.A. Act, Sec. 313(a); 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1510 F.A. Act, Sec. 1110

CFR Citation: 14 CFR 97

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current.

Total actions expected—2800. 04/00/85 - 04/00/86.

Timetable:

Small Entity: No

Action	Date	FR Cite
Total actions expected to	04/00/86	100 1120
end		

Agency Contact: Don Tuna, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW,

Washington, DC 20591, 202 426-8277

RIN: 2120-AA65

283. AIRSPACE ACTIONS

Legal Authority: 49 USC 1348(a) F.A. Act, Sec. 307(a); 49 USC 1354(a) F.A. Act, Sec. 313(a)

CFR Citation: 14 CFR 71; 14 CFR 73; 14 CFR 75

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current.

Total actions expected--525. 04/00/85 - 04/00/86.

Timetable:

Action	Date	FR Cite
Total actions expected to	04/00/86	
end	Section .	THE LINE

Small Entity: No

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA66 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Aviation Administration (FAA)

Existing Regulations Under Reviews
Priority Reviews

284. AIRMEN MEDICAL STANDARDS

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958,

Existing Regulations Under Review Priority Reviews

Sec. 601; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 67

Abstract: These regulations specify the medical standards which must be met before a medical certificate is issued to an airman. For example, a medical certificate is required before a person can obtain a pilot license. During a recent rulemaking involving these regulations, a considerable number of commenters expressed the belief that the current standards should and could be revised to state, in generally applicable objective terms, all those circumstances in which the FAA will

issue medical certificates. In the past, some certificates have been issued on a case-by-case basis, with appropriate limitations, under exemption and waiver provisions where strict compliance with the existing standards was not essential in the interest of safety. A comprehensive review of these regulations is necessary to determine if the commenters' arguments are correct. If they are and the requested regulatory changes are possible, it could greatly reduce burdens, both on the FAA and airmen. associated with the processing of medical certificates.

Timetable:

Action Date FR Cite

End Review 12/00/85

Small Entity: No

Additional Information: Docket No. 23190.

Agency Contact: William H. Hark. M.D., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3802

RIN: 2120-AA70

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration (FAA)

285. TERMINAL CONTROL AREAS (TCA'S): PHOENIX

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1510 Federal Aviation Act of 1958, Sec. 1110

CFR Citation: 14 CFR 71

Abstract: Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment.

Timetable:

Action	Date		FR	Cite
NPRM	04/07/80	45	FR	23457
SNPRM	06/15/81	46	FR	31269

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18605/79-AWE-18.

Analysis: Regulatory Evaluation 06/15/81

Agency Contact: Lewis W. Still, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8626

FIN: 2120-AA22

286. FAR 23 AIRWORTHINESS REVIEW

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would update Part 23 to be compatible with current technology, reduce the regulatory burden on the public and where possible, state the requirements more objectively.

Timetable:

Action	Date		FR	Cite
Announcement of Review	01/31/83	48	FR	4290
Notice of Reopening of Comment Period	06/09/83	48	FR	26623
Compilation of Proposals and Announcement of Conference	10/22/84	49	FR	144
NPRM	09/00/85			

Small Entity: No

Additional Information: Docket No. 23494. Other regulatory projects affecting Part 23, and not needing analysis more in-depth than would occur as part of this review, are being included in this review to assure efficient use of the affected FAA rulemaking resources. Current projects in this category include the project to revise Part 23 to include Special Conditions and the project to amend Part 23 to include Marking Requirements for External Openable Exits. A public meeting is planned as a result of proposals received and four separate NPRM's are planned to resolve the known issues, the first of which is anticipated for mid summer '85.

Existing Regulations Under Review

Other Reviews

Analysis: Regulatory Evaluation 12/00/85

Agency Contact: Earsa L. Tankeslev. Department of Transportation, Federal Aviation Administration, 601 E. 12th St., Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA75

287, PART 21--CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958. Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 21

Abstract: This part prescribes procedural requirements for the issuance of type certificates and changes to those certificates; the issuance of production certificates; the issuance of airworthiness certificates: and the issuance of export airworthiness approvals. In addition it prescribes rules governing the holders of these certificates and procedural requirements for the approval of certain materials, parts, processes, and appliances. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Existing Regulations Under Reviews Other Reviews

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: M. C. Beard, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8235

RIN: 2120-AB09

288. PART 61--CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Abstract: This part prescribes the requirements for issuing pilot and flight instructor certificates and ratings, the conditions under which these ratings are necessary, and the privileges and limitations of those certificates and ratings. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Kenneth S. Hunt, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8237

RIN: 2120-AB12

289. PART 67-MEDICAL STANDARDS AND CERTIFICATION

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a): 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 67

Abstract: This part prescribes the medical standards and procedures that apply to the issuance of medical certificates to airmen. The review will also analyze the impact on small

entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William Hark, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-3802

RIN: 2120-AB13

290, PART 141-PILOT SCHOOLS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 141

Abstract: This part prescribes the requirements for issuing pilot school certificates, provisional pilot school certificates, and associated ratings and the general operating rules for the holders of those certificates and ratings: the personnel and aircraft requirements for a pilot school or a provisional pilot school certificate; and the facilities an applicant must have available to hold a pilot school or provisional pilot school certificate. Also prescribed are the curriculum and course outline requirements for the issuance of a pilot school or provisional pilot school certificate or rating; the requirements for the issuance of an examining authority to the holder of a pilot school certificate and the privileges and limitations of that authority; and the operating rules that are applicable to a pilot school or provisional pilot school certificated under this part. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Kenneth S. Hunt, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8237

RIN: 2120-AB14

291. PART 121 -- CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1421 to 1430 Federal Aviation Act of 1958, Secs. 601-610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 121

Abstract: Review of rules governing the certification and operations of air carriers, supplemental air carriers, and commercial air carriers engaging in: (1) interstate or overseas transportation under a certificate of public convenience and necessity; (2) foreign air transportation under a certificate of public convenience and necessity; (3) charter flights or other special service operations; and (4) carriage of persons or property in air commerce for compensation or hire. These regulations are being reviewed to comply with the Regulatory Flexibility Act.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Kenneth S. Hunt, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8237

RIN: 2120-AB27

292. PART 135 -- AIR TAXI OPERATORS AND COMMERCIAL OPERATORS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355(a) Federal Aviation Act of 1958, Sec.

Existing Regulations Under Review Other Reviews

314(a); 49 USC 1421 to 1430 Federal Aviation Act of 1958, Secs. 601-610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 135

Abstract: Review of rules governing: [1] air taxi operations conducted under Part 298; (2) transportation of mail by aircraft conducted under a postal service contract; and (3) carriage of

persons or property for compensation or hire as a commercial operator in specified aircraft. These regulations are being reviewed to comply with the Regulatory Flexibility Act.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Kenneth S. Huntivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW. Washington, DC 20591, 202 426-8257

RIN: 2120-AB28

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration (FAA)

COMPLETED RULEMAKINGS 293. AIRPORT NOISE COMPATIBILITY PLANNING

Priority: Agency Determination

Legal Authority: 49 USC 1341(a) Federal Aviation Act of 1958, Sec. 301(a): 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a): 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1431 Federal Aviation Act of 1958, Sec. 601; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611; 49 USC 2101 Aviation Safety and Noise Abatement Act of 1979; 49 USC 2102 Aviation Safety and Noise Abatement Act of 1979; 49 USC 2104(a) Aviation Safety and Noise Abatement Act of 1979; 49 USC 2104(b) Aviation Safety and Noise Abatement Act of 1979; 49 USC 2201 et seq Airport and Airway Improvement Act of 1982

CFR Citation: 14 CFR 150

Abstract: Revises and replaces with a final rule the interim rule (FAR Part 150) on this subject, (1) prescribing requirements for airport operators choosing to submit an airport noise exposure map or an airport noise compatibility program, (2) establishing a single system of measuring aircraft noise and a single system for determining the exposure of individuals to noise in the vicinity of airports, and (3) identifying land uses that are normally compatible (or noncompatible) with various levels of noise around airports. The regulation is significant because it is of substantial interest to the public, potentially affecting State and local governments and the aviation community. The Aviation Safety and Noise Abatement Act of 1979 requires the Secretary of Transportation (and through delegation, the Administrator of the FAA) to establish items (1), (2), and (3).

Timetable:

Action	Date	FR Cite
Comments invited until 06-14-85		
Final Action - Effective	01/18/84	49 FR 49260
Final Action Comments invited until 06/14/85	12/18/84	49 FR 49260

Small Entity: No

Additional Information: LEGAL AUTHORITY: 49 CFR 1.47(m) also applies. The Aviation Noise Abatement Policy, issued November 18, 1976. established a pilot noise abatement planning program, the Airport Noise Control and Land Use Compatibility (ANCLUC) Program. The Aviation Safety and Noise Abatement Act of 1979 establishes the basis and legal requirement for this and the interim rule FAR Part 150. FAR Part 150, the interim rule, was adopted January 19, 1981, and became effective February 28, 1981. Comments were received on the interim rule through December 1, 1981. Comments are invited until June 14.

Analysis: Regulatory Evaluation 12/18/84

Agency Contact: Richard Tedrick, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 755-9027

RIN: 2120-AA03

294. FLOOR PROXIMITY EMERGENCY ESCAPE PATH MARKING

Priority Rulemakings: Non-Major

Completed Actions

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 21; 14 CFR 25

Abstract: This action proposes new performance standards for floor proximity emergency lighting which would be capable of providing visual guidance for emergency evacuation when all sources of cabin illumination more than 4 feet above the aisle floor are totally obscured by smoke.

Timetable:

Action	Date	FR Cite
NPRM	10/11/83	48 FR 46218
Final Action	10/26/84	49 FR 43182
Final Action Effective	11/26/84	49 FR 43182

Small Entity: Yes

Additional Information: Decket No. 23792.

Analysis: Regulatory Evaluation 10/26/84; Draft RFA 10/26/84

Agency Contact: Henri P. Branting. Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8382

RIN: 2120-AA86

295. FLAMMABILITY REQUIREMENT FOR AIRCRAFT SEAT CUSHIONS

Priority: Agency Determination

Completed Actions
Priority Rulemakings: Non-Major

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 25; 14 CFR 29; 14 CFR 121

Abstract: This proposed action would establish in a Special Federal Aviation Regulation new and more stringent flammability requirements for seat cushions and would require that the cushions in airplanes operating under Part 121 comply with these new requirements after a specified date.

Timetable:

Action	Date	1	FR	Cite
NPRM.	10/11/83	48	FR	46250
Final Action	10/26/84	49	FR	43188
Final Action	11/26/84	49	FR	43188

Small Entity: Yes

Additional Information: Docket No. 23791

Analysis: Draft RFA 10/11/83; Regulatory Evaluation 10/26/84

Agency Contact: Henri P. Branting, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8382

RIN: 2120-AA88

296. IMPROVED CABIN MATERIALS --FAR 25.853

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop criteria for interior cabin materials specified in FAR 25.853 that will improve safety in the cabin seating environment. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
Project Merged with RIN 2120- AB34	12/01/84	a viel

Small Entity: No

Additional Information: This NPRM combined with Improved Flammability Standards for Materials Used in the Interiors of Transport Category Airplane Cabins RIN 2120-AB34.

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: Dick Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2121

RIN: 2120-AB23 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Aviation Administration (FAA)

Completed Actions Other Rulemakings

COMPLETED RULEMAKINGS 297. REVIEW: ROTORCRAFT REGULATORY REVIEW PROGRAM AMENDMENT NO. 2

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 27; 14 CFR 29; 14 CFR 91

Abstract: This notice is the second of a series of notices that propose to add new airworthiness, operation, and maintenance standards for rotorcraft. This particular notice proposes changes to Parts 27, 29, and 91 and deals only with the flight controls and associated systems on rotorcraft.

Timetable:

Action	Date		FR	Cite
NPRM	08/26/82	47	FR	37806
Final Action	11/06/84	49	FR	44422
Final Action Effective	12/06/84			

Small Entity: No

Additional Information: Docket No. 23266.

Analysis: Regulatory Evaluation 11/06/84

Agency Contact: Jim Honaker, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, 817 877-2552

RIN: 2120-AA27

298. PRIMARY CATEGORY AIRCRAFT

Legal Authority: 49 USC 1352 Federal Aviation Act of 1958, Sec. 311; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 607; 49 USC 1428 Federal Aviation Act of 1958, Sec. 608; 49 USC 1429 Federal Aviation Act of 1958, Sec. 609; 49 USC 1502 Federal Aviation Act of 1958, Sec. 609; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 21; 14 CFR 31; 14 CFR 43; 14 CFR 91

Abstract: This action is to determine what role the Federal Government should take in protecting the safety of individuals who have decided freely to participate in airborne recreational and personal activities by regulating the airworthiness of the equipment to be used.

Timetable:

Action	Date	FR	Cite
Terminated	12/00/84	militie.	The

Small Entity: No

Additional Information: Project terminated because it duplicates action underway in response to a petition for rulemaking.

Agency Contact: James F. Zahringer, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8323

RIN: 2120-AA51

299. ALL-ENGINE FLIGHT PATH

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Completed Actions
Other Rulemakings

Abstract: To ensure obstacle clearance during takeoff when the all-engine operating and the one-engine inoperative intended track are different.

Timetable:

Action	Date	FR Cite
Project merged with Reduced V-1 Methodology (RIN 2120- AA17)	02/28/85	

Small Entity: No

Additional Information: This rulemaking project has been combined with RIN 212-AB17, entitled Standard for Approval for a Reduced V1 Methodology for a Takeoff on Wet Runways and Flight Path Requirements for Engine Loss During Takeoff.

Agency Contact: Bill Boxwell, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2119

RIN: 2120-AB16

300. MARKET SURVEY EXPERIMENTAL CERTIFICATES FOR AIRCRAFT MODIFIERS

Legal Authority: 49 USC 1352 Federal Aviation Act of 1958, Sec. 311; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1427 to 1429 Federal Aviation Act of 1958, Secs. 607-609; 49 USC 1502 Federal Aviation Act of 1958, Secs. 607-609; 49 USC 1502 Federal Aviation Act of 1958, Secs. 1102

CFR Citation: 14 CFR 21

Abstract: This action proposes to amend the regulations to permit certain aircraft modifiers to apply for an experimental certificate to use the modified aircraft for market surveys, sale demonstrations, or customer crew training in the same manner as aircraft and aircraft engine manufacturers.

Timetable:

Action	Date	FR	Cite
NPRM	02/21/84	49 FR	6468
NPRM Comment Period Begin	02/21/84	49 FR	6468
NPRM Comment Period End	04/23/84		
Final Action	10/09/84	49 FR	39650
Final Action Effective	11/08/84	AUL TE	

Small Entity: No

Additional Information: Docket No. 23544

Analysis: Regulatory Evaluation 11/09/84

Agency Contact: Alphonse G. Santarelli, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8361

RIN: 2120-AB30

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Aviation Administration (FAA)

Other Reviews

COMPLETED REVIEWS

301. MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 43

Abstract: This part prescribes rules governing the maintenance, preventive maintenance, rebuilding, and alteration of any aircraft having a U.S. airworthiness certificate; foreign-registered civil aircraft used in common carriage or carriage of mail, and airframes, aircraft engines, propellers, appliances, and component parts of such aircraft. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
End Review	02/28/85	BE VICENA

Small Entity: Undetermined

Additional Information: Initial Regulatory Flexibility Act Study found no section of Part 43 has a significant economic impact on a substantial number of small entities.

Agency Contact: M. C. Beard, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8235

RIN: 2120-AB10

302. PART 45--IDENTIFICATION AND REGISTRATION MARKING

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603 CFR Citation: 14 CFR 45

Abstract: This part prescribes the requirements for identification of aircraft, aircraft engines, and propellers that are manufactured under the terms of a type or production certificate; identification of certain replacement and modified parts produced for installation on type certificated products; and nationality and registration marking of U.S. registered aircraft. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
End Review	02/28/85	

Small Entity: Undetermined

Additional Information: Initial
Regulatory Flexibility Act study found
no section of Part 45 has a significant
economic impact on a substantial
number of small entities.

Completed Actions
Other Reviews

Agency Contact: M. C. Beard,

Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8235

RIN: 2120-AB11

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

Current and Projected Rulemakings Priority Rulemakings: Major

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

303. SPLASH/SPRAY SUPPRESSANT DEVICES ON TRUCK TRACTORS, SEMITRAILERS AND TRAILERS

Priority: Major

Legal Authority: 49 USC 2314; 49 USC 3102; Section 414 of STAA of 1982

CFR Citation: 49 CFR 393

Abstract: Section 414 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424) states that Congress declares the visibility on wet roadways in the Interstate System should be improved by reducing splash and spray from truck tractors, semitrailers and trailers. Congress instructed the Secretary to establish, by regulation, minimum standards with respect to the performance and installation of splash and spray suppression devices on truck tractors, semitrailers and trailers. Further, Congress mandated that all vehicles in use 5 years from date of enactment, be equipped with such devices. The revisions to 49 CFR .393 will implement this mandate. This rulemaking is considered significant

because of its economic impact on the motor carrier industry.

Timetable:

Action Date FR Cite
NPRM 03/00/85

Small Entity: Yes

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20591, 202 426-9767

RIN: 2125-AA84

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

Completed Actions Priority Rulemakings: Major

COMPLETED RULEMAKINGS 304. DRIVER'S RECORD OF DUTY STATUS

Priority: Major

Legal Authority: 49 USC 3102 CFR Citation: 49 CFR 395

Abstract: A final rule with a request for comments was issued to comply with an opinion issued by the United States Court of Appeals for the District of Columbia. The FHWA is amending the Federal Motor Carrier Safety Regulations (FMCSR) to (1) reinstate the 12 hour limitation in the 100 mile exemption provision in lieu of the present 15 consecutive hours, and (2) reinstate the 7 data items deleted from the recordkeeping requirement of the driver's record of duty status. The Court stated that the FHWA had not adequately demonstrated that the

enforcement of drivers' hour requirements would not be compromised by the omission of the seven items or the expansion of the exception. A public docket is being opened and FHWA will determine if such a factual basis for future rulemaking can be demonstrated.

Timetable:

Date		FR	Cite
11/23/84	49	FR	47494
11/23/84	49	FR	47494
	11/23/84	11/23/84 49	11/23/84 49 FR

Small Entity: No

Additional Information: Upon issuance of the final rule, a comment period was established (11/23/84 - 1/31/85) (Docket No. MC-99-1). This docket will be formally closed and another public docket established. See "Other

Rulemakings" portion of agenda. This action is being taken to comply with section 206 of the Motor Carrier Safety Act of 1984 which requires reissuance of all motor carrier safety regulations. The subject matter of this rulemaking will be dealt with in Federal Motor Carrier Safety Regulations (RIN=2125-AB35). All comments submitted on this regulation will be considered in that rulemaking.

Analysis: Final RFA 11/26/82 (47 FR 53383); Reg. Evaluation 11/26/82 (47 FR 53383)

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AB22 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

Current and Projected Rulemakings Priority Rulemakings: Non-Major

ENGINEERING AND TRAFFIC OPERATIONS

305. REVIEW: DESIGN STANDARDS FOR HIGHWAYS

Priority: Agency Determination

Legal Authority: 23 USC 109; 23 USC 315; 23 USC 402

CFR Citation: 23 CFR 625

Abstract: This regulation amends the existing geometric design standards for highways for the new construction and major reconstruction of Federal-aid highways by replacing several publications incorporated by reference in 23 CFR Part 625 with a single new publication. Public comments were requested on the geometric design criteria as presented in a draft of the new publication, "A Policy on Geometric Design of Highways and Streets" prepared by the American Association of State Highway and Transportation Officials (AASHTO). Comments received as a result of NPRM published February 14, 1980 (45 FR 10236) have been evaluated and recommended changes submitted to AASHTO for consideration.

Timetable:

Action	Date		FR	Cite
NPRM	02/14/80	45	FR	10236
Final Action	03/00/85			

Small Entity: No

Additional Information: Docket No. 80-2. CFR CITATION: FHPM 6-2-1-1 also applies.

Agency Contact: Wilson B. Harkins, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0313

RIN: 2125-AA15

306. TRUCK SIZE AND WEIGHT; INTERPRETATION AND POLICY STATEMENT; PROPOSED RULEMAKING

Priority: Agency Determination

Legal Authority: 23 USC 315; PL 97-424, Sec 133; PL 97-424, Sec 411; PL 97-424, Sec 412; PL 97-424, Sec 413; PL 97-424, Sec 416

CFR Citation: 23 CFR 658

Abstract: The FHWA is proposing to provide a statement of FHWA interpretation and policy addressing the size and weight provisions contained in the Tandem Truck Safety Act of 1984 (TTSA) which amended the Surface Transportation Assistance Act of 1982 (STAA). This action will also identify for re-examination specific routes with lanes less than 12 feet wide that are in States which do not provide authority for 102-inch vehicles to use the public highway. Comments are being requested on the ability of specific segments with less than 12 foot lanes to safely accommodate the longer dimensioned trucks authorized by the STAA. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/85	Sept. ser

Small Entity: No

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: David C. Oliver, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0825

RIN: 2125-AB28

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

307. ● FEDERAL MOTOR CARRIER SAFETY REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 3102; PL 98-554, Sec 206

CFR Citation: 49 CFR 390 to 399

Abstract: Section 206 of the Motor Carrier Act of 1984 (Pub. L 98-554) (the Act) directs the Secretary of Transportation to issue regulations pertaining to commercial motor vehicle safety. The Department has issued regulations, the Federal Motor Carrier Safety Regulations (FMCSR), on this subject under earlier authority (49 U.S.C. 3102). The purpose of this advance notice of proposed rulemaking (ANPRM) is to identify and solicit comment on specific changes which should be made to the FMCSR prior to reissuance in order to effectuate the purposes of the Act. The purposes of the Act are to ensure that: commercial motor vehicles are safely maintained, equipped, loaded and operated; the responsibilities of drivers do not impair their ability to drive safely; the physical condition of drivers is adequate to enable them to drive safely; and the operation of the vehicles does not have deleterious effects on drivers. This rulemaking will be a comprehensive

effort, and thus the Agency will incorporate certain other regulatory actions which have been proposed but have not yet been completed. There is no alternative to the overall reissuance of the FMCSR. However,

Timetable:

Action	Date	FR Cite
ANPRM	01/23/85	50 FR 2998
ANPRM Comment Period Begin	01/23/85	
ANPRM Comment Period End	03/11/85	
NPRM	06/00/85	

Small Entity: No

Additional Information: (ABSTRACT CONT:) the agency intends to propose specific changes to the FMCSR which will then be fully analyzed, including a full range of alternatives to each proposal. Similarly, potential costs and benefits cannot now be identified, but rather must await the development of a notice of proposed rulemaking. This rulemaking is significant because of substantial public interest.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AB35

RIGHT-OF-WAY AND ENVIRONMENT 308. REVIEW: OUTDOOR ADVERTISING CONTROL AND ACQUISITION

Priority: Agency Determination

Legal Authority: 23 USC 131; 23 USC 148; 23 USC 315

CFR Citation: 23 CFR 750, Subpart G

Abstract: This regulation would provide a definition of "effective control" of outdoor advertising as required by 23 U.S.C. 131. It would also set further requirements for signs exempt from control under the statute and establish the basic framework for State development of police power regulations and procedures. The regulation would also outline the requirements for Federal participation in the acquisition of compensable nonconforming outdoor advertising devices. This proposal is significant because it may involve substantial

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

public interest, is controversial and involves important departmental policy. This regulation is necessary for the maintenance of national uniformity in the outdoor advertising control program. Since 23 U.S.C. 131 is regulatory in nature, it is necessary to establish and maintain minimum Federal program requirements. The proposal involves the consolidation of two existing regulations, 23 CFR pt. 750, subpts. D and G, and one interim regulation 23 CFR pt. 750, subpt. E. The regulations have been in effect since September 16, 1975 and July 29, 1974, respectively. The interim regulations have been in effect (cont)

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: CFR CITATION: FHPM 7-6-2 also applies.

LEGAL AUTHORITY: 49 CFR 1.48 also applies.

ABSTRACT CONT: since October 18, 1976. The proposed consolidation will be issued as an NPRM. An ANPRM. published April 30, 1979, (44 CFR 25387) and a Notice, published May 17, 1979, (44 CFR 28946) announced public hearings as part of an overall review of the Highway Beautification Program. These currently proposed regulations may be modified as a result of this review. A Notice published June 15, 1979 (44 CFR 34516) announced a hearing site change and a change in hearing procedures. On June 25, 1979 (44 FR 37100), a Notice announced amendments to the Highway Beautification Act by the Surface Transportation Assistance Act of 1978. A Notice published on July 12, 1979 (44 FR 40781) announced the establishment of a National Advisory Committee on Outdoor Advertising and Motorist Information. The need for further action is being reviewed by the Department of Transportation.

Agency Contact: Myron Laible, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0142

RIN: 2125-AA04

309. REVIEW: ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

Priority: Agency Determination

Legal Authority: 42 USC 4321 et seq; 23 USC 101 et seq; 49 USC 1601 et seq; 49 USC 303(c)

CFR Citation: 23 CFR 771; 49 CFR 622

Abstract: This regulation covers the preparation of environmental impact statements and related documents and compliance with other Federal environmental requirements under FHWA and UMTA grant programs. The changes are intended to streamline the project development process and provide increased decisionmaking authority to agency field offices. The amendments are significant because they involve important departmental policy. They are needed to reduce burdens associated with the environmental review process.

Timetable:

Action	Date	F	R	Cite
Notice and Request for Comments on Priority Review	04/13/81	46 F	R	21620
NPRM Final Action	08/01/83 04/00/85	48 F	R	34894

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: A. Marner, UMTA (202) 426-0096.

Analysis: Regulatory Evaluation 08/01/83

Agency Contact: R. E. Gatz,

Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0106

RIN: 2125-AA05

310. AIR QUALITY PROCEDURES FOR USE IN FEDERAL-AID HIGHWAY AND FEDERALLY FUNDED TRANSIT PROGRAMS

Priority: Agency Determination

Legal Authority: 23 USC 109(h); 23 USC 109(j); 23 USC 315; 42 USC 4332; 42 USC 7401; 42 USC 7506

CFR Citation: 23 CFR 770

Abstract: This regulation proposes to consolidate and amend existing air quality requirements for transportation projects into a single amended air quality regulation. The amended regulation is intended to streamline and simplify (1) the process of determining which highway projects are exempt from the Federal assistance limitations of section 176(a) of the Clean Air Act (CAA), and (2) the conformity and priority procedures contained in 23 CFR 770. The amendments are also intended to provide more authority and flexibility to State and local agencies and to meet the objectives of the CAA in the most cost-effective and expeditious manner. The amendments are significant because they involve important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM (12/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: James Getzewich, (202) 426-7182, of UMTA.

Analysis: Reg. Evaluation 12/00/85

Agency Contact: James M. Shrouds, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4838

RIN: 2125-AB10 [FR Doc. 85-8370 Filed 04-20-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

Current and Projected Rulemakings Other Rulemakings

CIVIL RIGHTS

311. REVIEW: CIVIL RIGHTS REQUIREMENTS

Legal Authority: 23 USC 140; 23 USC 315; 23 USC 324

CFR Citation: 23 CFR 230

Abstract: These regulations contain the policies, procedures and guides for implementing equal employment opportunity requirements under the Federal and Federal-aid highway programs. The changes are intended to eliminate unnecessary requirements, streamline procedures and reduce recordkeeping and reporting requirements.

Timetable:

Action	Date		FR	Cite
Notice and Request for Comments on Priority Review	04/13/81	46	FR	21620
NPRM	04/00/85			

Small Entity: No

Additional Information: CFR CITATION: FHPM 6-4-1-2, 2-2-2, and 2-2-3 also apply. Notice and request for comments on priority review published 04/13/81 (46 FR 21620).

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Agency Contact: Edward W. Morris, Jr., Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0471

RIN: 2125-AA08

312. STATE HIGHWAY AGENCY CONSTRUCTION CONTRACT EQUAL OPPORTUNITY COMPLIANCE REVIEW PROGRAM REQUIREMENTS

Legal Authority: 23 USC 112(b); 23 USC 140(a); 23 USC 315

CFR Citation: 23 CFR 230

Abstract: The proposed revisions would amend the existing FHWA regulation governing construction contract equal employment opportunity (EEO) compliance procedures, which concern the employment practices of construction contractors on Federal highway projects. This proposal would eliminate existing detailed compliance procedures and allow States flexibility in adopting a procedure with respect to contract compliance.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	N. 10

Small Entity: No

Analysis: Reg. Evaluation 04/00/85

Agency Contact: Glen R. Reed, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0471

RIN: 2125-AB08

ENGINEERING AND TRAFFIC OPERATIONS

313. REVIEW: CONTRACT PROCEDURES

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC 128

CFR Citation: 23 CFR 635

Abstract: This revision to an existing regulation would simplify Federal-aid contract procedures.

Timetable:

Action	Date		FR	Cite
NPRM	08/18/78	43	FR	36685
Supplemental	03/00/85			

Small Entity: No

Additional Information: An initial NPRM was issued on 08/18/78, 43 FR 36685. It has been determined to issue another NPRM after further review.

Agency Contact: P.E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AA18

314. REVIEW: GENERAL MATERIALS REQUIREMENTS

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 128

CFR Citation: 23 CFR 635D

Abstract: This regulation would simplify procedures relating to general material requirements for Federal-aid construction work.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	Mary Mary

Small Entity: No

Additional Information: An initial NPRM was issued on 01/29/81 [46 FR 9642]. It has been determined to issue another NPRM based on further review.

Analysis: Reg. Evaluation (Minimal impact) 12/00/85

Agency Contact: P.E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AA19

315. REVIEW: ACCOMMODATION OF UTILITIES

Legal Authority: 23 USC 109; 23 USC 116; 23 USC 315

CFR Citation: 23 CFR 645

Abstract: This revision to an existing regulation would update and simplify policies and procedures for accommodating utility facilities on the right-of-way of Federal-aid and direct Federal highway projects.

Timetable:

Action	Date	FR Cite
Previous NPRM	04/17/80	45 FR 26280
NPRM	01/10/84	49 FR 1219
NPRM Comment Period Begin	01/10/84	49 FR 1219
NPRM Comment Period End	03/12/84	
Final Action	03/00/85	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 03/00/85 (49 FR 1219)

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA20

316. REVIEW: UTILITY RELOCATION, ADJUSTMENTS AND REIMBURSEMENT

Legal Authority: 23 USC 123; 23 USC 315

CFR Citation: 23 CFR 645

Abstract: This revision to an existing regulation would update and simplify the policies and procedures for the adjustment and relocation of utility facilities on Federal-aid highway projects and projects under the direct supervision of the Federal Highway Administration.

Current and Projected Rulemakings Other Rulemakings

Timetable:

Action	Date	FR Cite
ANPRM	03/08/79	44 FR 12209
NPRM	11/20/80	45 FR 76924
Final Action	03/00/85	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 03/00/85

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA21

317. EMERGENCY RELIEF

Legal Authority: 23 USC 101; 23 USC 120(f); 23 USC 315; 42 USC 5155

CFR Citation: 23 CFR 668

Abstract: This rulemaking will revise procedures for the administration of emergency funds for the repair or reconstruction of Federal-aid highways, which are found to have suffered serious damage by natural disasters over a wide area or catastrophic failures. These revisions will improve the effectiveness of program implementation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: This rulemaking resulted from a review of the regulation (RIN 2125-AA50).

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA50

318. ACCELERATION OF PROJECTS

Legal Authority: 23 USC 140; 23 USC 315; Surface Transportation Assistance Act of 1982, Sec. 129

CFR Citation: 23 CFR 630

Abstract: This revision would expedite the processing of Federal-aid highways projects by promoting wider use of the findings and recommendations of the demonstration project carried out under section 141 of the 1976 Federal-Aid Highway Act. This action is also being taken pursuant to section 129 of the Surface Transportation Assistance Act of 1982.

Timetable:

Action	Date		FR	Cite
ANPRM	08/26/83	48	FR	38854
ANPRM Comment Period Begin	08/26/83	48	FR	57330
ANPRM Comment Period End	11/25/83			
To be withdrawn	04/00/85			

Small Entity: No

Additional Information: Additional Information: An interim policy statement was published 6/6/83 (48 FR 25181) to implement acceleration methods for selected projects within existing regulations. Initially, FHWA had considered issuing a new regulation as a vehicle for accelerating Federal-aid projects pursuant to Section 129 of the STAA of 1982. However, it has been determined that the objectives of Section 129 can be best implemented by revisions to existing regulations. Therefore, separate regulations will not be issued regarding the acceleration program. This approach received the concurrence of Deputy Administrator Lamm on April 11, 1984. This regulation will be withdrawn.

Agency Contact: S. M. Silence, Department of Transportation, Federal Highway Administration, 400 Seventh Street, NW, Washington, DC 20590, 202 426-0334

RIN: 2125-AA87

319. PAVEMENT DESIGN POLICY

Legal Authority: 23 USC 109(a)(b)(c); 23 USC 315

CFR Citation: 23 CFR 626; 23 CFR 625

Abstract: The existing regulation on pavement design would be modified to eliminate unnecessary requirements and duplicative provisions. Currently, the Federal Highway Administration (FHWA) uses the "American Association of State Highway and Transportation Officials (AASHTO) Interim Guide for Design of Pavement Structures, 1972," Chapter III Revised, 1981, to evaluate the adequacy of the proposed pavement designs for Federal-aid projects. AASHTO is in the process of updating this guide. A draft of the

update is scheduled for early 1985. FHWA will solicit comments on the update and evaluate whether the new guide should be adopted.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/85	
NPRM	08/00/85	

Small Entity: No

Additional Information: Action is being deferred pending completion of the AASHTO (States) guide on pavement design.

Analysis: Reg. Evaluation (Minimal impact) 08/00/85

Agency Contact: Leon Noel,

Department of Transportation, Federal Highway Administration, 400 Seventh Street, NW, Washington, DC 20590, 202 426-0327

RIN: 2125-AA88

320. SKID ACCIDENT REDUCTION PROGRAM

Legal Authority: 23 USC 109(a)(b)(c); 23 USC 315; 23 USC 401; 23 USC 402; 49 USC 1655

CFR Citation: 23 CFR 626; 23 CFR 1204

Abstract: The FHWA issued an ANPRM to solicit comments on the adequacy of the current policy on skid accident reduction. Comments were also requested on several specific issues raised concerning the current policy. Twenty-nine formal replies were received including twenty-two from State highway agencies.

Timetable:

Action	Date		FR	Cite
ANPRM	05/25/84	49	FR	0604
ANPRM Comment Period Begin	05/25/84	49	FR	0604
ANPRM Comment Period End	09/25/84			
NPRM	04/00/85			

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Agency Contact: Leon Noel,

Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0327

RIN: 2125-AA90

Current and Projected Rulemakings
Other Rulemakings

321. PARTICIPATION IN CONTRACT CLAIM AWARDS AND SETTLEMENTS

Legal Authority: 23 USC 110; 23 USC 120; 23 USC 315

CFR Citation: 23 CFR 635

Abstract: The revisions would address the extent to which Federal-aid highway funds may participate in awards and settlements of Federal-aid highway contract claims brought by private contractors against State Highway Agencies. The revisions would clarify the existing regulation by specifying more definitive criteria in determining eligibility for participation. It is anticipated that the revised regulation would enable State Highway Agencies to submit more specific information supporting their requests for participation determinations more consistent State-to-State.

Timetable:

Action	Date	FI	R Cite
NPRM	03/27/84	49 FI	11678
NPRM Comment Period Begin	03/27/84	49 FI	R 23663
NPRM Comment Period End	07/30/84		
Final Action	06/00/85		

Small Entity: No

Additional Information: Docket No. 84-

Analysis: Reg. Evaluation (Minimal impact) 03/27/84 (49 FR 11678)

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB02

322. HIGHWAY CONSTRUCTION OR ALTERATION NECESSITATED BY CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS

Legal Authority: 23 USC 109(a); 23 USC 315

CFR Citation: 23 CFR 620

Abstract: The proposed regulation would prescribe policies and procedures for the coordination of highway and water resources development projects; the financing of the alteration of highway on any of the Federal-aid highway systems made necessary by the construction of water resources development projects; and the

financing of new highway construction through areas that may be inundated by proposed water resources development projects. The proposed regulation essentially retains existing FHWA policy and procedures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Agency Contact: Daniel O'Connor, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 262 472-7690

RIN: 2125-AB04

323. EROSION AND SEDIMENT CONTROL ON HIGHWAY CONSTRUCTION PROJECTS

Legal Authority: 23 USC 109(g); 23 USC 315; 23 USC 109(h); 33 USC 1323

CFR Citation: 23 CFR 650

Abstract: The proposed regulation will adopt AASHTO Guide Specifications for water pollution control. It has been determined that AASHTO Specifications are adequate and appropriate for managing and enforcing erosion and sediment control activities on Federal-aid projects.

Timetable:

Action	Date	FR Cite
NPRM	01/18/85	50 FR 2694
NPRM Comment Period Begin	01/18/85	
NPRM Comment Period End	03/18/85	
Final Action	09/00/85	
TO 2002 1999 9		

Small Entity: No

Additional Information: A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 01/18/85

Agency Contact: Daniel S. O'Connor, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-7690

RIN: 2125-AB05

324. NAVIGATIONAL CLEARANCES FOR BRIDGES

Legal Authority: 23 USC 144(h); 23 USC 315; 33 USC 401; 33 USC 491; 33 USC 511; 33 USC 525; 33 USC 535

CFR Citation: 23 CFR 650

Abstract: The proposed regulation would establish FHWA policy and would set forth coordination procedures for Federal-aid highway bridges which require navigational clearances.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	A BIRLIE

Small Entity: No

Additional Information: A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 03/00/85

Agency Contact: Philip Thompson, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7690

RIN: 2125-AB07

325. EQUAL EMPLOYMENT
OPPORTUNITY ON FEDERAL AND
FEDERAL-AID CONSTRUCTION
CONTRACTS (INCLUDING
SUPPORTIVE SERVICES); REPORT
REQUIREMENTS

Legal Authority: 23 USC 101; 23 USC 112; 23 USC 117; 23 USC 140; 23 USC 315

CFR Citation: 23 CFR 230; 23 CFR 640; 23 CFR 642

Abstract: The FHWA is amending its regulation on recordkeeping and reporting requirements for on-the-job training on Federal-aid construction contracts. The revised regulation would no longer require contractors to submit the Federal-Aid Highway Construction Contractor's Semi-Annual Training Report (OMB No. 2125-0021) and would no longer require State Highway Agencies to complete and submit the Federal-Aid Highway Construction Semi-Annual Training Report (OMB No. 2125-0021). In addition, the specific recordkeeping requirement and documentation of contractor performance under the training special provision would be eliminated. The revisions are being proposed as a result of an effort to carry out an internal Cost Avoidance, Reduction, Efficiency, and Effectiveness (CARE) program.

Current and Projected Rulemakings Other Rulemakings

Timetable:				1
Action	Date		FR	Cite
NPRM	11/22/82	47	FR	52470
NPRM Comment Period Begin	11/22/82	47	FR	52470
NPRM Comment	12/22/82			

Small Entity: No

Final Action

Analysis: Reg. Evaluation (Minimal impact) 11/22/82 (47 FR 52470)

07/00/85

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB15

326. FEDERAL-AID PROGRAM APPROVAL AND PROJECT AUTHORIZATION

Legal Authority: 23 USC 105; 23 USC 106; 23 USC 118; 23 USC 134; 23 USC 315

CFR Citation: 23 CFR 630

Abstract: This action addresses FHWA's programming and authorization policies and procedures for projects under the Federal-aid program. The purpose of this action will be to determine if revisions are warranted in order to improve overall management of the Federal-aid highway program.

Timetable:

Action	Date		FR	Cite
ANPRM	08/03/84	49	FR	31079
NPRM	04/00/85			

Small Entity: Undetermined

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB18

327. SUPPORTIVE SERVICES FOR DISADVANTAGED AND WOMEN BUSINESS ENTERPRISES

Legal Authority: 23 USC 140; 23 USC 101; 23 USC 304; 23 USC 315

CFR Citation: 23 CFR 230

Abstract: This regulation will prescribe procedures for supportive services programs to provide training and

assistance to women business enterprises and disadvantaged businesses in Federal-aid highway contracting activities. It will implement the statutory provisions of Section 119(b) of the Surface Transportation Assistance Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Analysis: Reg. Evaluation (Minimal impact) 03/00/85

Agency Contact: P. E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB19

328. REQUIRED CONTRACT PROVISIONS

Legal Authority: 23 USC 114; 23 USC 315

CFR Citation: 23 CFR 633

Abstract: This revision will update the existing regulation by including in the required contract provisions new labor standard provisions issued by the Department of Labor, disadvantaged business requirements issued by the Department of Transportation, changes in subcontracting requirements previously issued by FHWA and contract termination provisions issued by Office of Management and Budget.

Timetable:

Action	Date	FR Cite
Interim Final	03/00/85	1 PAV

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 03/00/85

Agency Contact: P. E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB20

329. CONTRACT PROCEDURES; ADVERTISING FOR BIDS; NONCOLLUSION AFFIDAVIT

Legal Authority: 23 USC 112; 23 USC

CFR Citation: 23 CFR 635

Abstract: The revisions would require all persons submitting bids on a Federal-aid highway project to submit with the bid an affidavit on non-collusion. The submission of an affidavit of non-collusion will serve to notify bidders that collusion on bidding is a violation of law and will serve in a court or administrative hearing as evidence of intent when other evidence that demonstrates the act of collusion is presented.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85	100	100

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Agency Contact: Mr. Leon Witman, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0355

RIN: 2125-AB21

330. PUBLIC LANDS HIGHWAYS

Legal Authority: 23 USC 202(c); 23 USC 204; 23 USC 315

CFR Citation: 23 CFR 667

Abstract: The proposed revisions are intended to bring the existing regulation up to date considering recent legislative and administrative changes in the program. Public Lands Highways are Federal-aid highways which are bounded on both sides by unappropriated or unreserved public lands, nontaxable Indian lands or other Federal reservations. The regulation would specify procedures for allocation of funds and project administration and provides guidance on eligibility of work.

Timetable:

Action	Date	FR Cite
NPRM	09/19/84	49 FR 36657
NPRM Comment Period Begin	09/19/84	
NPRM Comment Period End	10/19/84	
Final Action	04/00/85	THE PARTY COLUMN

Small Entity: No

Analysis: Regulatory Evaluation (min. impact) 09/19/84 (49 FR 36657)

Current and Projected Rulemakings
Other Rulemakings

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB23

331. © RAILROAD-HIGHWAY PROJECTS

Legal Authority: 23 USC 109(e); 23 USC 120(d); 23 USC 130; 23 USC 315; 23 USC 405

CFR Citation: 23 CFR 646

Abstract: The FHWA is proposing to amend its regulation prescribing policies and procedures for advancing Federal-aid and direct Federal highway projects involving railroad facilities. The proposed amendment will incorporate and clarify existing FHWA policy regarding participation with Federal-aid highway funds in providing specified horizontal and vertical clearances for railroad overpass and underpass structures at highways.

Timetable:

Action	Date	FR Cite
NPRM	02/20/85	50 FR 7067
NPRM Comment Period Begin	02/20/85	
NPRM Comment Period End	04/22/85	

Small Entity: No

Additional Information: A 60-day comment period is being provided.

Analysis: Regulatory Evaluation (min. impact)

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB25

332. TRUCK SIZE AND WEIGHT: REVISIONS

Legal Authority: PL 97-424, Sec 133; PL 97-424, Sec 411; PL 97-424, Sec 412; PL 97-424, Sec 416; PL 97-424, Sec 416

CFR Citation: 23 CFR 658

Abstract: The FHWA is proposing revisions to certain provisions as established by the final rule on truck size and weight published on June 5, 1984 (49 FR 23302). This action proposes: (1) to determine maximum semitrailer dimensions in use in each State on December 1, 1982, as

referenced in 23 CFR Part 658.13(c)(2), and (2) to propose an interpretation of 23 CFR Part 658.13 that the combination vehicle described as a truck-tractor semitrailer-semitrailer be considered as a truck-tractor semitrailer-trailer for the purposes described in 23 CFR Part 658.

Timetable:

Action Date FR Cite

NPRM Comment 03/00/85 Period Begin

Small Entity: No

Additional Information: A Regulatory Impact Analysis has been prepared for the June 5 rulemaking and is available for inspection in the headquarters office of FHWA, 400 Seventh Street, S.W., Washington, D.C.

Analysis: Regulatory Evaluation (minimpact)

Agency Contact: Harold J. Brown, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1993

RIN: 2125-AB26

333. • EQUAL EMPLOYMENT OPPORTUNITY ON FEDERAL AND FEDERAL-AID CONSTRUCTION CONTRACTS (INCLUDING SUPPORTIVE SERVICES)

Legal Authority: 23 USC 140; 23 USC 315

CFR Citation: 23 CFR 230A

Abstract: This revision will amend and update the existing policies and procedures relative to the equal employment opportunity program on Federal and Federal-aid highway construction contracts. In addition, this revision will amend the on-the-job (OJT) training special provisions and procedures for implementation of OJT supportive services programs to increase program effectiveness and address the current need for upgrading minorities and women in the skilled construction trades.

Timetable:

Action	Date	FR	Cite
NPRM	12/00/85	100	wed.
Small Entitue	Undetermined		

Analysis: Regulatory Evaluation (min. impact) 12/00/85

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB27

334. SAMPLES AND TESTING OF MATERIALS AND CONSTRUCTION

Legal Authority: 23 USC 114; 23 USC 204; 23 USC 206; 23 USC 209; 23 USC 210; 23 USC 315

CFR Citation: 23 CFR 637

Abstract: The FHWA is proposing to provide a more effective policy and procedure with regard to sampling and testing of materials and construction in Federal-aid highway projects. The amendments will clarify requirements and provide additional guidance in the areas of acceptance sampling and testing laboratory inspection programs and material certifications.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	LACOUTY.

Small Entity: No

Additional Information: A 60-day comment period will be provided.

Analysis: Regulatory Evaluation (min. impact) 04/00/85

Agency Contact: P. E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB31

335. @ LABOR AND EMPLOYMENT

Legal Authority: 23 USC 113; 23 USC 315

CFR Citation: 23 CFR 635

Abstract: This amendment would revise the existing regulation prescribing the inclusion of prevailing wage rates determined by the Secretary of Labor in advertisements and contracts for Federal-aid highway projects. The proposed amendment would preclude the States from imposing any prevailing wage rate on such projects higher than those determined by the Secretary of Labor.

Current and Projected Rulemakings Other Rulemakings

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Action	Date	FR Cite
NPRM	04/00/85	

Analysis: Reg. Evaluation (minimal impact)

Agency Contact: Hugh T. O'Reilly, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0780

RIN: 2125-AB37

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

336. AMBIENT TEMPERATURE IN HEAVY DUTY TRUCK CABS

Legal Authority: 49 USC 3102 CFR Citation: 49 CFR 399

Abstract: This regulation would set maximum permissible ambient temperatures in truck cabs. No further action is anticipated within the next 6 months.

Timetable:

Action	Date		FR	Cite
ANPRM	02/08/79	43	FR	5397

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. MC-81.

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA26

337. REVIEW: COMPLIANCE WITH MOTOR CARRIER NOISE STANDARDS

Legal Authority: 49 USC 3102 CFR Citation: 49 CFR 325

Abstract: The FHWA is considering amending the noise emission standards to add a new minimum distance of 31 feet from which to measure highway noise. FHWA is also considering eliminating the correction factor which allowed a variance for noise tests taken at hard sites, e.g., asphalt, compared to those taken at soft sites, e.g. grassy areas.

Timetable:

Action	Date		FR	Cite
NPRM	04/03/80	45	FR	22120

Next Action Undetermined

Small Entity: No

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA27

338. WRITTEN EXAMINATION

Legal Authority: 49 USC 3102; PL 98-554, Sec 206

CFR Citation: 49 CFR 391.35

Abstract: The FHWA is considering a revision of the written examination requirement for commercial vehicle drivers. The options being considered are (1) rescission of the requirement, (2) leaving the requirement as it is and updating the questions, or (3) changing the requirement to a pass/fail situation. An ANPRM was issued on 03/04/82 (47 FR 4256). The ANPRM issued on 3/4/82 (47 FR 4256) is being withdrawn pursuant to section 206 of the Motor Carrier Act of 1984. Section 206 requires the reissuance of regulations pertaining to commercial motor vehicle safety by April 30, 1986. Comments received in response to the ANPRM will be incorporated into a new rulemaking action. See "Other Rulemakings" portion of agenda.

Timetable:

Action	Date		FR	Cite
ANPRM To be withdrawn	03/04/82 03/00/85	47	FR	4256

Small Entity: No

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA33

339. RETAIL FERTILIZER DISTRIBUTION EXEMPTION

Legal Authority: 49 USC 3102; PL 98-554, Sec 206

CFR Citation: 49 CFR 390

Abstract: The FHWA proposes to exempt drivers and vehicles transporting fertilizer, dry and liquid, in specific fertilizer distribution and application equipment from the Federal Motor Carrier Safety Regulations with few exceptions. The ANPRM issued on 2/10/82 (47 FR 5273) is being withdrawn pursuant to section 206 of the Motor Carrier Safety Act of 1984. Section 206 requires the reissuance of regulations pertaining to commercial motor vehicle safety by April 30, 1986. Comments received in response to the ANPRM will be incorporated into a new rulemaking action. See "Other Rulemakings" portion of agenda.

Timetable:

Action	Date		FR	Cite
ANPRM	02/00/82	47	FR	5273
To be withdrawn	03/00/85			

Small Entity: No

Agency Contact: Joseph J. Fulnecky. Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0033

RIN: 2125-AA34

340. REVIEW: NOTIFICATION, REPORTING AND RECORDING OF ACCIDENTS

Legal Authority: 49 USC 3102; PL 98-554, Sec 206

CFR Citation: 49 CFR 394

Abstract: The revision deals primarily with revising the truck and bus accident report forms. Being considered are (1) the consolidation of both forms into one, (2) reducing the number of copies to be filed and (3) raising the reporting threshold from the present \$2,000 to a higher figure. The NPRM issued on 1/16/84 (49 FR 1912) is being withdrawn pursuant to section 206 of the Motor Carrier Safety Act of 1984. Section 206 requires the reissuance of regulations concerning commercial motor vehicle safety by April 30, 1986. The comments received in response to the NPRM will be incorporated into a new rulemaking action. See "Other Rulemakings" portion of agenda.

Timetable:

Action	Date	FR	Cite
NPRM	01/16/84	49 FR	1912
NPRM Comment Period Begin	01/16/84		
NPRM Comment Period End	03/16/84		

Current and Projected Rulemakings
Other Rulemakings

Action	Date	FR Cite
Comment Period extended to	04/05/84	
06/01/84 To be withdrawn	03/00/85	

Small Entity: No

Agency Contact: James K. O'Steen, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1700

RIN: 2125-AA35

341. RAILROAD GRADE CROSSINGS

Legal Authority: 49 USC 3102 CFR Citation: 49 CFR 392.10

Abstract: The FHWA is considering a revision that would make this Federal regulation more consistent with the Uniform Vehicle Code with respect to stopping requirements. No action is anticipated within the next 12 months.

Timetable:

Action	Date		FR	Cite
ANPRM	11/18/82	47	FR	51904

Next Action Undetermined

Small Entity: No

Agency Contact: Joseph J. Fulnecky, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0033

RIN: 2125-AA36

342. REVIEW: DISQUALIFICATION OF DRIVERS (TRAFFIC RECORDS)

Legal Authority: 49 USC 3102; PL 98-554, Sec 206

CFR Citation: 49 CFR 391, Subpart B

Abstract: This proposal would require the disqualification of Interstate truck and bus drivers based on the driver's traffic or accident record. The ANPRM issued on 9/27/82 (47 FR 42383) is being withdrawn pursuant to section 206 of the Motor Carrier Safety Act of 1984. Section 206 requires the reissuance of regulations pertaining to commercial motor carrier safety by April 30, 1986. Comments received in response to the ANPRM will be incorporated into a new rulemaking action. See "Other Rulemakings" portion of agenda.

Timetable:

Action	Date	FR	Cite
ANPRM	09/27/82	47 FR	42383
To be withdrawn	03/00/85		

Small Entity: No

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA79

343. © CITIZEN BAND RADIOS ON BUSES

Legal Authority: 49 USC 3102; PL 97-261, Sec 25

CFR Citation: 49 CFR 393

Abstract: The FHWA is requesting comments on a recommendation by the National Research Council, Transportation Research Board, of the National Academy of Sciences (NAS) concerning the use of citizen band radios (CB's) on buses. This action is required by section 25 of the Bus Regulatory Reform Act of 1982. The NAS has recommended that FHWA maintain the status quo and allow motor carriers of passengers to continue to decide whether their drivers should be permitted to use CB's in buses, subject to collective bargaining.

Timetable:

Action	Date	FR Cite
ANPRM	01/11/85	50 FR 1603
ANPRM Comment Period Begin	01/11/85	
ANPRM Comment Period End	02/10/85	
NPRM	05/00/85	

Small Entity: No

Additional Information: A 30-day public comment period was provided.

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AB33

344. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION AND INSPECTION, REPAIR, AND MAINTENANCE

Legal Authority: 49 USC 3102; PL 98-554, Sec 210

CFR Citation: 49 CFR 393; 49 CFR 396

Abstract: The FHWA is seeking public comment concerning the development of Federal commercial motor vehicle inspection standards which would be applicable to motor carriers engaged in interstate or foreign commerce. This rulemaking action also requests comments on the regulations which address the parts and accessories necessary for the safe operation of commercial motor vehicles. This action is required by section 210 of the Motor Carrier Safety Act of 1984.

Timetable:

Action	Date	FR Cite
ANPRM	01/10/85	50 FR 1245
ANPRM Comment Period Begin	01/10/85	
ANPRM Comment Period End	02/24/85	
NPRM	05/00/85	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: J. J. Fulnecky, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0033

RIN: 2125-AB34

PAYMENT PROCEDURES 345. TRANSFER OF FEDERAL-AID HIGHWAY FUNDS

Legal Authority: Surface Transportation Assistance Act of 1982, Sec. 116

CFR Citation: 23 CFR 160, Subpart A; 23 CFR 160, Subpart B; 23 CFR 160, Subpart C

Abstract: This regulation revision will reflect the required statutory changes included in section 116 of the STAA of 1982 regarding the transfer of Interstate construction funds.

Timetable:

Action	Date	FR	Cite
Final Action	04/00/85		1 3100

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Current and Projected Rulemakings
Other Rulemakings

Agency Contact: Carla Child,

Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0674

RIN: 2125-AA64

346. • FEDERAL-AID HIGHWAY PROGRAMS: STATE INTERNAL AUDIT RESPONSIBILITIES

Legal Authority: PL 98-502 Single Audit Act of 1982; 23 USC 315

CFR Citation: 23 CFR 12

Abstract: Revisions to the existing regulation will be made to comply with the requirements of PL 98-502, the Single Audit Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	with the fire

Small Entity: No

Additional Information: A 60-day comment period will be provided.

Analysis: Regulatory Evaluation (min. impact) 06/00/85

Agency Contact: Max Inman, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0562

RIN: 2125-AB29

347. ADMINISTRATION OF NEGOTIATED CONTRACTS

Legal Authority: 23 USC 315; 23 USC 104(f); 23 USC 114(a); 23 USC 307(c); 23 USC 402

CFR Citation: 23 CFR 172

Abstract: Revisions to the existing regulation will be made to update minimum requirements and to conform to the new Federal acquisition regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	THE REAL PROPERTY.

Small Entity: No

Additional Information: A 60-day comment period will be provided.

Government Levels Affected: Local, State

Analysis: Regulatory Evaluation (min. impact) 06/00/85

Agency Contact: Max Inman,

Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0562

RIN: 2125-AB30

PLANNING

348. REVIEW: HIGHWAY PLANNING PROGRAM ADMINISTRATION

Legal Authority: 23 USC 104; 23 USC 307; 23 USC 315

CFR Citation: 23 CFR 420, Subpart A; 23 CFR 450, Subpart C

Abstract: This revision to an existing regulation would reflect policy changes in management of the highway planning and research program, e.g., allowing separate projects for components of the program (urbanized area planning, statewide planning, research and development), and applying matching rates to time periods rather than a fiscal year fund, etc. NPRM was published January 11, 1979 (44 FR 2400). As a result of comments received to the Docket, as well as internal coordination, FHWA is considering combining this regulation with 23 CFR Part 450, Subpart C, Metropolitan Planning Funds, since both deal with program administration. A revised NPRM combining parts 420 and 450 and incorporating requirements mandated by the Surface Transportation Assistance Act of 1982 is being prepared.

Timetable:

Action	Date	FR	Cite
NPRM	01/11/79	44 FR	2400
NPRM	04/00/85		
Final Action	10/00/85		

Small Entity: No

Additional Information: Docket No. 78-24. CFR CITATION: FFPM 4-1-2-1 and 4-4-7 also applies. ADDITIONAL AGENCY CONTACT: Sam W. P. Rea, (202) 426-2961. A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 04/00/85

Agency Contact: Barna Juhasz, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0175

RIN: 2125-AA10

349. USE AND DISPOSITION OF PROPERTY PREVIOUSLY ACQUIRED BY STATES FOR WITHDRAWN INTERSTATE SEGMENTS

Legal Authority: 23 USC 103(e)(5)(6); PL 96-106, Sec 2(c)

CFR Citation: 23 CFR 480

Abstract: Federal Highway
Administration regulations in 23 CFR
Part 480 prescribe the circumstances
under which states must repay the
Federal Government for the Federal
contribution to the purchase of property
for Interstate highway projects that are
later withdrawn. Congress, in Public
Law 96-106, amended 23 U.S.C. 103(e) to
change the circumstances under which
repayment must be made. This revision
to an existing regulation would
incorporate the legislative changes in 23
CFR Part 480.

Timetable:

Action	Date	FR	Cite
NPRM	11/20/80	45 FR	76705
NPRM	03/00/85		

Small Entity: No

Additional Information: This regulation was formerly titled Review: Payback Regulation Amendments.

Analysis: Reg. Evaluation (Minimal impact) 03/00/85

Agency Contact: C. L. Shufflebarger, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0404

RIN: 2125-AA11

350. REVIEW: COORDINATION OF FEDERAL AND FEDERALLY ASSISTED PROGRAMS AND PROJECTS

Legal Authority: EO 12372 CFR Citation: 49 CFR 17

Abstract: This revision would implement Executive Order 12372 and related OMB implementing procedures regarding intergovernmental review of Federal programs.

Current and Projected Rulemakings Other Rulemakings

Timetable: Date FR Cite Action

Next Action Undetermined

Small Entity: No

Additional Information: The operating procedures governing intergovernmental review of FHWA programs are contained in 49 CFR 17 as published by the Office of the Secretary (48 FR 29264, 6/24/83). It has not yet been determined whether additional regulations will be issued by the FHWA.

Agency Contact: Sam Rea, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW. Washington, DC 20590, 202 426-2961

RIN: 2125-AA12

351. MASS TRANSIT AND SPECIAL **USE HIGHWAY PROJECTS**

Legal Authority: 23 USC 137 (Sec 118 of STAA); 23 USC 142 (Sec 120 of STAA); 23 USC 146 (Sec 163 of STAA); 23 USC 149; 23 USC 315

CFR Citation: 23 CFR 810

Abstract: The existing regulation would be revised to incorporate statutory changes mandated by the Surface Transportation Assistance Act of 1982 (STAA) and to make other revisions to update references to other regulations or statutes and to reflect administrative changes. The revisions would provide the basic criteria for determining whether mass transit and special use highway projects are eligible for Federal-aid funding under 23 USC 137, 142, and 149. This rulemaking consolidates previous projected rulemakings under the headings Fringe and Corridor Parking and High Occupancy Lanes.

Timetable:

Action	Date		FR	Cite
NPRM	04/26/84	49	FR	17968
NPRM Comment Period Begin	04/26/84	49	FR	17969
NPRM Comment Period End	06/25/84			
Final Action	04/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: George Schoener, (202) 426-0210.

Analysis: Reg. Evaluation (Minimal impact) 04/26/84 (49 FR 17968)

Agency Contact: James Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB01

352. CERTIFICATION OF **ENFORCEMENT OF HEAVY VEHICLE** USE TAX

Legal Authority: 23 USC 141(d); 23 USC

CFR Citation: 23 CFR 669

Abstract: The FHWA is proposing procedures to be followed by each State for certifying that it is obtaining proof of payment of the heavy vehicle use tax imposed by section 4481 of the Internal Revenue Code of 1954, as amended, before such vehicles are lawfully registered in the State.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	West District
0-11-11	CONTRACTO TO THE PARTY OF THE P	

Small Entity: No

Additional Information: A 45-day public comment period will be provided.

Analysis: Regulatory Evaluation (min impact) 04/00/85

Agency Contact: James R. Link. Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0570

RIN: 2125-AB36

RIGHT-OF-WAY AND ENVIRONMENT 353. REVIEW: THE ACQUISITION **FUNCTION**

Legal Authority: 42 USC 2000d-1; 42 USC 4633; 42 USC 4651 to 4655; 23 USC 315; 23 USC 323

CFR Citation: 23 CFR 712

Abstract: This revision would reduce regulatory burdens and associated costs to State highway agencies in the area of acquisition of real property for rightsof-way on Federal-aid highway projects. Further action to be determined pending issuance of government-wide relocation and acquisition regulations.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Douglas A. Wubbels, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0142

RIN: 2125-AA23

354. REVIEW: RELOCATION **ASSISTANCE**

Legal Authority: 42 USC 4601 et sea: 23 USC 315

CFR Citation: 23 CFR 740

Abstract: This revision would reduce Federal requirements related to the relocation assistance program. Priority review completed. Further action to be determined pending issuance of government-wide relocation and acquisition regulations.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Robert J. Moore, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0116

RIN: 2125-AA81

355. PUBLIC HEARINGS AND LOCATION DESIGN APPROVAL

Legal Authority: 23 USC 101 et seq; 23 USC 109(h); 23 USC 128; 23 USC 315; 49 USC 1651; 49 USC 1657(e)(1)

CFR Citation: 23 CFR 790; 23 CFR 771.111(h)

Abstract: The existing regulation contains duplicative provisions that are contained in 23 CFR 771. The rescission of 23 CFR 790 will simplify and consolidate project development processes preceding PS & E (Plans. Specifications, and Estimates) under the NEPA process and will consolidate requirements for public hearings in a single regulation.

Current and Projected Rulemakings Other Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	03/00/85	The state of

Small Entity: Undetermined

Analysis: Reg. Evaluation 03/00/85

Agency Contact: Florence Mills, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0303

RIN: 2125-AB09

356. ● HIGHWAY BEAUTIFICATION: OUTDOOR ADVERTISING: TECHNICAL AMENDMENT

Legal Authority: 23 USC 131; 23 USC 315

CFR Citation: 29 CFR 750

Abstract: The FHWA is proposing to amend its regulations in order to clarify existing FHWA policy that temporary political campaign signs and other signs, displays, and devices associated with Federal, State, or local elections may be permitted without violating the Highway Beautification Act.

Timetable:		
Action	Date	FR Cite
NPRM	04/00/85	A THE

Small Entity: No

Additional Information: A 45-day public comment period will be provided.

Analysis: Regulatory Evaluation (min. impact) 04/00/85

Agency Contact: Edward V. A. Kussy, Department of Transportation, Federal Highway Administration, 700 Seventh Street, SW, Washington, DC 20590, 202 426-0791

RIN: 2125-AB32 [FR Doc. 85-8370 Filed 04-26-85; 6:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

Current and Projected Rulemakings Other Rulemakings: Routine and Frequent

ENGINEERING AND TRAFFIC OPERATIONS

357. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

Legal Authority: 23 USC 109(b); 23 USC 109(d); 23 USC 402(a)

CFR Citation: 23 CFR 655

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current.

Total actions expected—2. 12/00/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	12/00/85	This was
Small Entity: No	,	

Agency Contact: P. Russell,

Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0411

RIN: 2125-AA37

RIGHT-OF-WAY AND ENVIRONMENT 358. RELOCATION ASSISTANCE-MOVING PAYMENTS-MOVING EXPENSE SCHEDULES

Legal Authority: 42 USC 4601 et seq; 23 USC 315

CFR Citation: 23 CFR 740

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Revisions are published annually. Total actions expected--1. 07/00/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	07/00/85	

Small Entity: No

Agency Contact: Gerald Starkweather, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0117

RIN: 2125-AA38 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

359. REAR END UNDERRIDE PROTECTION

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 393

Abstract: This regulation has been selected for review to improve rear end protection on heavy motor vehicles in conjunction with action taken by the National Highway Traffic Safety Administration on January 18, 1981.

Existing Regulations Under Reviews
Other Reviews

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	
End Review	06/00/85	

Small Entity: No

Existing Regulations Under Review
Other Reviews

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA58 [FR Doc. 85-8370 Filed 04-20-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

COMPLETED RULEMAKINGS 360. EMPLOYEE SAFETY AND HEALTH STANDARDS

Priority: Agency Determination

Legal Authority: PL 98-544, Sec 206; 49 USC 3102

CFR Citation: 49 CFR 399

Abstract: This regulation would provide safety and health standards to govern employees engaged in the operation, maintenance, and loading and unloading of motor vehicles, designed to eliminate uncertainty with regard to the jurisdictional authority of the Occupational Safety and Health Administration (OSHA). This proposal is significant because it may have a significant impact on OSHA. These standards are needed because they are designed to eliminate uncertainty with regard to the jurisdictional authority of

the OSHA and to improve safety and health standards for employees of motor carriers. The NPRM issued on 3/2/78 (43 FR 8566) is being withdrawn pursuant to section 206 of the Motor Carrier Act of 1984. Section 206 requires the reissuance of regulations pertaining to commercial motor vehicle safety by April 30, 1986. Comments received concerning this rulemaking will be incorporated into a new rulemaking action. See "Other Rulemakings" portion of agenda.

Timetable:

Action	Date	FR	Cite
NPRM	03/02/78	43 FR	8566
NPRM Comment Period End	05/31/78		No.
Notice ext. Comm. Pd to 06/30/78	06/09/78	43 FR	25145
Withdrawn	03/00/85		

Completed Actions
Priority Rulemakings: Non-Major

Small Entity: No

Additional Information: DOCKET NO. MC-64. An NPRM was issued March 2, 1978 (43 FR 8566) and the closing date for the comment period was May 31, 1978. A notice of June 9, 1978 (43 FR 25143) extended the comment period to June 30, 1978.

Analysis: Regulatory Evaluation 03/02/78

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA06 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

Completed Actions Other Rulemakings

COMPLETED RULEMAKINGS 361, FOREST HIGHWAYS

Legal Authority: 23 USC 202; PL 97-424, Sec 126

CFR Citation: 23 CFR 660

Abstract: The revision would provide a method for allocating forest highway funds based upon the relative transportation needs of the national forest system pursuant to section 126 of the Surface Transportation Assistance Act of 1982. The FHWA and United States Forest Service have jointly developed the proposed allocation method based upon transportation needs of renewable resource outputs and backlog of forest related improvement costs of public roads designated as forest highways.

Timetable:

Action

Action	-	311 -110
NPRM	03/27/84	49 FR 11681
NPRM Comment Period Begin	03/27/84	49 FR 11681
NPRM Comment Period End	05/11/84	
Final Action	10/12/84	49 FR 40006
Final Action	10/12/84	49 FR 40006

Date

FR Cite

Small Entity: No

Additional Information: Docket No. 84-

Analysis: Reg. Evaluation (Minimal impact) 10/12/84 (49 FR 40006)

Agency Contact: Allen W. Burden, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0456

RIN: 2125-AB03

362. TOXIC GASES IN TRUCK CABS

Legal Authority: 49 USC 3102

CFR Citation: 49 CFR 392

Abstract: This rulemaking action has been withdrawn until research produces further data in order to determine if future action is justified.

Timetable:

MANAGE TO STATE OF THE STATE OF				
Action	Date	FR	Cite	
ANPRM	01/00/78	43 FR	120	
NPRM	06/18/79	44 FR	34992	

Completed Actions Other Rulemakings

Action	Date	FR	Cite
Withdrawn	01/23/85	50 FR	3000

Small Entity: No

Additional Information: Docket No. MC-80.

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA25

363. REVIEW: DISQUALIFYING OFFENSES, DRUGS

Legal Authority: 49 USC 3102

CFR Citation: 49 CFR 391

Abstract: The FHWA amended the Disqualification of Drivers regulation (49 CFR 391.15) by reviewing and enlarging that group of substances and drugs whose use by drivers operating commercial motor vehicles is forbidden and is considered a disqualifying offense.

Timetable:

Action	Date		FR	Cite
NPRM	11/24/80	45	FR	77466
Final Action	11/05/84	49	FR	44210
Final Action Effective	11/05/84	49	FR	44210

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 11/05/84 (49 FR 44210)

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA31

364. REIMBURSEMENT; STATE HIGHWAY AGENCY AUDIT EXPENSE

Legal Authority: Surface Transportation Assistance Act of 1982, Sec. 159

CFR Citation: 23 CFR 140

Abstract: Section 159 of the STAA of 1982 expanded the definition of the term "construction" in section 101(a), title 23. United States Code, to include

costs incurred by the States in performing Federal-aid project related audits which directly benefit the Federal-aid highway program. 23 CFR Part 140 is revised to reflect the statutory amendment.

Timetable:

Action	Date		FR	Cite
NPRM	02/24/84	49	FR	6921
NPRM Comment Period End	04/24/84			
Final Action	11/19/84	49	FR	45577
Final Action Effective	12/19/84	49	FR	45577

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 11/19/84 (49 FR 45577)

Agency Contact: Harvey Wood, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0562

RIN: 2125-AA63

365. TRANSFERS OF ALLOCATED URBAN FUNDS

Legal Authority: 23 USC 150; PL 97-424, Sec 124

CFR Citation: 23 CFR 160

Abstract: These regulations will implement increased flexibility authorized by Section 124 of the Highway Improvement Act of 1982 by providing procedures for approval of requests for transfer of Federal-aid Urban System funds (out of allocation to an urbanized area) to other urban areas in the State. Section 124 has been implemented with guidance directed to FHWA Regional Offices. Regulatory changes will be made in the future as part of an overall update of 23 CFR 160 and, therefore, this rulemaking action has been terminated.

Timetable:

Action	Date	FR Cite

Action terminated 12/10/84

Small Entity: No

Additional Information: Additional Agency Contact: K.C. Kippley (see

Agency Contact heading for address) (202) 426-0673.

Agency Contact: Gary Maring, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0150

RIN: 2125-AA65

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

366. MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS OF PASSENGERS

Legal Authority: PL 97-261, Sec 18(d); PL 98-554, Sec 224; 49 USC 3102

CFR Citation: 49 CFR 387

Abstract: The FHWA is amending the Federal Motor Carrier Safety Regulations (FMCSR) to implement provisions required by section 224 of the Motor Carrier Safety Act of 1984. Section 224 amended section 18(d) of the Bus Regulatory Reform Act of 1982 by: (1) requiring motor carriers of passengers domiciled in any contiguous foreign country to carry on board each vehicle it operates in the United States evidence of financial responsibility, and (2) providing the Secretaries of Transportation and Treasury authority to deny entry into the United States of any passenger carrying vehicle which does not have the required evidence of financial responsibility in the vehicle.

Timetable:

Action	Date		FR	Cite
Final Action	02/20/85	50	FR	7061
Small Entity:	No			

Analysis: Regulatory Evaluation (min. impact)

Agency Contact: Neili L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AB24 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Highway Administration (FHWA)

Completed Actions Other Reviews

COMPLETED REVIEWS 367. MOTORIST AID SYSTEMS

Legal Authority: 23 USC 104; 23 USC 105; 23 USC 307; 23 USC 315

CFR Citation: 23 CFR 655

Abstract: This regulation has been selected for review because of FHWA policy on minimization of red tape. Based on results of review, it has been determined that no further action is necessary.

Timetable:

Date FR Cite 06/00/83 Begin Review End Review 10/15/84

Small Entity: No

Agency Contact: Robert Harp, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202

426-0411

RIN: 2125-AA48

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT)

National Highway Traffic Safety Administration (NHTSA)

Current and Projected Rulemakings Priority Rulemakings: Major

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

368. HEAVY DUTY VEHICLE BRAKE SYSTEMS (FORMERLY TRUCK AND TRAILER BRAKE SYSTEMS)

Priority: Major

Legal Authority: 15 USC 1392 National Traffic & Motor Vehicle Safety Act of 1966; 15 USC 1407 National Traffic & Motor Vehicle Safety Act of 1966

CFR Citation: 49 CFR 571.121; 49 CFR

Abstract: Would establish a new brake standard for all trucks, buses and trailers with a Gross Vehicle Weight Rating (GVWR) over 10,000 pounds. This standard would replace Standard No. 121, Air Brake Systems, and that portion of Standard No. 105, Hydraulic Brake Systems, that applies to vehicles with a GVWR over 10,000 pounds. It would also establish new requirements for heavy trailers having other than airactuated brakes. In developing the standard, the agency will consider compatibility with international regulations. Research programs in support of this new standard and possible future upgradings of the standard will investigate such long-term advanced braking system concepts as automatic brake adjustors, load-sensing proportioning valves, air driers, and retarders for heavy trucks, buses and trailers. This rule is considered significant because of the level of public and Congressional interest. It is necessary to prevent and reduce the severity of accidents involving heavy vehicles by providing increased accident avoidance capability.

Timetable:

Action		Date		FR	Cite
Previous	ANPRM	02/15/79	44	FR	9783
ANPRM		02/28/80	45	FR	13155

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-03. ANPRM, Notice 1; Second ANPRM, Notice 3.

Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA00

369. OCCUPANT CRASH PROTECTION - TEST PROCEDURES AND OTHER ISSUES

Priority: Major

Legal Authority: 15 USC 1392 National Traffic and Motor Vehicle Safety Act ETC; 15 USC 1407 National Traffic and Motor Vehicle Safety Act ETC

CFR Citation: 49 CFR 571.208; 49 CFR

Abstract: This rulemaking addresses the test procedures used in compliance testing, the dummy used for such testing, and the oblique angle test requirement in the automatic occupant crash protection standard. It also addresses some related issues including the standard's applicability to convertibles, reporting requirements for manufacturers, and the exercise of "due care" by manufacturers, in complying with the standard. This rulemaking will consider whether the Hybrid III dummy or a variation may be substituted for the dummy currently specified in 49

CFR 572 at some future time with corresponding changes in, or additions to the injury criteria established by the existing Federal Motor Vehicle Safety Standard 208. The costs and benefits of these various proposed changes are not

yet known. This regulation is significant

because of its involvement with departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	A Property

Small Entity: Undetermined

Analysis: Preliminary RIA 09/30/84

Agency Contact: Barry Felrice, Associate Administrator for Rulemaking, Department of Transportation, National Highway Traffic Safety Administration, NRM-01. 400 Seventh Street, S.W., Washington, DC 20590, 202 426-1810

RIN: 2127-AB20

FUEL ECONOMY STANDARDS 370. POST-1985 PASSENGER CAR **FUEL ECONOMY STANDARDS**

Priority: Major

Legal Authority: 15 USC 2002 CFR Citation: 49 CFR 531

Abstract: The agency has granted a petition from the Center for Auto Safety to examine the feasibility of raising the existing post-1985 passenger car average fuel economy standard of 27.5 mpg. The agency has published a grant notice of the petition (49 FR 46770) and a request for comments (49 FR 48064). After review and analysis of available data and the responses to the request for comments, the agency will decide on whether to proceed with rulemaking.

Current and Projected Rulemakings Priority Rulemakings: Major

Timetable:

Date FR Cite

Grant for petition 11/28/84 49 FR 6770 for Rulemaking

Request for 12/10/84 49 FR 48064 comments

Next Action Undetermined

Small Entity: No

Analysis: To Be Determined

Agency Contact: William Boehly, Director, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AB32

371. • MY 1987 LIGHT TRUCK FUEL ECONOMY STANDARDS

Priority: Major

Legal Authority: 15 USC 2002 CFR Citation: 49 CFR 533

Abstract: In accordance with the mandatory requirements of Section 502 (b) of the Motor Vehicle Information and Cost Savings Act, this rulemaking would establish light truck average fuel economy standards for model year 1987. The initial NPRM proposed standards for model year 1986 and 1987.

The Standards for model year 1986 were published on October 22, 1984 (49 FR 41250).

Timetable:

 Action
 Date
 FR Cite

 NPRM
 03/08/84
 49 FR 8637

 NPRM Comment Period Begin
 03/08/84
 49 FR 8637

 NPRM Comment Period End
 04/09/84

Small Entity: No

Final Action

Analysis: Preliminary RIA 03/08/84; Final RIA 03/00/85

03/00/85

Agency Contact: William Boehly, Director, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AB33

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

372. CRASHWORTHINESS RATINGS

Priority: Major

Legal Authority: 15 USC 1401; 15 USC

1941

CFR Citation: 49 CFR Chapter 5

Abstract: Ratings: Would require manufacturers to disseminate crashworthiness performance information concerning their cars to the public, to provide consumers with comparative information on the crashworthiness performance of new car models. This rulemaking is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace.

Timetable:

Action	Date		FR	Cite	
NPRM	01/22/81	46	FR	7025	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-17. NPRM, Notice 1. Comment due date extended to October 22, 1981 by notice published April 2, 1981 (46 FR 19947; Notice 2).

Analysis: Preliminary RIA 01/22/81

Agency Contact: William Boehly.
Department of Transportation, National
Highway Traffic Safety Administration.
400 Seventh Street, SW, Washington,
DC 20590, 202 426-1740

RIN: 2127-AA03

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA)

COMPLETED RULEMAKINGS 373. MY 1985-1986 LIGHT TRUCK FUEL ECONOMY STANDARDS

Priority: Major

Legal Authority: 15 USC 2002 CFR Citation: 49 CFR 533

Abstract: In accordance with the mandatory requirements of section 502(b) of the Motor Vehicle Information and Cost Savings Act, this rulemaking establishes light truck average fuel economy standards for model year 1986 and revises the model year 1985 standard. The initial NPRM had proposed standards for MY 1987. That portion of the first proposal will be covered in a subsequent rulemaking. A second NPRM responded to a Ford Motor Co. petition for rulemaking to reconsider the model year 1984 and 1985 light truck fuel economy standards. The second NPRM proposed the

maintenance of the 1984 standards and a lowering of the 1985 standards.

Timetable:

Action	Date	FR Cite
NPRM	03/08/84	49 FR 8637
NPRM Comment Period Begin	03/08/84	49 FR 8637
NPRM Comment Period End	04/09/84	indicate allegate
NPRM	05/30/84	49 FR 22516
NPRM Comment Period Begin	05/30/84	49 FR 22516
NPRM Comment Period End	06/29/84	Settled sysney
Final Action	10/22/84	49 FR 41250
Final Action Effective	11/21/84	49 FR 41250

Small Entity: No

Analysis: Preliminary RIA 03/08/84

Completed Actions
Priority Rulemakings: Major

Agency Contact: William Boehly.
Department of Transportation, National
Highway Traffic Safety Administration,
400 Seventh Street, SW, Washington,
DC 20590, 202 426-1740

RIN: 2127-AA75

374. MY 1984-1985 LIGHT TRUCK AVERAGE FUEL ECONOMY STANDARDS

Priority: Major

Legal Authority: 15 USC 2002

CFR Citation: 49 CFR 533

Abstract: In response to a petition for rulemaking from Ford Motor Co., and in accordance with the requirements of Section 502 of the Motor Vehicle Information and Cost Savings Act, reconsidered the level of light truck average fuel economy standards established for model years 1984 and

Completed Actions
Priority Rulemakings: Major

1985. An NPRM proposing the maintenance of the 1984 standards and the lowering of the 1985 standard was published in May, 1984. This regulation is significant because of the substantial cost it may involve. The Final Rule adopted the proposals of the NPRM.

Timetable:

Action	Date	No.	FR	Cite
NPRM NPRM Comment Period Begin	05/30/84 05/30/84	49	FR	22516

Action	Date		FR	Cite
NPRM Comment Period End	06/29/84			
Final Action	10/22/84	49	FR	41250
Final Action Effective	11/21/84	49	FR	41250

Small Entity: No

Additional Information: Final action on this NPRM was taken in conjunction with the rulemaking on Post-MY-1985/86 Light Truck Fuel Economy Standards (RIN 2127-AA75). Agency Contact: William Boehly, Director, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AB22

ANCHORAGES

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA)

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

375. NATIONAL MINIMUM DRINKING

Priority: Agency Determination Legal Authority: 23 USC 158 CFR Citation: 23 CFR 1206, (New)

Abstract: Would prescribe requirements necessary to implement 23 U.S.C. 158, which provides penalties for States that don't adopt twenty-one as the Minimum Drinking Age. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
SNPRM	03/00/85	

Small Entity: No

Government Levels Affected: State

Agency Contact: George Reagle, Associate Administrator, Department of Transportation, National Highway Traffic Safety Administration, for Traffic Safety Programs, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0637

RIN: 2127-AB30

376. HEAVY TRAILER STABILITY

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: In response to a petition for rulemaking, the agency is proposing a new regulation to add a requirement that 102-inch wide trailers be equipped with axle tracks having a minimum axle width of 77 inches. An advanced notice of proposed rulemaking seeking comments on the safety issue raised by the petition was published on May 22, 1984 (49 FR 21551). This rulemaking is significant because of the possible substantial impact on the industry and because it is a joint venture involving two operating administrations.

Timetable:

Action	Date		FR	Cite
ANPRM	05/22/84	49	FR	21551
ANPRM Comment Period Begin	05/22/84	49	FR	21551
ANPRM Comment Period End	08/20/84			

Next Action Undetermined

Small Entity: Yes

Additional Information: This regulation is a joint endeavor of NHTSA and the Bureau of Motor Carrier Safety (BMCS), A departmental task force will be formed in February 1985 to analyze the economic issues associated with this undertaking. Thus, further public action awaits the results of the task force analysis, which are anticipated in June 1985.

Analysis: To Be Determined

Agency Contact: Ralph J. Hitchcock, Director, Department of Transportation, National Highway Traffic Safety Administration, Office of Vehicle Safety Standards, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB42

377, CHILD RESTRAINT TETHER

Current and Projected Rulemakings

Priority Rulemakings: Non-Major

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC

1407

CFR Citation: 49 CFR 571.210

Abstract: Would require lap belt and tether anchorages for use with child restraint systems. Alternatives being considered are whether to require anchorages and how many anchorages per car should be provided. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date		FR	Cite
NPRM	12/11/80	45	FR	81625

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 80-18. NPRM, Notice 1.

Agency Contact: R. Hitchcock.
Department of Transportation, National
Highway Traffic Safety Administration,
400 Seventh Street, SW, Washington,
DC 20590, 202 426-0842

RIN: 2127-AA39

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

378. NATIONAL DRIVER REGISTER

Priority: Agency Determination Legal Authority: 23 USC 401 Note

Abstract: The National Driver Register Act of 1982 directs the agency to establish a new National Driver Register (NDR) that will assist states in

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

electronically exchanging information about problem drivers. This rulemaking will establish the procedures for making an orderly transition from the current NDR system to the electronic system mandated by the act. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	49 FR 38648
NPRM Comment Period Begin	10/01/84	
NPRM Comment Period End	10/31/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: CFR citation to be determined.

Analysis: Regulatory Evaluation 10/01/84

Agency Contact: Clay Hatch.

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Avenue, SW, Washington, DC 20590, 202 426-4932

RIN: 2127-AA98

379. • THEFT PREVENTION STANDARD

Priority: Agency Determination

Legal Authority: PL 98-547 Motor Vehicle Theft Law Enforcement Act of 1984

CFR Citation: 49 CFR 541

Abstract: In response to the provisions of the Motor Vehicle Theft Law Enforcement Act of 1984, a new standard would be established that would require certain major vehicle parts determined to have high theft potential be marked with the vehicle identification number or a derivative thereof.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	STREET FOR

Small Entity: Yes

Government Levels Affected: Local, State, Federal

Analysis: Preliminary Regulatory Evaluation 03/00/85

Agency Contact: William Boehly, Director, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AB31

380. SPLASH AND SPRAY SUPPRESSION DEVICES

Priority: Agency Determination Legal Authority: 49 USC 2314

CFR Citation: 49 CFR 583

Abstract: In accordance with the mandate of section 414 of the Surface Transportation Assistance Act of 1982, would establish minimum standards with respect to the performance of splash and spray suppression devices on truck tractors, semitrailers and trailers. Would also establish minimum standards with respect to the installation of splash and spray suppression devices on new vehicles. This regulation is significant because it is potentially controversial.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Commission Control
Small Entit	v: Yes	

Additional Information: NHTSA's rulemaking would only affect new vehicles and equipment. However, section 414 of the Surface Transportation Assistance Act also mandates that the Department of Transportation establish minimum standards with respect to the installation of splash and spray devices for vehicles already in service. The Federal Highway Administration will conduct the rulemaking to satisfy that mandate. The Federal Highway Administration has classified its rulemaking as major. The costs of that rulemaking are expected to be much greater than NHTSA's rulemaking since (1) the population of vehicles in service is many times the annual production of new trucks, (2) a truck manufacturer will pay less per unit for each splash and spray suppression device when ordered in large quantities, and (3) the

labor time to install the devices is far less for a new truck manufacturer, since it can be done at the assembly plant. In 1984, the Surface Transportation
Assistance Act was amended to change the implementation date from 1/1/85, for new vehicles and 1/1/88, for vehicles in service, to one year after publication of the Final Rule for new vehicles & 3 years later for vehicles in service.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Avenue, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA97

381. UNIFORM TIRE QUALITY GRADING STANDARDS -TREADWEAR AMENDMENTS

Priority: Agency Determination Legal Authority: 15 USC 1423 CFR Citation: 49 CFR 575

Abstract: Would amend treadwear grading procedures of the Uniform Tire Quality Grading Standards to assure greater reliability of grading information for consumers. Test procedures would be amended to reduce variability and uniform grade assignment procedure would be established. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	15 15 15 15

Small Entity: No

Additional Information: Merged with RIN 2127-AA51, Uniform Tire Quality Grading

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590, 202 426-1740

RIN: 2127-AB21 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA)

Current and Projected Rulemakings Other Rulemakings

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

382. TRUCK REAR UNDERRIDE PROTECTION

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571

Abstract: Would require protective devices to reduce vehicle penetration under the rear-ends of heavy trucks and trailers (without resulting in overly severe forces being transmitted to restrained and unrestrained occupants in vehicles that crash into the devices).

Timetable:

Action	Date	FR	Cite	
NPRM	01/08/81	46 FR	2136	Ī

Next Action Undetermined
Small Entity: Undetermined

Additional Information: Docket No. 1-11, NPRM, Notice 8.

Research underway.

Analysis: Draft RFA 01/08/81

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA43

383. FLAMMABILITY OF SCHOOL BUS INTERIOR MATERIALS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: Would utilize guidelines prescribed by UMTA to define flammability characteristics of School Bus Interior Materials.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Yes

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA44

384. PEDESTRIAN PROTECTION

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: Would reduce adult pedestrian leg injuries and child injuries through modification of the bumper area.

Timetable:

Action	Date	FR	Cite
NPRM	01/22/81	46 FR	7015
Next Action L	Indetermined		

Small Entity: Yes

Additional Information: Docket No. 78-19. NPRM, Notice 1. Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA45

385. SEATING REFERENCE POINT/MOTOR VEHICLE DRIVER'S EYE RANGE

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: Would update the definition of Seating Reference Point to incorporate latest industry practices and amend Standards 103, 104, 107 and 111 to reference SAE Recommended Practice J941e, Motor Vehicle Driver's Eye Range, instead of an earlier version of that recommended practice.

Timetable:

Action	Date	- 3	FR	Cite
ANPRM	03/08/82	47	FR	9865
NPRM	04/00/85			

Small Entity: No

Additional Information: Docket No. 82-05.

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA46

386. CONTROLS AND DISPLAYS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.101

Abstract: Would amend the light intensity requirements of Standard No. 101 to permit informational readout displays to be used for telltales. The agency plans to issue a supplementary NPRM with respect to these and other possible issues relating to the application of new electronic technology to controls and displays.

Timetable:

Action	Date	FR Cite
NPRM	02/01/82	47 FR 4541
SNPRM	05/00/85	

Small Entity: No

Additional Information: Docket No. 1-18. NPRM, Notice 21. The comments to the Notice of Proposed Rulemaking, NPRM, of 02/01/82 (47 FR 4541) and an agency task force review have led to the decision to issue a new NPRM on the subject.

Analysis: Regulatory Evaluation (minimal) 05/00/85

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA06

387. WINDSHIELD DEFOGGERS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.103

Abstract: In response to a petition for rulemaking, would require windshield defogging systems in passenger cars, multipurpose passenger vehicles, trucks and buses built for sale in parts of the United States other than the continental portion. (Defogging systems are already required for vehicles built for sale in the continental United States.)

Current and Projected Rulemakings Other Rulemakings

Timetable:				
Action	Date	MA	FR	Cite
NPRM	07/14/83	48	FR	32200
Final Action	04/00/85			

Small Entity: No

Additional Information: Docket No. 83-10. NPRM, Notice 1.

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, 202 426-0842

RIN: 2127-AA91

388. BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105

Abstract: Would propose a new brake standard compatible with the harmonized brake standard now being developed by the United Nations Economic Commission for Europe (ECE). Initial efforts are directed toward requirements for passenger cars.

Timetable:

Action	Date	FR Cite
203 20 12 100 200 700		WHO GOD

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-18.

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA13

389. HYDRAULIC AND AIR BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Abstract: In response to a petition for rulemaking, would amend the brake burnish procedures specified for vehicles over 10,000 pounds by Standards No. 105 and No. 121. Based on comments to NPRM of 06/27/83 (48 FR 29560) a new NPRM is deemed necessary.

imetable:		
ction	Date	F

NPRM 06/27/83 48 FR 29560 SNPRM 04/00/85

Small Entity: No

Additional Information: Docket Nos. 70-27 and 83-07. NPRM, Docket No. 70-27, Notice 26; Docket No. 83-07, Notice 1.

Analysis: Regulatory Evaluation (minimal) 04/00/85

Agency Contact: R. Hitchcock.

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590, 202 426-0842

RIN: 2127-AA92

390. HYDRAULIC BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105

Abstract: In response to a petition for rulemaking, would permit smaller brake fluid reservoirs in vehicles with a GVWR greater than 10,000 pounds that are equipped with self-adjusting brakes and brake fluid level indicators.

Timetable:

Action	Date	FR Cite
NPRM	07/28/83	48 FR 34306
Final Action	03/00/85	

Small Entity: No

Additional Information: Docket No. 70-27.

Analysis: Regulatory Evaluation (minimal) 03/00/85

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590, 202 426-0842

RIN: 2127-AA94

391. BRAKE HOSES

Legal Authority: 15 USC 1392; 15 USC 1497

CFR Citation: 49 CFR 571.106

Abstract: Would consider amending portions of the standard that relate to adhesion properties of hose layers on air and vacuum brake hoses. This action results from a petition for rulemaking.

Timetable:

R Cite

Action	Date	FR Cite
Notice granting petition for Rulemaking	02/18/82	47 FR 7293
NPRM	04/00/85	

Small Entity: No

Additional Information: Docket No. 82-02.

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA90

392. COMMERCIAL VEHICLE CONSPICUITY

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: Would improve the conspicuity of commercial vehicles by establishing in FMVSS 108 performance requirements for the total lighting and marking system of commercial vehicles (excluding headlights).

Timetable:

Action	Date		FR	Cite
ANPRM	05/27/80	45	FR	35405

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 80-9.

Research underway.

Analysis: Draft RFA 00/00/00

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA12

393. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition, would delete the requirement for use of a "Test Bulb" with stringent filament location specifications in testing lamp assemblies.

Current and Projected Rulemakings Other Rulemakings

Timetable:		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA16

394. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, would amend the standard to reduce from 12 to 8 square inches the minimum effective projected luminous lens area of rear stop and turn signal lamps for large vehicles 80 inches or more in overall width.

Timetable:

Action	Date	FR	Cite
NPRM	10/22/81	46 FR	51793

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 81-19. NPRM, Notice 1.

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA17

395. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, would provide an alternative location for front identification lamps on vehicles whose overall width exceeds 80 inches, allowing them to be mounted on the top of the vehicle.

Timetable:

Action	Date	FR Cite
NPRM	02/22/82	47 FR 7911
Final Action	10/00/85	

Small Entity: No

Additional Information: Docket No. 82-04. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 10/00/85

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA18

396. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, would consider whether the cab of a vehicle is an acceptable alternative location for the mounting of clearance lamps.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	W WHEN

Small Entity: No

Additional Information: Docket No. 82-03.

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA19

397. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: Would amend FMVSS 108 to allow installation of a modulating headlamp on motorcycles. The agency's review of comments to the August 1983 NPRM suggests alternatives not proposed by that notice. The agency therefore plans to issue a supplementary NPRM.

Timetable:

Action	Date		FR	Cite
NPRM	09/23/82	47	FR	42009
SNPRM	08/28/84	49	FR	34049
Final Action	04/00/85			

Small Entity: No

Additional Information: Docket No. 82-16. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 08/28/84

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA77

398. ● LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition, would amend Safety Standard No. 108 to allow clearance and identification lamps of large vehicles to flash when the hazard warning system is operating. The proposed change could enhance the conspicuity of large, disabled vehicles.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	10/25/84	49 FR 42965
NPRM Comment Period End	12/10/84	
Final Action	06/00/85	
NPRM	10/25/85	49 FR 42965

Small Entity: No

Analysis: Final Regulatory Evaluation 06/00/85

Agency Contact: Ralph J. Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB35

399. ● LAMPS, REFLECTIVE DEVICES AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition, Safety Standard No. 108 (Lamps, Reflective Devices and Associated Equipment) would be amended to permit the use of two new miniature standardized replaceable light sources in replaceable bulb headlamp systems.

Current and Projected Rulemakings Other Rulemakings

Timetable:		HERE !
Action	Date	FR Cite
NPRM	03/00/85	al marks

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 03/00/85

Agency Contact: Ralph J. Hitchcock, Director, Department of Transportation, National Highway Traffic Safety Administration, Office of Vehicle Safety Standards, 400 Seventh Street, SW. Washington, DC 20590, 202 426-0842

RIN: 2127-AB37

400. LAMPS, REFLECTIVE DEVICES AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition, Safety Standard No. 108 (Lamps, Reflective Devices and Associated Equipment), would be amended to permit simultaneous use of lower and upper beams, co-aiming and optional availability of an auxiliary filament in a lower beam lamp, for Type F sealed beam headlamp systems.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Committee of the later

Small Entity: No

Additional Information: This proposed rulemaking is a continuation of the final rule (49 FR 50176) in which Type F sealed beam headlamp system was permitted for use on new motor vehicles after July 1, 1985.

Analysis: Regulatory Evaluation (minimal) 03/00/85

Agency Contact: Ralph J. Hitchcock, Director, Department of Transportation, National Highway Traffic Safety Administration, Office of Vehicle Safety Standards, 400 Seventh Street, SW. Washington, DC 20590, 202 426-0842

RIN: 2127-AB39

401. O LAMPS, REFLECTIVE DEVICES AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, Safety Standard No. 108

(Lamps, Reflective Devices and Associated Equipment) would be amended to allow motor vehicles to be equipped with replaceable bulb headlamp systems consisting of either four lamps with single standardized replaceable light sources, or two lamps with two such light sources. Currently, Standard No. 108 only permits replaceable bulb systems comprised of two lamps with single standardized light sources. The proposed amendment would relieve the current design restriction that allows only two lamp single light source systems.

Timetable:

Action	Date		FR	Cite
NPRM	12/07/84	49	FR	47880
NPRM Comment Period Begin	12/07/84	49	FR	47880
NPRM Comment Period End	01/14/85			
Final Action	05/00/85			
Small Entity: No		110		

Analysis: Preliminary Regulatory Evaluation 12/07/84; Final Regulatory Evaluation 05/00/85

Agency Contact: Ralph J. Hitchcock, Director, Department of Transportation, National Highway Traffic Safety Administration, Office of Vehicle Safety Standards, 400 Seventh Street, SW. Washington, DC 20590, 202 426-0842

RIN: 2127-AB40

402. REAR VIEW MIRROR SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.111

Abstract: Would amend FMVSS No. 111 to improve mirror systems for trucks, buses and multipurpose passenger vehicles with a GVWR over 10,000 pounds.

Timetable:

Action	Date	FR	Cite
NPRM	11/06/78	43 FR	51657

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM. Notice 4.

Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA21

403. REAR VIEW MIRROR SYSTEMS

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571.111

Abstract: Would amend FMVSS No. 111 to improve mirror systems for trucks, buses and multipurpose passenger vehicles with a GVWR of 10,000 pounds or less.

Timetable:

Action	Date	FR	Cite
NPRM	11/06/78 43	FR	51657

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM, Notice 4.

Agency Contact: R. Hitchcock. Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA23

404. REAR VIEW MIRRORS

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571.111

Abstract: This proposal would amend FMVSS 111 by establishing requirements for passenger cars to: a) reduce the blind areas by upgrading mirror visibility using improved compliance testing procedures, b) upgrade occupant protection requirements and add pedestrian protection requirements using shatter resistant and breakaway or foldaway tests, c) set specifications for day-night reflectance requirements to reduce headlight glare, d) set specifications for convex mirror quality and use, and e) minimize obstruction of the forward view by establishing mirror location specifications. FR to permit use of passenger side convex mirrors published. FR responding to petitions and clarifying 1982 FR published. The agency plans to terminate rulemaking with respect to remaining issues.

Timetable: Action Date FR Cite NPRM 11/06/78 43 FR 51657 Final Action to 09/02/82 47 FR 38698 permit use of passenger side convex mirrors published Final Action 08/26/83 48 FR 38842 responding to

Next Action Undetermined

Small Entity: No

petitions and clarifying 1982

FR published

Additional Information: Docket No. 71-3a. NPRM, Notice 4; FR, Notice 6; FR, Notice 7.

Action to be terminated with respect to other issues.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA88

405. REFEREE BRAKE FLUIDS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.116

Abstract: Would amend the requirements of Standards 106 and 116 to specify new material composition for the referee brake fluid used for compatibility testing. The referee brake fluid currently specified is difficult to obtain and would be replaced by new materials specified by SAE.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 03/00/85

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB09

406. AIR BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.121

Abstract: Would revise the requirements in Standard No. 121 for parking and emergency brake functions for trailers, Based on comments to NPRM of 02/23/81 (46 FR 37952) a new NPRM is deemed necessary.

Timetable:

Action	Date	FR	Cite
NPRM	07/23/81 4	6 FR	37952
SNPRM	10/00/85		

Small Entity: No

Additional Information: Docket No. 79-03. NPRM, Notice 5.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA27

407. NEW PNEUMATIC TIRES FOR MOTOR VEHICLES OTHER THAN PASSENGER CARS AND TIRE IDENTIFICATION AND RECORDKEEPING

Legal Authority: 15 USC 1392; 15 USC 1407; 15 USC 1421

CFR Citation: 49 CFR 571.19; 49 CFR 574

Abstract: In response to a petition, the labeling requirements of Standards No. 119 and regulation part 574 would be amended to accommodate a new tire concept.

Timetable:

Action	Date		FR	Cite
NPRM	09/26/84	49	FR	37815
NPRM Comment Period Begin	09/26/84	49	FR	37815
NPRM Comment Period End	11/13/84			
Final Action	03/00/85			

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 03/00/85

Agency Contact: Ralph J. Hitchcock, Director, Office of Vehicle Safety Standard, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB34

408. STEERING CONTROL REARWARD DISPLACEMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.204

Abstract: Would extend the applicability of the Standard from vehicles with an unloaded weight of 4,000 pounds to vehicles with an unloaded weight of 5,500 pounds.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	100

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85; Draft RFA 00/00/00

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA32

409. DOOR LOCKS AND DOOR RETENTION COMPONENTS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.206

Abstract: Would change the applicability of the standard to exempt side doors equipped with wheel chair lifting devices.

Timetable:

Action	Date	FR	Cite
NPRM	09/26/84	49 FR	37813
NPRM Comment Period Begin	09/26/84	49 FR	37813
NPRM Comment Period End	11/26/84		
Final Action	04/00/85		
Small Entity: No			

Analysis: Regulatory Evaluation (minimal) 04/00/85

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB13

410. SEAT BELT ASSEMBLIES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Current and Projected Rulemakings Other Rulemakings

Abstract: To improve seat belt comfort, convenience, reliability and effectiveness by prescribing parameters for performance of seat belt assemblies. Subject to review under Executive Order 12291. Final Rule in partial response to petitions for reconsideration deferring effective date from September 1, 1982, to September 1, 1983, published February 18, 1982 (47 FR 7254). FR deferring effective date to September 1, 1985, published June 2, 1983 (48 FR 24717). NHTSA plans to amend certain of the previous requirements.

Timetable:

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Action	Date	FR Cite
Previous NPRM	12/31/79	44 FR 77210
Final Action	01/08/81	46 FR 2064
Final Action deferring effective date to 09/01/83	02/18/82	47 FR 7254
NPRM to defer effective date to 09/01/85	11/15/82	47 FR 51432
Final Action to defer effective date to 09/01/85	06/02/83	48 FR 24717
NPRM	03/00/85	

Small Entity: No

Additional Information: Docket No. 74-14. NPRM, Notice 17; FR, Notice 19; FR deferring effective date, Notice 24; NPRM for additional deferral of effective date, Notice 29. FR for additional deferral, Notice 30.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA35

411. O OCCUPANT CRASH PROTECTION - RESPONSE TO PETITIONS FOR RECONSIDERATION

Legal Authority: 15 USC 1392 National Traffic and Motor Vehicle Safety Act ETC; 15 USC 1407 National Traffic and Motor Vehicle Safety Act ETC

CFR Citation: 49 CFR 571.208

Abstract: This rulemaking responds to petitions for reconsideration of the Secretary's final rule on Standard No. 208. The petitions requested changes on the following actions: permitting compliance with the automatic restraint

requirement by installing driver-only, non-belt systems during the phase-in period; rescinding the standard; requiring automatic restraints regardless of what action States take in adopting mandatory belt use laws (MULs); providing additional leadtime for implementation of the automatic restraint requirements; allowing States to authorize waivers from a belt use requirement if use of a belt interferes unduly with job-related use of vehicles; deleting the mitigation of damages provision from the MUL criteria; and eliminating the MUL criteria on the penalty for not wearing a belt and State enforcement efforts.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	
Small Entity:	No	

Government Levels Affected: Federal

Agency Contact: Barry Felrice, Associate Administrator for Rulemaking, Department of Transportation, National Highway Traffic Safety Administration, NRM-01, 400 7th Street, SW, Washington, DC 20590, 202 426-1810

RIN: 2127-AB45

412. SEAT BELT ASSEMBLY ANCHORAGES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.210

Abstract: Would propose amending Standard No. 210 to harmonize the strength of the anchorage test with the United Nations Economic Commission for Europe (ECE) Regulation No. 14 and to upgrade other requirements and clarify language.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA95

413. CHILD SEATING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.213

Abstract: Would amend FMVSS 213 to change its buckle release pressure requirements.

Timetable:

Action	Date		FR	Cite
NPRM	05/05/83	48	FR	20259
Final Action	05/00/85			

Small Entity: No

Additional Information: Docket No. 74-09. NPRM, Notice 12.

Analysis: Regulatory Evaluation (minimal) 05/00/85

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA80

414. O CHILD RESTRAINT SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.213

Abstract: Would amend Safety
Standard No. 213, Child Restraint
Systems, to specify more objective
criteria for the testing procedures and
determine compliance with the
inversion requirement specified in this
standard. The inversion test was added
to the standard in a final rule (49 FR
34357), and is an optional requirement
with which compliance must be
certified if a child restraint
manufacturer wishes to certify its
restraints for use in both motor vehicles
and aircraft.

Timetable:

Action	Date		FR	Cite
NPRM .	08/30/84	49	FR	34374
NPRM Comment Period Begin	08/30/84	49	FR	34374
NPRM Comment Period End	10/15/84			
Final Action	03/00/85			

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 03/00/85

Current and Projected Rulemakings Other Rulemakings

Agency Contact: Ralph J. Hitchcock, Director, Department of Transportation, National Highway Traffic Safety Administration, Office of Vehicle Safety Standards, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB41

415. MOTORCYCLE HELMETS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.218

Abstract: The proposal would add new headform sizes to FMVSS 218.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Concil Entite	us Undetermined	

Small Entity: Undetermined

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA40

416. TIRE IDENTIFICATION AND RECORDKEEPING

Legal Authority: 15 USC 1392; 15 USC 1407; 15 USC 1421

CFR Citation: 49 CFR 574

Abstract: Would amend the regulation to give retreaders of tires for motor vehicles other than passenger cars on option, during the retreading process, of either removing the original manufacturer's DOT symbol from the retreaded tire or leaving the symbol on the tire.

Timetable:

Action	Date		FR	Cite
NPRM	05/17/84	49	FR	20880
NPRM Comment Period Begin	05/17/84	49	FR	20880
NPRM Comment Period End	07/16/84			
Final Action	03/00/85			

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 03/00/85

Agency Contact: Ralph J. Hitchcock, Director, Department of Transportation, National Highway Traffic Safety Administration, Office of Vehicle Safety Standards, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB36

417. AIR BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.121

Abstract: Would amend the brake application and release timing requirements and test devices in FMVSS No. 121 in order to better simulate the real world performance with respect to towing and towed units, especially multi-trailer combinations.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85		

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 04/00/85

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB12

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

418. HIGHWAY SAFETY STANDARDS

Legal Authority: 23 USC 402 CFR Citation: 23 CFR 1204

Abstract: This joint NHTSA/FHWA rulemaking would amend seven of the 18 Highway Safety Standards to eliminate apparent Federal paperwork requirements.

Timetable:

Action	Date		FR	Cite	
NPRM	08/31/84	49	FR	34513	
NPRM Comment Period Begin	08/31/84	49	FR	34513	
NPRM Comment Period End	10/01/84				
Final Action	04/00/85	6			

Small Entity: No

Agency Contact: George Reagle, Department of Transportation, National

Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0837

RIN: 2127-AA96

419. INCENTIVE GRANT CRITERIA FOR ALCOHOL TRAFFIC SAFETY PROGRAMS--AMENDMENT

Legal Authority: 23 USC 408 CFR Citation: 23 CFR 1209

Abstract: Would amend the 408 grant program to expand the scope of the regulation to include programs for the treatment, rehabilitation of and research into drugged driving and to establish a special grant for states with minimum sentencing requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	SAN TOTAL

Small Entity: No

Government Levels Affected: State

Agency Contact: George Reagle, Assoc, Administrator for Traffic Safety Prgm, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW. Washington, DC 20590, 202 426-0837

RIN: 2127-AB23

420. VEHICLE CLASSIFICATION -COMPACT VANS/STATION WAGONS

Legal Authority: 15 USC 1392; 15 USC 1407; 15 USC 2001

CFR Citation: 49 CFR 571; 49 CFR 523

Abstract: Would invite comment on possible amendments to the safety and fuel economy regulations, with respect to the manner in which compact vans/station wagons and certain other vehicles are classified.

Timetable:

Action	Date	FR Cite

Next Action Undetermined
Small Entity: No

Current and Projected Rulemakings Other Rulemakings

Agency Contact: S. Wood, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2992

RIN: 2127-AA57

421. ANTHROPOMORPHIC TEST DUMMIES

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 572

Abstract: Would provide performance criteria for the adult surrogate dummies which would be required in dynamic testing of vehicles if Standard 214, Side Door Strength, is upgraded.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA48

422. O DEFECT AND NONCOMPLIANCE REPORTS

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 573

Abstract: In response to a petition, the agency would propose to delete certain information currently required to be included in the quarterly reports submitted to NHTSA by a motor vehicle or motor vehicle equipment manufacturer conducting a defect or noncompliance notification campaign.

Timetable:

Action Date FR Cite NPRM 03/00/85

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 03/00/85

Agency Contact: George Parker, Associate Administrator for Enforcement, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW. Washington, DC 20590, 202 426-9700

RIN: 2127-AB44

423. CONSUMER INFORMATION--STOPPING DISTANCE

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 575.101

Abstract: Would modify requirements for stopping distance consumer information. A notice was published approving various alternatives concerning the requirement to provide stopping distance information. Comments are under review and analysis.

Timetable:

Action Date FR Cite NPRM 06/30/83 48 FR 30166 NPRM Comment 06/30/83 Period Begin

Action FR Cite Date

NPRM Comment 08/05/83 Period End

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 83-09. NPRM, Notice 1.

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AA50

424. CONSUMER INFORMATION -WET STOPPING DISTANCE

Legal Authority: 15 USC 1392; 15 USC

1407

CFR Citation: 49 CFR 575.105

Abstract: Would develop a new rule for consumer information if tests indicate that there are significant differences in wet stopping distances among different models of cars on asphalt or concrete road surfaces.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AA56 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA) **Existing Regulations Under Review Priority Reviews**

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

425. LAMPS, REFLECTIVE DEVICES. AND ASSOCIATED EQUIPMENT

Priority: Agency Determination

egal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571.108

Abstract: This standard, which is applicable to both motor vehicles and equipment, specifies requirements for original and replacement lamps, reflective devices, and associated equipment necessary for signaling and for the safe operation of motor vehicles during darkness and other conditions of reduced visibility. The standard-is being reviewed because of its relatively high costs and to refine previous agency estimates of its effectiveness. At the present time, the review is limited to the standards requirements for side marker lamps. An evaluation report will be prepared and made available for public comment before completion of the review. At that time, the agency will consider whether changes should be made in the standard's requirements.

Existing Regulations Under Review Priority Reviews

A review has determined that this rule has minimal effects on small entities and therefore a Regulatory Flexibility Act Review (RFA Review) is not required. The rule will still be reviewed as a priority review item.

Timetable:

Action	Date	FR Cite
Comments docketed		
Evaluation Report published	08/01/83	48 FR 34783

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AA60

426. HEAD RESTRAINTS

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC

1407

CFR Citation: 49 CFR 571.202

Abstract: This regulation, which was promulgated in 1969, is designed to reduce the frequency and severity of neck injuries in passenger car accidents. It is estimated that the rule requires a recurring investment of \$130 million (an additional cost of \$19 per vehicle). This review is completed. An evaluation report was published in February 1982. Public comments were received, summarized and docketed. Future action resulting from this review is undetermined at this time.

Timetable:

THIT CLASSIC.				
Action	Date		FR	Cite
Comments docketed		1		
Evaluation Report published	02/18/82	47	FR	7291
End Review	03/00/85			

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AA58

427. SIDE DOOR STRENGTH

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.214

Abstract: This regulation provides minimum standards for side door crash resistance for passenger cars under static test conditions. NHTSA estimates that the standard saves 2,800 lives and averts 7,000 injuries a year. A recurring cost of \$300 million (an additional cost of \$38 per vehicle) is associated with the requirement. An initial review of this regulation, originally promulgated in 1974, was completed in 1979.

Timetable:

Action	Date	FA	Cite
Comments docketed	100	PARTY.	A DULL
Evaluation Report published	12/06/82	47 FR	54839

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AA59

428. • FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 301 - FUEL SYSTEM INTEGRITY

Priority: Agency Determination Legal Authority: EO 12291 CFR Citation: 49 CFR 571.301

Abstract: This standard, which is applicable to passenger cars, light trucks, and school buses, specifies requirements for the integrity of motor vehicle fuel systems. The purpose of the standard is to reduce deaths and injuries caused by fires which result from fuel spillage or after motor vehicle crashes. This evaluation follows up and expands on a prior study on passenger cars which showed that while the regulation was effective in preventing deaths and injuries, the incidence of crash fires appeared to be increasing. This evaluation will also provide the initial assessment of the regulation as it applies to light trucks. A review has determined that this rule has minimal effects on small entities, and therefore a Regulatory Flexibility Act Review is not required. The rule will still be reviewed as a priority review item. Subsequent to completion of the study and provision for public comment, the Agency will consider whether changes should be made in the standard's requirements.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	Maria Maria
End Review	03/31/86	

Small Entity: No

Agency Contact: Frank Ephraim, Director, Office of Program Evaluation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington,

DC 20590, 202 426-1574

RIN: 2127-AB43

[FR Doc. 85-8370 Filed 04-26-85; 8:45 sm]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA)

Existing Regulations Under Reviews
Other Reviews

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

429. OCCUPANT PROTECTION IN

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.201

Abstract: This standard, which is applicable to passenger cars, light trucks and buses, and multi-purpose passenger vehicles, includes requirements for padded instrument panels, seat backs, sun visors and arm rests. Its purpose is to provide impact protection for occupants. This regulation was selected for review because of costs, safety benefits and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/86	
End Review	12/00/86	

Small Entity: No

Agency Contact: Frank Ephraim,
Department of Transportation, National
Highway Traffic Safety Administration,
400 Seventh Street, SW, Washington,
DC 20590, 202 426-1574

RIN: 2127-AB16

430. WINDSHIELD GLAZING MATERIALS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.205

Abstract: This regulation was selected for review because of costs, and safety benefits.

Timetable:

Action	Date	FR Cite
Begin Review	02/00/84	
End Review	03/00/85	

Small Entity: No -

Additional Information: Evaluation Report will be completed.

Agency Contact: Frank Ephraim,
Department of Transportation, National
Highway Traffic Safety Administration,
400 Seventh Street, SW, Washington,
DC 20590, 202 426-1574

RIN: 2127-AA73

431. SEATING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571.207

Abstract: This regulation was selected for review because of costs.

Timetable:

Action	Date	FR Cite
Begin Review	05/00/85	THE REAL PROPERTY.
End Review	10/00/85	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AA69

432. WINDSHIELD MOUNTING

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.212

Abstract: This regulation was selected for review because of costs, and safety benefits.

Timetable:

Action	Date	FR Cite
Begin Review	02/00/84	The ball
End Review	03/00/85	

Small Entity: No

Additional Information: Evaluation report will be completed.

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AA74

433. CHILD SEATING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.213

Abstract: This regulation was selected for review because of public interest.

Timetable:

	FR Cite
00/84	DE THE
00/85	
	00/84 00/85

Small Entity: No

Agency Contact: Frank Ephraim,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AA70

434. SCHOOL BUS SEATING SYSTEM

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571,222

Abstract: This regulation was selected for review because of public interest.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/86	
End Review	06/00/86	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AA65

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

435. HIGHWAY SAFETY PROGRAMS; ASSESSMENT AND STATUS

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1205

Abstract: This regulation identified five NHTSA areas for priority funding under the State and Community Highway Safety Grant Program. The review will assess the state of highway safety activity and determine the effect of the regulation nationwide, provide a trend analysis of changes in activity over several years and compare these trends with earlier periods of time. (A sixth area is covered by FHWA and will be reviewed by that agency.)

Timetable:

Action	Date	FR Cite
End Review	00/00/00	
Small Entity:	No	

Additional Informa

Additional Information: An Evaluation report will be completed.

Existing Regulations Under Review Other Reviews

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington,

DC 20590, 202 426-1574

RIN: 2127-AB19

436. VOLUNTARY TIRE REGISTRATION

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407; 15 USC 1418; 15 USC 1421

CFR Citation: 49 CFR 574

Abstract: This regulation requires that independent tire dealers provide customers with a card to register newly purchased tires so that the customer may send in the completed card. These dealers were formerly required to register the tires for the customer, a requirement which has been retained for manufacturer-owned stores. The

Motor Vehicle Safety and Cost Savings Authorization Act of 1982 requires that an evaluation be conducted.

Timetable:

Action	Date	FR Cite
Begin Review	07/00/83	
Evaluation and Report	05/00/85	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1574

RIN: 2127-AB18

437. UNIFORM TIRE QUALITY GRADING

Priority: Undetermined

Legal Authority: 15 USC 1423

CFR Citation: 49 CFR 575

Abstract: Would include rolling resistance for tires as a substitute for top temperature resistance grade in the Uniform Tire Quality Grading Standards.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AA52 [FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-82-T

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA)

COMPLETED RULEMAKINGS 438. CHILD SEATING SYSTEMS

Priority: Agency Determination

Legal Authority: 14 USC 1392; 14 USC

1407

CFR Citation: 49 CFR 571.213

Abstract: Amends Standard No. 213, Child Restraint Systems, so that child restraint systems may be certified for use in motor vehicles, or for use in both motor vehicles and aircraft.

Timetable:

Action	Date	FR	Cite
NPRM	08/15/83	48 FR	36849
Final Action	08/30/84	49 FR	34357
Final Action Effective	02/26/85	49 FR	34357

Small Entity: No

Additional Information: Docket No. 74-09. NPRM. Notice 13. Completed Actions
Priority Rulemakings: Non-Major

Analysis: Regulatory Evaluation (minimal) 08/30/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB08

[FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS 439. CONTROLS & DISPLAYS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571,101

Abstract: This final rule amends several of the identification requirements of the standard to improve the system by providing easily recognizable, international symbols and to relieve unnecessary restrictions on manufacturers by providing additional flexibility in their ability to identify controls and displays. Some amendments are of an optional nature.

Others are optional now and become mandatory on September 1, 1987.

Timetable:

Action	Date		FR	Cite
NPRM	11/04/82	47	FR	49993
Final Action	07/27/84	49	FR	30191
Final Action Effective	07/27/84	49	FR	30191

Small Entity: No

Additional Information: Docket No. 1-18. NPRM, Notice 23.

Analysis: Regulatory Evaluation (minimal) 07/27/84 (49 FR 30191)

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA05

440. BRAKE HOSES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.106

Abstract: In response to a petition for rulemaking, a final rule was issued allowing the use of brake hoses and

Completed Actions Other Rulemakings

end fittings which are labeled in metric units.

Timetable:

Action	Date	FR	Cite
NPRM	04/12/82	47 FR	15612
Final Action	01/22/85	50 FR	4688

Small Entity: No

Additional Information: Docket No. 82-09. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 01/22/85

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA09

441. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571_108

Abstract: Amends Safety Standard No. 108 by adopting changes in rear yellow turn signal photometrics, license plate lamp requirements, minimum headlamp mounting heights and test grids for stop, turn, parking and tail lamps. The primary purpose of the amendments is to bring the requirements in the standard closer to those of the Economic Commission for Europe of the United Nations (ECE). The amendments will permit cost savings without adversely affecting safety.

Timetable:

Action	Date		FR	Cite
NPRM	08/01/83	48	FR	34784
Final Action	11/26/84	49	FR	46386
Final Action Effective	12/26/84	49	FR	46386

Small Entity: No

Additional Information: Docket No. 83-12. NPRM, Notice 1.

Analysis: Regulatory Evaluation 11/26/84

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA79

442. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571.108

Abstract: Amends Safety Standard No. 108 to allow motor vehicles to be equipped with a new four lamp rectangular sealed beam headlamp system smaller than that currently allowed. The system, to be known as Type E, consists of two lamps which produce lower beam light and two lamps which produce upper beam light.

Timetable:

Action	Date	FR Cite
NPRM	04/30/84	49 FR 18321
NPRM Comment Period Begin	04/30/84	
NPRM Comment Period End	05/30/84	
Final Action	12/27/84	49 FR 50176
Final Action Effective	07/01/85	49 FR 50176

Small Entity: No

Analysis: Regulatory Evaluation 12/27/84

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB10

443. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: Amends the corrosion test requirements and procedures in Motor Vehicle Safety Standard No. 108 applicable to semi-sealed replaceable bulb headlamps and lens/reflector components of such headlamps.

Timetable:

Action	Date		FR	Cite
NPRM	09/30/83	48	FR	44866
Final Action	11/23/84	49	FR	44899
Final Action Effective	09/01/85	49	FR	47397

Small Entity: No

Additional Information: Docket No. 81-11. NPRM, Notice 5.

Analysis: Regulatory Evaluation (minimal) 11/23/84

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 428-0842

RIN: 2127-AB11

444. MOTORCYCLE CONTROLS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.123

Abstract: Amends Safety Standards No. 123. Motorcycle Controls and Displays to allow greater flexibility in mounting the manual fuel control shut off valve. Its primary benefit is that it will relieve a current design restriction which is deemed no longer necessary for motor vehicle safety.

Timetable:

Action	Date	FR Cite
NPRM	09/06/83	48 FR 40286
Final Action	09/07/84	49 FR 35380
Final Action Effective	10/09/84	49 FR 35380

Small Entity: No

Additional Information: Docket No. 83-13. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 09/07/84

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0642

RIN: 2127-AA28

445. MOTORCYCLE CONTROLS AND DISPLAYS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.123

Abstract: Amends Standard No. 123 by adding symbols as an option to the words which are presently required to identify motorcycle controls and displays. This amendment brings the standard into harmony with latest documents promulgated by the International Standards Organization. The changes should reduce compliance costs by promoting international harmonization.

Completed Actions
Other Rulemakings

ED Cit.

Timetable:

Action	Date		FR	Cite
NPRM	09/06/83	48	FR	40282
Final Action	09/10/84	49	FR	35503
Final Action Effective	10/10/84	49	FR	35503

Small Entity: No

Additional Information: Docket No. 83-14. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 09/10/84

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA29

446. SEAT BELT ASSEMBLIES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.209

Abstract: Would amend FMVSS 209 to modify resistance to light test procedures. This action is in response to a petition for rulemaking. Subsequent to 1980 NPRM, new test procedures were developed, necessitating a new NPRM.

Timetable:

Action	Date		FR	Cite
Previous NPRM	06/01/80	45	FR	29102
NPRM	11/28/83	48	FR	53583
Final Action	09/18/84	49	FR	36507
Final Action Effective	09/18/84	49	FR	36507

Small Entity: No

Additional Information: Docket No. 80-06. NPRM, Notice 1. Second NPRM, Notice 2.

Analysis: Regulatory Evaluation (minimal) 09/18/84

Agency Contact: R. Hitchcock,

Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA37

447. EVIDENTIAL BREATH TESTING DEVICES

Legal Authority: 23 USC 402; 23 USC 403

Abstract: Would convert NHTSA's standard on evidential breath testing devices to guidelines.

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20100
NPRM Comment Period Begin	05/11/84	
NPRM Comment Period End	06/11/84	
Final Action	12/14/84	49 FR 48854

Small Entity: No

Additional Information: In the past, states using Federal funds to purchase evidential breath testing devices were required to purchase devices meeting NHTSA specifications, which were set forth in a standard. Since this requirement no longer applies to states, the reason for maintaining a standard no longer exists. The agency therefore plans to maintain the information in the form of guidelines.

Analysis: Regulatory Evaluation (minimal) 12/14/84

Agency Contact: R. Engle, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9581

RIN: 2127-AA99

448. CALIBRATING DEVICES FOR EVIDENTIAL BREATH TESTING DEVICES

Legal Authority: 23 USC 402; 23 USC 403

Abstract: Would convert NHTSA's standard on calibrating devices for evidential breath testing devices to guidelines.

Timetable:

Action	Date	rn che
NPRM	05/11/84	49 FR 20102
NPRM Comment Period Begin	05/11/84	
NPRM Comment Period End	06/11/84	
Final Action	12/14/84	49 FR 48864

Small Entity: No

Additional Information: In the past, states using Federal funds to purchase calibrating devices for evidential breath testing devices were required to purchase devices meeting NHTSA specifications, which were set forth in a standard. Since this requirement no longer applies to states, the reason for maintaining a standard no longer exists. The agency therefore plans to maintain the information in the form of guidelines.

Analysis: Regulatory Evaluation (minimal) 05/11/84

Agency Contact: R. Engle, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9581

RIN: 2127-AB00 [FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) National Highway Traffic Safety Administration (NHTSA)

Completed Actions
Priority Reviews

COMPLETED REVIEWS 449. HYDRAULIC BRAKE SYSTEMS

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105

Abstract: This standard, which currently applies to passenger cars and school buses, specifies requirements for hydraulic service brake and associated parking brake systems. [The standard became applicable, in modified form, to hydraulic braked trucks, all types of buses, and multipurpose passenger vehicles, in 1983. A priority review of

this extension of the standard has already been completed.) The purpose of the standard is to ensure safe braking performance under normal and emergency conditions. The standard is being reviewed because of its relatively high costs, and the controversial nature of some of its requirements, as well as to refine previous agency estimates of

Completed Actions Priority Reviews

its effectiveness. An evaluation report will be prepared and made available for public comment before completion of the review. At that time, the agency will consider whether changes should be made in the standard's requirements. It should also be noted that the agency is actively involved with the Economic Commission for Europe (ECE) in international harmonization efforts in this area. A review has determined that this rule has minimal effects on small entities, and therefore a Regulatory Flexibility Act Review (cont)

Timetable:

Small Entity: No

Action	Date	FR Cite
Comments docketed	Selection .	DE LE
Evaluation Report published	03/10/83	48 FR 10096
End Review	01/00/85	

Additional Information: ABSTRACT CONT: [RFA Review] is not required. The rule will still be reviewed as a priority review item. This review is completed.

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW. Washington, DC 20590, 202 426-1574

RIN: 2127-AA62

450. FUEL SYSTEM INTEGRITY

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC

CFR Citation: 49 CFR 571,301

Abstract: This review is completed. The review found that while the standard was effective in reducing fatalities and injuries in passenger car crashes, the

incidence of crash fires appeared to be on the increase. A new evaluation will be initiated to assess the significance of this trend and also to evaluate, for the first time, the effectiveness of the standard as it applies to light trucks.

Timetable:

Action	Date	FR Cite	
Comments docketed			
Evaluation Report published	01/10/83	48 FR 1089	
End Review	12/31/84		

Small Entity: No

Agency Contact: Frank Ephraim. Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 282 426-1574

RIN: 2127-AA61 [FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Railroad Administration (FRA)

451. ALCOHOL AND DRUGS

Priority: Agency Determination Legal Authority: 45 USC 431 CFR Citation: 49 CFR 218

Abstract: The NPRM invites comments on a proposed rule to address the problem of alcohol and drug use by employees engaged in rail operations. Alcohol and drugs may impair the performance of operating employees such as train and engine crews, and such impairment has been implicated in a number of serious railroad accidents. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date		FR	Cite
ANPRM	07/05/83	49	FR	30723
NPRM	06/12/84	49	FR	24252

Action	Date	FR Cite
Public Hearing, Denver, Colorado to gather information	07/17/84	
Public Hearing, Chicago, Illinois to gather information	07/19/84	
Public Hearing, New Orleans, LA to gather information	07/23/84	
Technical Conference, Arlington, VA to gather information	08/01/84	
Public Hearing, Wash., DC to gather information	08/02/84	
Final Action	03/00/85	

Current and Projected Rulemakings Priority Rulemakings: Non-Major

Small Entity: No

Additional Information: Docket No. RSOR-6. FRA held public hearings previously at the ANPRM stage to gather information. Hearings were held in Atlanta, Georgia (July 25, 1983), Kansas City, Missouri (July 26, 1983), Sacramento, California (July 28, 1983), and Washington, D.C. (September 1, 1983).

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Walter Rockey. Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 428-0895

RIN: 2130-AA18 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Railroad Administration (FRA)

Current and Projected Rulemakings
Other Rulemakings

452. SAFETY STANDARDS FOR CABOOSES

Legal Authority: 45 USC 431; 45 USC 438

CFR Citation: 49 CFR 237

Abstract: The proposed rule would seek to establish comprehensive safety standards for cabooses.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. RSC-76-6

Analysis: Regulatory Evaluation

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA01

453. AMENDMENTS TO REGULATIONS IMPLEMENTING SECTION 905 OF THE 4R ACT

Legal Authority: PL 94-210 CFR Citation: 49 CFR 265

Abstract: This action would amend 49 CFR Part 265 to make changes necessitated by the promulgation of the Department of Transportation's comprehensive Minority Business Enterprise regulation (49 CFR Part 23). Part 265 will be revised to omit those provisions now covered in Part 23.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Analysis: Regulatory Evaluation

Agency Contact: Mark H. Tessler, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7737

RIN: 2130-AA04

454. SPECIAL SAFETY INQUIRY

Legal Authority: PL 96-354

Abstract: FRA has initiated a Railroad Safety Inquiry to obtain information from the public to assist in evaluating and improving its safety regulatory program as it applies to "small railroads." The inquiry will also assist in meeting the goals of the Regulatory Flexibility Act by obtaining data that will assist in defining the economic impact of existing rules on small railroads.

Timetable:

Action	Date	FR Cite
Notice of Hearings	08/03/81	46 FR 39461
Public Hearings 09/00/81,	11/00/81	
10/00/81, and		

Next Action Undetermined

Small Entity: Yes

Analysis: Regulatory Evaluation

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0895

RIN: 2130-AA06

455. RULES OF PRACTICE

Legal Authority: PL 96-354 CFR Citation: 49 CFR 211

Abstract: This proposed rule would amend 49 CFR Part 211 to respond to the provisions of the Regulatory Flexibility Act of 1980 by defining the criteria used by FRA in determining whether any regulatory proposal or final rule will have a significant economic impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	THE RESERVE

Small Entity: No

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Lawrence I. Wagner, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-8836

RIN: 2130-AA07

456. SPECIAL SAFETY INQUIRY; RAIL PASSENGER EQUIPMENT

Legal Authority: 45 USC 431; 45 USC 438

Abstract: Special Safety Inquiry will obtain information to assess the potential impact of technological developments and operational changes on rail passenger equipment.

Timetable:

Action	Date	FR	Cite
Notice of Special Safety Inquiry	01/17/84	49 FR	02045
Public Hearing	05/29/84		
Next Action Und	etermined		

Small Entity: No

Additional Information: A public hearing was held in Washington, D.C. on May 29, 1984 (Docket No. RSSI-84-1).

Agency Contact: Phil Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA25

457. SPECIAL SAFETY INQUIRY; RAIL-HIGHWAY GRADE CROSSING SAFETY

Legal Authority: 45 USC 431; 45 USC 437

Abstract: The inquiry will obtain information from the public to assist in evaluating possible future courses of action to enhance public safety at railroad-highway grade crossings.

Timetable:

Action	Date	1	FR	Cite
Notice of Special Safety Inquiry	06/18/84	49 F	R	24968
Public Hearing, St. Paul, Minnesota	07/16/84			
Notice of Special Safety Inquiry	12/24/84	49 F	R	49961
Public Hearing, Washington, D.C. begins 01/23/85	01/24/85			

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. RSSI - 84-3.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA27

458. SPECIAL SAFETY INQUIRY; RAILROAD POWER BRAKES

Legal Authority: 45 USC 431; 45 USC

CFR Citation: 49 CFR 232.13

DOT-FRA

Current and Projected Rulemakings Other Rulemakings

Abstract: The inquiry will obtain information from the public to assist FRA in evaluating currently available devices that can determine the brake pipe pressure on the rear car of a train and transmit the pressure reading to the cab of the controlling locomotive.

Timetable:

Action	Date	FR Cite
Notice of Special Safety Inquiry	05/07/84	49 FR 19359
Public Hearing, Washington, D.C.	06/05/84	
ANPRM	03/00/85	

Small Entity: No

Additional Information: Docket No. RSSI-84-2, Notice No. 1.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA28

459. RAILROAD LOCOMOTIVE SAFETY STANDARDS

Legal Authority: 45 USC 22; 45 USC 23; 45 USC 28; 45 USC 34

CFR Citation: 49 CFR 229

Abstract: This proposal would revise 49 CFR Part 229 to reduce or eliminate certain reporting and recordkeeping requirements pertaining to railroad locomotive inspections.

Timetable:

Action	Date		FR	Cite
NPRM	05/11/84	49	FR	20029
Final Action	03/00/85			

Small Entity: No

Additional Information: Docket No. LI-7, Notice No. 1.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA29

460. RAILROAD OPERATING RULES

Legal Authority: 45 USC 431 CFR Citation: 49 CFR 217.13

Abstract: The proposed rule would eliminate the annual report requirement in 49 CFR 217.13 for railroads that employ 15 or fewer employees subject to the Hours of Service Act (45 USC 61-64b).

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20028
Final Action	03/00/85	

Small Entity: No

Additional Information: Docket No. RSOR-8, Notice No. 1.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA30

461. FREIGHT CAR SAFETY STANDARDS

Legal Authority: 45 USC 431; 45 USC 438

CFR Citation: 49 CFR 215.103

Abstract: The proposed rule would clarify the definition of a defective wheel. The NPRM proposes a technical correction to 49 CFR 215.103 to eliminate confusion over the proper measurement and extensiveness of discoloration found on freight car wheels due to an oxidation process that occurs after a wheel has been subject to thermal abuse.

Timetable:

Action	Date	FR Cite
NPRM	06/22/84	49 FR 25645
Public Hearing, Washington, D.C.	07/26/84	
Notice of Additional Public Hearings	12/17/84	49 FR 48952
Public Hearing, Washington, D.C.	01/17/85	
Public Hearing, Washington, D.C.	03/12/85	

Small Entity: No

Additional Information: Docket No. RSFC-6

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA31

462. REVIEW OF LOCOMOTIVE CAB SAFETY

Legal Authority: 45 USC 431; 45 USC 437; 45 USC 22; 45 USC 23; 45 USC 28; 45 USC 34

CFR Citation: 49 CFR 229

Abstract: The Agency is engaged in a review of the issue of locomotive cab environment. The review will evaluate possible future courses of action to enhance the safety of railroad employees who occupy locomotive cabs.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, Washington, DC 20590, 202 428-0897

RIN: 2130-AA32

463. ● REVIEW OF RADIO COMMUNICATION

Legal Authority: 45 USC 431; 45 USC 437

CFR Citation: 49 CFR 220

Abstract: The Agency is engaged in a review of the issue of radio communication in the railroad industry. The review will evaluate possible future courses of action to enhance the safety of railroad operations involving radio communication.

Timetable:

and the second s		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA34

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Railroad Administration (FRA)

Existing Regulations Under Review Other Reviews

464. REGULATORY FLEXIBILITY ACT REVIEWS

Legal Authority: PL 98-354

Abstract: In accordance with the Regulatory Flexibility Act (RFA) review plan published in the Federal Register on June 30, 1981 (46 FR 33693), FRA has not selected any specific regulations for RFA review at this time. Instead, FRA has established a plan to develop regulatory definitions of the criteria used in the RFA for the selection of regulations to be reviewed. A notice was published in the Federal Register

on August 3, 1981 (46 FR 39461) initiating a safety inquiry to evaluate the effectiveness of the safety regulatory program as it applies to small railroads.

Timetable:

Action	Date		FR	Cite
Review Plan Notice of Safety Inquiry Review	06/30/81 08/03/81	200		33693 39461

Next Action Undetermined

Small Entity: Yes

Agency Contact: Lawrence I. Wagner, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-8836

RIN: 2130-AA10

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Federal Railroad Administration (FRA)

ACTIONS THAT STARTED AND

Abstract: The rule revises the threshold from \$4.500 to \$4.900

465. ADJUSTMENT OF MONETARY
THRESHOLD FOR REPORTING
ACCIDENTS/INCIDENTS

Legal Authority: 45 USC 38; 45 USC 42; 45 USC 431; 45 USC 437; 49 USC 1655

CFR Citation: 49 CFR 225

UNIFIED AGENDA

Abstract: The rule revises the reporting threshold from \$4,500 to \$4,900 for railroad accidents/incidents involving property damage that occur during the calendar year 1985.

Timetable:

Action	Date	FR Cite
Final Action	12/17/84	49 FR 48938
Final Action Effective	01/01/85	

Other Rulemakings

Completed Actions

Small Entity: No

Agency Contact: Robert Finkelstein, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2760

RIN: 2130-AA33

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Urban Mass Transportation Administration (UMTA)

466. "BUY AMERICA"
REQUIREMENTS OF THE SURFACE
TRANSPORTATION ASSISTANCE ACT
OF 1982

Priority: Major

Legal Authority: PL 97-424 Surface Transportation Assistance Act of 1982 Sec 165

CFR Citation: 49 CFR 661

Abstract: This rulemaking implements Section 165 of the Surface Transportation Assistance Act of 1982 (PL 97-424). Timetable:

Action Date FR Cite

Emergency Final 09/15/83 49 FR 41562 Rule

Next Action Undetermined

Small Entity: Yes

Additional Information: UMTA issued this regulation as an emergency regulation in September 1983. UMTA took this action since the requirements in Section 165 of the 1982 STAA apply to all UMTA funds obligated after

Current and Projected Rulemakings Priority Rulemakings: Major

January 6, 1983. UMTA will determine what, if any further regulatory activities to take based on a review of the comments.

Agency Contact: Edward J. Gill, Jr., Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4063

RIN: 2132-AA15 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Urban Mass Transportation Administration (UMTA)

Current and Projected Rulemakings Priority Rulemakings: Non-Major

467. IMPLEMENTATION OF SECTION 19 OF THE URBAN MASS TRANSPORTATION ACTS OF 1964 --NONDISCRIMINATION

Priority: Agency Determination

Legal Authority: 49 USC 1615 UMT Act Sec. 19

CFR Citation: 49 CFR 626

Abstract: The proposed regulations would unify the civil rights regulations that recipients of funds under the Urban Mass Transportation Act must meet. This rulemaking is significant because substantial public interest is anticipated. Regulations are needed to implement a new statutory provision which consolidates UMTA's authority to assure effective and uniform compliance with civil rights and equal employment opportunity requirements in a manner comparable to other agencies within the Department of Transportation.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	The state of the s

Small Entity: No

Additional Information: Section 19 was added to the UMT Act in November 1978 by the Surface Transportation Assistance Act of 1978. UMTA plans to issue an NPRM in 1985.

Analysis: Regulatory Evaluation 07/00/85

Agency Contact: Harry Takai, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Room 7412, Washington, DC 20590, 202 426-6371

RIN: 2132-AA01

468. ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

Priority: Agency Determination

Legal Authority: 42 USC 4321 et seq; 23 USC 101 et seq; 49 USC 1601 et seq; 49 USC 1653(f)

CFR Citation: 23 CFR 771; 49 CFR 622

Abstract: This regulation covers the preparation of environmental impact statements and related documents and compliance with other Federal environmental requirements under UMTA and FHWA grant programs. The changes are intended to streamline the project development process and provide increased decisionmaking authority to agency field offices. This rulemaking is significant because it

involves important departmental policy. It is needed to reduce burdens associated with the environmental review process.

Timetable:

Action	Date		FR	Cite
Notice and Request for Comments	04/13/81	46	FR	21620
NPRM Final Action	08/01/83 07/00/85	48	FR	34894

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert Gatz, FHWA. (202) 426-0106. Notice and request for comments on priority review of environmental process published on April 13, 1981 (46 FR 21620). An NPRM was published on August 1, 1983.

Analysis: Regulatory Evaluation 08/01/83

Agency Contact: Abbe Marner, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0096

RIN: 2132-AA03

469. CHARTER BUS REGULATIONS

Priority: Task Force

Legal Authority: 49 USC 1602(f); 49 USC 1608(c)

CFR Citation: 49 CFR 604

Abstract: These regulations provide information regarding the restrictions imposed by section 3(f) of the UMT Act (49 USC 1602(f)) on charter bus operations by UMTA recipients. UMTA will publish an NPRM in March, 1985.

Timetable:

Action	Date	FR Cite
ANPRM	10/12/82	47 FR 44795
NPRM	03/00/85	

Small Entity: Yes

Additional Information: ADDITIONAL LEGAL AUTHORITY: 49 CFR 1.51 also applies. UMTA originally published these regulations on April 1, 1976 (41 FR 14123). UMTA published an ANPRM on January 19, 1981, that proposed extensive changes to the regulations. (46 FR 5394). The comment period closed on March 5, 1981. UMTA reviewed the comments received and recognized that there were many fundamental issues that needed further exploration. Consequently, UMTA decided to issue a new ANPRM rather

than to continue to develop the previously issued ANPRM into an NPRM. The new ANPRM was published on October 12, 1982, and the public comment period closed on Nov. 26, 1982. Based on comments to the ANPRM, UMTA will publish an NPRM in 1985.

Analysis: Draft RFA 03/00/85; Regulatory Evaluation 03/00/85

Agency Contact: Douglas G. Gold, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1936

RIN: 2132-AA04

470. AIR QUALITY PROCEDURES FOR USE IN FEDERAL-AID HIGHWAY AND FEDERALLY FUNDED TRANSIT PROGRAMS

Priority: Agency Determination

Legal Authority: 23 USC 109(h); 23 USC 109(j); 23 USC 315; 42 USC 4332; 42 USC 7401; 42 USC 7506

CFR Citation: 23 CFR 770

Abstract: This regulation proposes to consolidate and amend existing air quality requirements for transportation projects into a single amended air quality regulation. The amended regulation is intended to streamline and simplify (1) the process of determining which highway projects are exempt from the Federal assistance limitations of section 176(a) of the Clean Air Act (CAA), and (2) the conformity and priority procedures contained in 23 CFR 770. The amendments are also intended to provide more authority and flexibility to State and local agencies and to meet the objectives of the CAA in the most cost-effective and expeditious manner. The amendments are significant because they involve important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	-1-1450

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: James N. Shrouds. (202) 426-4838, of FHWA.

Analysis: Regulatory Evaluation 07/00/85

DOT-UMTA

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

Agency Contact: James Getzewich, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7182

RIN: 2132-AA19

471. MAJOR CAPITAL INVESTMENT PROJECTS

Priority: Agency Determination

Legal Authority: 49 USC 1602; 49 USC 1604; 49 USC 1607; 49 USC 1607a-1; 23 USC 103(e)(4); 23 USC 142

CFR Citation: 49 CFR 615

Abstract: This regulation will set out the process applicants for grants under the UMT Act (49 USC 1601 et seq.) and the Federal-Aid Highway Act should follow in order to be eligible for Federal financial assistance for major capital investment projects. UMTA plans to issue an NPRM in 1985. This regulation is significant because it involves important departmental policy.

Ti			

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Don Emerson/Gerald Musarra, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Room 9228, Washington, DC 20590, 202 426-1936

RIN: 2132-AA22

472. © EXTENSION OF SAFETY REQUIREMENTS TO ALL FEDERALLY ASSISTED BUSES

Priority: Agency Determination

Legal Authority: 49 USC 1602; 49 USC 1607

Abstract: On October 1, 1982, UMTA rescinded its policy making advanced design bus specifications (The "White Book") mandatory for its grantees, but continued to mandate certain safety requirements applicable to such buses. On October 16, 1984, UMTA issued an ANPRM on whether these safety requirements should be extended to

other buses financed by UMTA. This rulemaking is significant because of substantial public interest and controversy and because of the potential impact on the bus industry.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ANPRM asked for comments on what benefits would be derived from mandating these requirements; what their financial impact on manufacturers and grantees would be; and whether competition in bus markets would significantly be affected by these.

Government Levels Affected: Local, State

Agency Contact: Kenneth E. Bolton, Director of Policy, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Room 9300, Washington, DC 20590, 202 426-4060

RIN: 2132-AA24 [FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Urban Mass Transportation Administration (UMTA)

Current and Projected Rulemakings Other Rulemakings

473. INNOVATIVE TECHNIQUES AND METHODS

Legal Authority: 49 USC 1603(i)

CFR Citation: 49 CFR 644

Abstract: These regulations would prescribe policies and procedures for administering the grant programs for projects using innovative techniques and methods in the management and operation of public transportation services under Section 4(i) of the UMT Act as amended.

Timetable:

Action	Date	FR	Cite
NPRM	12/01/80	45 FR	79669
To be withdrawn	00/00/00		

Small Entity: No

Additional Information: UMTA will prepare a Circular dealing with Innovative Techniques and Methods 4(i). UMTA will withdraw the NPRM and publish a Circular that will be described in the Federal Register. Until

then, however, the NPRM should be used as guidance.

Analysis: Regulatory Evaluation 12/01/80

Agency Contact: Ray Lopez,

Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-8483

RIN: 2132-AA05

474. MISCELLANEOUS AMENDMENTS - ORGANIZATION, FUNCTIONS, AND PROCEDURES

Legal Authority: 49 USC 1657; 49 USC 1659

CFR Citation: 49 CFR 601

Abstract: These amendments will reflect modifications in the organization and distribution of functions as well as changes in the delegations of authority within the Urban Mass Transportation Administration.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: Mary Pat Stephenson, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4022

RIN: 2132-AA06

475. TECHNOLOGY INTRODUCTION

Legal Authority: 49 USC 1602(a)(1)(c)

CFR Citation: 49 CFR 641

Abstract: These regulations would implement Section 3(a)(1)(c) of the UMT Act of 1964, as amended, by prescribing policies and procedures for administering the grant program for projects that would introduce new technology into public transportation.

DOT-UMTA

Current and Projected Rulemakings Other Rulemakings

Timetable:

Action	Date	1	FR	Cite
NPRM	01/19/81	46	FR	5832
To be withdrawn	00/00/00			

Small Entity: Yes

Additional Information: UMTA will prepare a Circular dealing with Technology Introduction 3(a)(1)(c). UMTA has decided to withdraw this rulemaking activity and to issue it as a Circular that will be described in the Notice section of the Federal Register. Until then, the January 19, 1981, NPRM should be used as guidance.

Analysis: Regulatory Evaluation 01/19/81

Agency Contact: Ray Lopez, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-8483

RIN: 2132-AA07

476. SCHOOL BUS OPERATIONS

Legal Authority: 49 USC 1602(g); 49 USC 1608(c)(6); 23 USC 103(e)(4); 23 USC 142(a); 23 USC 142(c)

CFR Citation: 49 CFR 605

Abstract: This regulation provides information regarding the restrictions imposed by section 3(g) of the UMT Act (49 USC 1602(g)) on the school bus operations by UMTA recipients. UMTA plans to issue an NPRM based on the October 12, 1982 ANPRM in 1985.

Timetable:

Action	Date	FR Cite
ANPRM	10/12/82	47 FR 44795
ANPRM Comment Period End	11/26/82	
NPRM	07/00/85	

Small Entity: Yes

Additional Information: UMTA originally issued this regulation on April 1, 1976 (41 FR 14128). UMTA reviewed this regulation and issued an ANPRM that proposed three alternatives to the current regulation: (1) retain the existing regulation, (2) modify the definition of "tripper services," and (3) define "exclusive" school bus service. The public comment period closed November 26, 1982.

Analysis: Draft RFA 07/00/85; Regulatory Evaluation 07/00/85

Agency Contact: Katherine Cowen, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4011

RIN: 2132-AA09

477. PRIVATE ENTERPRISE PARTICIPATION

Legal Authority: 49 USC 1607(e); 49 USC 1602(e)

CFR Citation: 49 CFR 614

Abstract: This regulation will implement two provisions of the UMT Act concerned with private enterprise participation: Section 8(e) of the Act (49 U.S.C. 1607(e)) which addresses the maximum feasible participation of private enterprise in the plans and programs funded by UMTA; and Section 3(e) of the Act (49 U.S.C. 1602(e)) which addresses the findings the Secretary must make, as a precondition to the provision of financial assistance under the Act, as a means of protecting the position of existing mass transportation companies.

metable:

Action	Date	FR	Cite
NPRM	05/00/85	H. H	100

Small Entity: Yes

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: Gerald Musarra, Attorney Adviser, Department of Transportation, Urban Mass Transportation Administration, 400 7th Street, SW, Room 9223, Washington, DC 20590, 202 426-1936

RIN: 2132-AA20

478. ● SECTION 15 REPORTING REQUIREMENTS FOR SECTION 9 APPORTIONMENT GRANTS; PENALTY PROCEDURES FOR NONCOMPLIANCE

Legal Authority: 49 USC 1607; 49 USC 1611

CFR Citation: 49 CFR 630

Abstract: This regulation would implement procedures to handle late reporters, missing certifications and dead head miles in order to provide more timely Section 9 formula apportionments based on the most valid data available.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Ron Fisher, Director, Information Services, Department of Transportation, Urban Mass Transportation Administration, URT-7, 202 426-9157

RIN: 2132-AA23 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT)

Saint Lawrence Seaway Development Corporation (SLSDC)

Other Rulemakings

COMPLETED RULEMAKINGS 479. ST. LAWRENCE SEAWAY TARIFF OF TOLLS AMENDMENT

Legal Authority: 33 USC 988 68 Stat. 96 CFR Citation: 33 CFR 402

Abstract: Revision of 33 CFR Part 402 in accordance with the statutory requirements of 33 USC 988. The NPRM will set forth proposed changes to the charges to be assessed for the full or

partial transit of the Saint Lawrence Seaway in 1985 and thereafter as appropriate. The changes will be the result of international negotiations between the Saint Lawrence Seaway Development Corporation and the St. Lawrence Seaway Authority of Canada. Cost will be borne primarily by foreign vessels, since these regulations relate to commercial users of the Seaway. The economic benefits to be derived from a

safe and efficiently operated St. Lawrence Seaway are considerable.

Timetable:

Action	Date	FR Cite
NPRM -	07/25/84	49 FR 29971
NPRM Comment Period Begin	07/25/84	
NPRM Comment Period End	09/10/84	
Final Action	10/29/84	49 FR 46893

Completed Actions Other Rulemakings

Final Action Effective

11/29/84 49 FR 46893

Small Entity: No

Agency Contact: Frederick A. Bush, Chief Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090, 202 426-3574

RIN: 2135-AA06 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT)

Research and Special Programs Administration (RSPA)

480. REVIEW: PERFORMANCE-ORIENTED PACKAGING STANDARDS

Priority: Agency Determination

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 172; 49 CFR 173;

49 CFR 178

Abstract: To develop performanceoriented packaging standards for small packagings based on the Recommendation of the United Nations Committee of Experts on the Transport of Dangerous Goods. Also includes former non-significant rulemakings entitled "Consolidation of Specifications and Establishment of Performance Standards for Specification Bags" (Docket No. HM-153), "Specifications for and use of Specification 17 Steel Drums" (Docket No. HM-182), and "Organic Peroxide Requirements" (Project 186-72). The rulemaking is significant because a large number of specifications for packaging in the Hazardous Materials Regulations would be affected by this project. To a large extent the complexity and mass of the present Hazardous Materials Regulations are due to the detailed specification-type packaging standards contained in these regulations. To replace these with standards based on the U.N. system would both simplify the present regulations and facilitate international trade.

Timetable:

Action	Date	FR	Cite
ANPRM	04/15/82	47 FR	16268
Corrections Docum & Notice of Meeting	06/17/82	47 FR	26172

Action	Date	FR Cite
Extension of Comment Period to 01/13/83	09/00/82	47 FR 40816
NPRM	03/00/85	

Small Entity: No

Additional Information: Docket No. HM-181. Further action to be determined from evaluation of comments received on ANPRM.

Agency Contact: T. Charlton, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA01

481. DATA COLLECTION AND REPORTING: HAZARDOUS MATERIALS INCIDENT REPORTS

Priority: Agency Determination

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1809

CFR Citation: 49 CFR 171

Abstract: The current regulations require reports of hazardous material incidents. The objective of this review is to determine if the current data requirements can be modified to reduce the burden on industry but still result in the collection of the information needed for the hazardous materials safety program. Although safety programs, such as the one covered by these regulations, require data in order to function properly, it is possible that the data collection can be made less burdensome.

Timetable:

Action	Date		Cite	
ANPRM	03/16/84	49	FR	10042
NPRM	03/00/85			

Current and Projected Rulemakings Priority Rulemakings: Non-Major

Small Entity: No

Additional Information: Docket HM-

Agency Contact: R. Abis, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA51

482. REPORTABLE QUANTITIES OF HAZARDOUS SUBSTANCES

Priority: Agency Determination Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 171; 49 CFR 172; 49 CFR 173

Abstract: Requested comments on the burdens and benefits associated with incorporating EPA revised Reportable Quantities of Hazardous Substances into the Hazardous Materials Regulations. Discussion of the regulatory alternatives being considered is included. Potential costs and benefits are unknown at this time. This regulation is significant because of substantial public interest and because it is potentially controversial.

Timetable:

THIS SCHOOL		
Action	Date	FR Cite
ANPRM	08/08/83	48 FR 35965
ANPRM	08/08/83	
Comment		
Period Begin	with the	
ANPRM	10/12/83	
Comment Period End		
Extension of time	10/10/00	48 FR-48483
for public	10/19/03	40 FM 40400
comment till		
11/16/83.		
NPRM	06/00/85	

Small Entity: No

Current and Projected Rulemakings Priority Rulemakings: Non-Major

Agency Contact: L. Jackson,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA68

483. PACKAGING AND
PLACARDING REQUIREMENTS FOR
LIQUIDS TOXIC BY INHALATION

Priority: Agency Determination

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172; 49 CFR 173

Abstract: This rulemaking involves a revision of packaging requirements pertaining to certain types of toxic materials, and requirements for dual placarding without regard to the quantity in a transport vehicle. The intended effect of this action is to establish a higher level of safety in the transportation of toxic materials. This action is significant because it concerns a matter on which there is substantial public interest. A Regulatory Analysis is not required.

Timetable:

Period Begin

Action	Date	100	FR	Cite
NPRM	02/07/85	50	FR	5270
NPRM Comment	02/07/85			

Action Date FR Cite

NPRM Comment 03/07/85
Period End
Final Action 04/00/85

Small Entity: No

Analysis: Regulatory Evaluation 02/07/85

Agency Contact: T. Allan, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA76

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Research and Special Programs Administration (RSPA)

484. DEFINITION OF A FLAMMABLE SOLID

Legal Authority: 49 USC 1803 to 1806

Abstract: Consideration of new standards for classifying a material as a flammable solid. Previously part of Docket HM-118 which was terminated May 22, 1980 (45 FR 34560) to permit publication of ANPRM.

Timetable:

Action	Date		FR	Cite
ANPRM	05/07/81	46	FR	25492

Next Action Undetermined

CFR Citation: 49 CFR 173

Small Entity: No

Additional Information: Docket No. HM-178

Agency Contact: C. Ke, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA05

485. REVIEW: REVISION OF OPERATING PROCEDURES FOR MOTOR VEHICLES

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 177

Abstract: Proposed simplification and recodification of the existing operating procedures for transportation of hazardous materials by motor vehicles as prescribed in Part 177. Development

of driver training requirements (formerly Project 270-78).

Timetable:

Action	Date	FR Cite
THE STATE OF THE S	THE RESERVE TO SERVE	Marian Control

Next Action Undetermined

Small Entity: No

Additional Information: Project 261-78

Agency Contact: M. Morris,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA07

486. USE OF INTERESTED INSPECTORS FOR CYLINDER INSPECTIONS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 178

Abstract: Proposal would result in ending of permitting "Interested" inspectors to perform inspections and testing of domestically manufactured low pressure gas cylinders.

Timetable:

Action	Date		FR Cite		
NPRM	03/17/76	44	FR 11179		
Novt Antion	Undetermined				

Next Action Undetermin

Small Entity: No

Additional Information: Docket No. HM-74A

Current and Projected Rulemakings Other Rulemakings

Agency Contact: H. Mitchell.

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA08

487. CONSOLIDATION AND REVISION OF REQUIREMENTS FOR THE CARRIAGE OF EXPLOSIVES BY VESSEL

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 176

Abstract: Proposed consolidation and revision of requirements for the carriage of military and commercial explosives by vessel and adoption of United Nations scheme for classification and compatibility of explosives for the water mode.

Timetable:

Next Action Undetermined

Small Entity: No

Additional Information: Project 279-78

Agency Contact: T. Allan, Department of Transportation, Research and Special

Current and Projected Rulemakings Other Rulemakings

Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1577

RIN: 2137-AA10

488. OXIDIZING MATERIALS DEFINITION, CRITERIA AND PROPOSED REGULATIONS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Abstract: Development of new standards for classifying a material as an oxidizing material.

Timetable:

Action	Date	FR Cite
ANPRM	06/15/81 4	6 FR 31294
NPRM	03/00/85	

Small Entity: No

Additional Information: Docket No. HM-179

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: C. Schultz,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA11

489. INTERIOR PIPING

Legal Authority: 49 USC 1672 CFR Citation: 49 CFR 192

Abstract: The adequacy of existing standards with regard to safety problems concerning interior piping would be examined and new standards may be proposed. Responses to the ANPRM indicate that State and local safety regulations adequately cover gas

piping in a building. Proposed change in "Service Line" definition would recognize this situation.

Timetable:

Action	Date	FR	Cite
ANPRM	04/03/80	45 FR	22118
NPRM	03/00/85		

Small Entity: No

Additional Information: Docket No. PS-67.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: R. Langley,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA21

490. MISCELLANEOUS HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172

Abstract: Development of miscellaneous proposals dealing with the communications regulations and odorization of LP gas.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: Docket No. HM-126E

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: L. Metcalfe,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA25

491. RADIATION LEVEL SPECIFICATIONS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173.441(b)

Abstract: Proposed rewrite of 49 CFR 173.441(b) for clarity and enforceability.

Timetable:

Action	Date	FR Cite
NPRM	10/07/82	47 FR 44356
Final Action	03/00/85	THE REAL PROPERTY.

Small Entity: No

Additional Information: Docket No. HM-166P.

Analysis: Regulatory Evaluation 10/07/82

Agency Contact: W. Carriker,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA27

492. PRIVATE CARRIERS LICENSED TO USE RADIOACTIVE MATERIALS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173; 49 CFR 177

Abstract: Proposed exceptions for private carriers who also are licensed to use radioactive materials in the course of their businesses.

Timetable:

Action Dat	e FR Cite
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Next Action Undetermined

Small Entity: No

Additional Information: Project 298-82.

Agency Contact: W. Carriker,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA28

493. SPECIFICATION PACKAGES OF TYPE B AND FISSILE RADIOACTIVE MATERIALS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173

Abstract: Advance notice to address feasibility of continued use and needed modifications of certain radioactive materials package designs.

Timetable:

Action	Date	FR Cite
ANIDDM	05/00/85	A STATE OF THE PARTY OF THE PAR

Small Entity: No.

Additional Information: Project 300-83.

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA29

494. QUALITY ASSURANCE FOR RADIOACTIVE MATERIALS SHIPPERS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173

Abstract: Advance notice to solicit comments on the desirability of establishing quality assurance program

Current and Projected Rulemakings
Other Rulemakings

requirements for all shippers of radioactive materials.

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Action	Date	FR Cite
ANPRM	03/00/85	

Small Entity: No

Additional Information: Project 291-80.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA30

495. PLACARDING OF EMPTY TANK CARS

Legal Authority: 49 USC 1803 to 1806 CFR Citation: 49 CFR 172.510

Abstract: An advance notice requesting comments on the International Association of Fire Chiefs' petition for removal of the requirement for displaying the EMPTY placard on tank cars.

Timetable:

Action	Date	FR	Cite
ANPRM	07/23/81	46 FR	37953
NPRM	08/10/84	49 FR	32090
Final Action	05/00/85		

Small Entity: No

Additional Information: Docket No. HM-180

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: L. Metcalfe,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA35

496. DOT SPECIFICATION 51 PORTABLE TANKS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 178

Abstract: Consideration of revisions of DOT Specification 51 Portable Tanks, including waiver of requirements for post-weld heat treatment for certain steels and use of bottom outlets.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/85	

Small Entity: No

Additional Information: Project 302-83.

Agency Contact: L. Jackson,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA36

497. MONITORING EXTERNAL CORROSION CONTROL

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Abstract: The requirement to annually check the performance of cathodic protection on pipeline under paving and other corrosion survey regulations would be made more appropriate.

Timetable:

Action	Date	FR Cite
ANPRM NPRM	03/10/83 4 03/00/85	8 FR 10092

Small Entity: No

Additional Information: Docket No. PS-76

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: P. Cory, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA38

498. STEEL PIPE

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Abstract: Development of performance standards for qualifying steel pipe for use in gas pipelines.

Timetable:

The state of the s		
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Action deferred pending development of industry standard by Voluntary Standards Committee.

Agency Contact: P. Cory, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA40

499. SPECIFICATION AND USE REQUIREMENTS FOR MC 306, MC 307, AND MC 312 CARGO TANKS (INCLUDING PROJ. 301-83 AND INCORPORATES DOCKET HM 183)

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805

CFR Citation: 49 CFR 173; 49 CFR 177; 49 CFR 178

Abstract: Modify cargo tank specifications in sections 178.340-178.342 for clarity, provide for manufacture of vacuum-loaded cargo tanks, establish standards for corrosion in cargo tanks. (In conjunction with BMCS.)

Timetable:

Action	Date		FR	Cite
ANPRM	06/28/82	47	FR	27876
NPRM	03/00/85			

Small Entity: Undetermined

Additional Information: Docket No. HM-183A

Agency Contact: H. Mitchell/ J. Pena, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0033

RIN: 2137-AA42

500. RECLASSIFICATION OF CORDEAU DETONANT FUSE

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172; 49 CFR 173; 49 CFR 177

Abstract: Proposal would change the hazard classification of certain types and quantities of cordeau detonant fuse from Class C explosive to Class A explosive.

Timetable:

Action	Date	FR	Cite
NPRM	05/17/84 49	FR	20873
Final Action	03/00/85		

Current and Projected Rulemakings
Other Rulemakings

Small Entity: Undetermined

Additional Information: Project 297-82. Docket No. HM-191.

Analysis: Regulatory Evaluation 05/17/84

Agency Contact: T. Allan, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA54

501. RECORDS FOR HYDROSTATIC TESTING, OPERATION AND MAINTENANCE AND ACCIDENT REPORTING

Legal Authority: 49 USC 2002 CFR Citation: 49 CFR 195

Abstract: Records of hydrostatic testing would be permitted to be kept in supporting documents as well as the pressure recording chart. The retention period for records of operations would be reduced from three years to one year. Inspection and maintenance records for components other than pipe would be kept for one year rather than three years. Revised reporting requirements would be proposed.

Timetable:

Action	Date		FR	Cite
NPRM	11/13/84	49	FR	44928
Final Action	05/00/85		3	

Small Entity: No

Analysis: Regulatory Evaluation 11/13/84

Agency Contact: F. Robinson,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA58

502. NONDESTRUCTIVE TESTING OF GIRTH WELDS

Legal Authority: 49 USC 2002

CFR Citation: 49 CFR 195

Abstract: The requirement to nondestructively test 100 percent of the girth welds would be reduced to 90 percent at certain locations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	05/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: F. Robinson,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA59

503. INTRASTATE LIQUID PIPELINES

Legal Authority: 49 USC 2002 CFR Citation: 49 CFR 195

Abstract: The applicability of Part 195 would be extended to include intrastate pipelines transporting petroleum, petroleum products or anhydrous ammonia. New definitions to be proposed.

Timetable:

Action	Date		FR	Cite
NPRM	03/26/84	49	FR	11226
NPRM	03/00/85			

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: F. Robinson.

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA60

504. CONFIRMATION OR REVISION OF MAXIMUM OPERATING PRESSURE FOR CERTAIN CHANGES IN CLASS LOCATION

Legal Authority: 49 USC 1672 CFR Citation: 49 CFR 192

Abstract: Proposal would change the requirement for confirmation or revision of the maximum allowable operating pressure for certain pre-tested gas pipelines when changed conditions adjacent to the pipeline meet the class location definition of 49 CFR 192.5(d)(2).

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	-

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: R. Langley,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA62

505. SPECIFICATION 8W AND 8WA WELDED STEEL CYLINDERS

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 171; 49 CFR 173; 49 CFR 178

Abstract: Would eliminate existing Specifications 8 and 8AL and provide a consolidated specification for the manufacture of acetylene cylinders.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: Docket No. HM-23.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: M. Morris,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA63

506. REVISION OF THE IM TANK TABLE

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Abstract: Would revise the IM Tank Table to incorporate interim approvals issued since April of 1981 and other changes.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Ball-saide :

Small Entity: No

Additional Information: Docket No. HM-167A

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: L. Jackson,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA64

Current and Projected Rulemakings Other Rulemakings

507. CYLINDER RETESTER IDENTIFICATION NUMBERS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Abstract: Proposal to incorporate procedures applicable to cylinder retesters.

Timetable:

Action	Date	FR	Cite
NPRM	10/04/84	49 FR	39172

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-172B

Agency Contact: D. Henry, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5982

RIN: 2137-AA65

508. CLARIFICATION OF WELDING REQUIREMENTS FOR GAS PIPELINES

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192.223; 49 CFR 192.225; 49 CFR 192.227; 49 CFR 192.237; 49 CFR 192.239

Abstract: Clarification of requirements for preheating and stress relieving to be proposed; redundancies in welding and welder qualification would be removed (Part 192, Subpart E).

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Simon.

Small Entity: No

Agency Contact: William A. Gloe, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA69

509. OVALITY OF FIELD BENDS IN STEEL PIPE

Legal Authority: 49 USC 1672 CFR Citation: 49 CFR 192.313

Abstract: Limitations of Sec. 192.313(a)(2) being reviewed in light of petition by INGAA claiming impracticality of the rule. Data on hand indicates the ovality limitations may well be unnecessary for safety.

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	49 FR 43728
Final Action	03/00/85	

Small Entity: No

Agency Contact: William A. Gloe, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA70

510. DAMAGE PREVENTION PROGRAM FOR GAS PIPELINES (DOCKET NO. PS-59)

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192.614

Abstract: Proposed wording change on requirement for operator response to notice from excavator would facilitate more effective programs.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	100

Small Entity: No

Agency Contact: Melvin A. Judah, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA71

511. MODIFICATIONS TO DOT SPECIFICATION 21PF-1 OVERPACKS

CFR Citation: 49 CFR 178

Abstract: This rulemaking responds to a Department of Energy request that we improve the water resistance of overpacks used in the transportation of uranium hexafluoride. The natural form of mined uranium has low radioactivity; it must be purified to produce a form suitable for certain commercial uses. The purification process produces a small amount of radioactive uranium hexafluoride and a large amount of waste uranium hexafluoride enriched in the fissionable U-235 isotope that is of low radioactivity. This rulemaking addresses the packaging for the more highly radioactive, enriched uranium hexafluoride. It does not address the low level radioactive waste uranium hexafluoride, which is transported in plain cylinders.

In the recent capsize of a French vessel carrying uranium hexafluoride, there was a danger of radioactive contamination because the vessel was carrying a variety of uranium hexafluoride packages; some contained material that had been removed from spent reactor fuel and reprocessed for reuse. In the United States, this material is never reprocessed, furthermore, the enriched form of uranium hexafluoride is always carried (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/16/84	49 FR 32774
NPRM Comment Period Begin	08/16/84	
NPRM Comment Period End	09/12/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: Docket No. HM-190 ABSTRACT CONT: in the United States in the overpacks that are addressed in this rulemaking. RSPA has no data showing any releases of radioactivity from these overpacks. DOE has been rejecting some deliveries from its contractors because of water in the overpacks; this rulemaking would increase the resistance of the overpacks to water penetration and retention.

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2313

RIN: 2137-AA72

512. MARKING OWNER'S SYMBOLS ON COMPRESSED GAS CYLINDERS

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 173.34(c)(1)

Abstract: Currently the regulations allow more than one owner symbol on a cylinder. This revision would prohibit the display of more than one owner symbol on a compressed gas cylinder. This will promote easy identification of cylinders and reduce theft problems associated with these cylinders.

Timetable:

Action	Date		FR	Cite
ANPRM	04/11/84	49	FR	14405
ANPRM	04/11/84			
Comment				
Period Begin				

Current and Projected Rulemakings Other Rulemakings

Action	Date	FR Cite
ANPRM Comment Period End	05/23/84	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-172A

Agency Contact: L. Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA74

513. TRITIUM AND CARBON-14; LOW SPECIFIC ACTIVITY RADIOACTIVE MATERIALS TRANSPORTED FOR DISPOSAL

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 173.425(d)

Abstract: Currently, the transportation of tritium and carbon-14 is more strictly regulated than their disposal. In order to correct this disparity, MTB proposes to regulate their transportation to a degree more appropriate to the limited risk which they present. The proposal would permit shippers to disregard the radioactive hazard if the specific activity of the material does not exceed 0.05 microcuries per gram. This will permit disposal of these materials at other than radioactive material disposal sites. As this is a relaxation of the current rules there would be a cost savings to shippers. In addition, the scarce disposal sites for radioactive materials could be more efficiently used for the containment of more highly radioactive wastes.

Timetable:

	THE RESERVE AND ADDRESS OF THE PERSON NAMED IN
Date	FR Cite
08/23/84	49 FR 33469
08/23/84	
09/24/84	
03/00/85	
	08/23/84 08/23/84 09/24/84

Small Entity: Undetermined

Additional Information: Docket No. HM-193 Agency Contact: Richard R. Rawl, Chief, Radioactive Materials Branch, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2313

RIN: 2137-AA75

514. © EXCEPTIONS FOR SPECIFIED QUANTITIES OF RADIOACTIVE MATERIALS

Legal Authority: 49 USC 1806

CFR Citation: 49 CFR 173.4; 49 CFR 173.421-1; 49 CFR 173.421-2

Abstract: Materials Transportation Bureau is proposing to renew for two years the exceptions provided for Limited Quantities of Radioactive Materials. These exceptions are in 49 CFR 173.4, 173.421-1 and 173.421-2. These exceptions permit the transportation of Radioactive Material aboard passenger-carrying aircraft.

Timetable:

Action	Date	FR Cite	
NPRM	03/00/85		1
Final Action	04/00/85		

Small Entity: No

Agency Contact: L. Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, 202 425-2075

RIN: 2137-AA77

515. ● RECLASSIFICATION OF SPECIAL FIREWORKS

Legal Authority: 49 USC 1801

CFR Citation: 49 CFR 172.101; 49 CFR 173.88; 49 CFR 173.100

Abstract: This notice solicits comments on the merits of a petition of rulemaking proposing to reclassify certain fireworks currently classified as class B explosives to class C explosives.

Timetable:

Action	Date	FR Cite
ANPRM	11/19/84	49 FR 45627
ANPRM Comment Period Begin	11/19/84	49 FR 45627
ANPRM Comment Period End	02/14/85	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Irving R. Abis, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh St, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA78

516. ● DESIGNATION OF TESTING LABORATORIES; UNITED NATIONS PACKAGINGS

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 107.401; 49 CFR 107.402; 49 CFR 107.404

Abstract: Most European countries are expected to require, beginning May 1, 1985, the certification by the national competent authority of packagings marked as conforming to performance standards specified in the United Nations Recommendations for the Transport of Dangerous Goods. That rule effectively eliminates use of packagings produced in the U.S. To assure acceptance of U.S.-produced packagings in Europe, DOT proposes a voluntary system of third-party packaging certification. Other alternatives considered were to do nothing and to issue certifications directly by DOT. Benefits and cost have not been quantified. However, as the proposed rule is strictly voluntary, it may be stated that there are no imposed costs. Benefits accrue when the affected parties avoid costs associated with having their packagings certified by a foreign Competent Authority. To receive such a certification the packaging must be sent to Europe for testing, or an agent of the foreign Competent Authority must be reimbursed for costs incurred in traveling to the U.S. to conduct an examination and testing. Both of those processes are costly to the party seeking the (cont)

Timetable:

Action	Date		FR	Cite	
NPRM	10/12/84	49	FR	40056	
NPRM Comment Period Begin	10/12/84	49	FR	40056	
NPRM Comment Period End	11/13/84				
Interim Final Rule	03/00/85				

Small Entity: No

Current and Projected Rulemakings Other Rulemakings

Additional Information: ABSTRACT CONT: certification. Similar examinations and testings conducted by U.S.-based laboratories should be available at a greatly reduced cost. Docket HM-194.

Agency Contact: Thomas G. Allan, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA80 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT)

Research and Special Programs Administration (RSPA)

Current and Projected Rulemakings Other Rulemakings: Routine and Frequent

517. CONVERSION OF INDIVIDUAL EXEMPTIONS TO REGULATIONS OF GENERAL APPLICABILITY

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 171 to 178

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. NPRM approximately every four months; with FR targeted approximately two months thereafter. 01/00/85-12/00/85.

Timetable:

Action	Date		FR	Cite
Periodic Update	01/19/84	49	FR	2250
NPRM	08/28/84	49	FR	34044
Final Action	12/00/85			

Small Entity: Undetermined

Additional Information: Docket No. HM-139

Agency Contact: D. Raines,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-2726

RIN: 2137-AA43

518. MINOR REGULATORY ADJUSTMENTS TO REGULATIONS OF GENERAL APPLICABILITY

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 171 to 178

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current.

NPRM approximately every four months, with FR targeted approximately two months thereafter. 01/00/84-12/00/84.

Timetable:

Action	Date		FR	Cite
NPRM	03/22/84	49	FR	10780
Periodic Update	03/22/84	49	FR	10780
Final Action	03/00/85			

Small Entity: Undetermined

Additional Information: Docket No. HM-166R.

Analysis: Regulatory Evaluation 03/22/84

Agency Contact: D. Raines,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-2726

RIN: 2137-AA44

519. MATTER INCORPORATED BY REFERENCE (HAZARDOUS MATERIALS)

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 171

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. NPRM approximately every six months, with FR targeted two months thereafter. 01/00/84-12/00/84.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: Docket No. HM-22A.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: E. Mazzullo.

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA45

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Research and Special Programs Administration (RSPA)

Existing Regulations Under Reviews
Other Reviews

520. REWRITE AND RECODIFICATION OF SECTION 173.34

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173.34, Rewrite and Recodification

Abstract: The recodification of Sec. 173.34 will provide industry with

regulations set up by the functions to be performed. The rewrite should make it possible to understand the regulations more readily, and simplify the process of determining how to apply specific requirements. The potential cost has tentatively been determined to be minimal.

Action Date FR Cite ANPRM 05/00/85 End Review 07/00/85 Small Entity: No

Existing Regulations Under Review Other Reviews

Additional Information: Project No. 305-

Agency Contact: Charles Hochman, Technical Staff, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 755-4908

RIN: 2137-AA73 [FR Doc. 85-8370 Filed 04-28-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Research and Special Programs Administration (RSPA)

Completed Actions Other Rulemakings

COMPLETED RULEMAKINGS **521. SHIPMENT OF MATCHES**

Legal Authority: 49 USC 1803 to 1806 CFR Citation: 49 CFR 172: 49 CFR 173

Abstract: Revision and simplification of requirements concerning matches.

Timetable:

Action	Date	FR	Cite
NPRM	06/09/83	48 FR	26650
Final Action	09/13/84	49 FR	35950

Small Entity: No

Additional Information: Docket No. HM-186.

Analysis: Regulatory Evaluation 06/09/83

Agency Contact: H. Mitchell.

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA13

522. LOCATION, SIZE, AND **OPERATING PRESSURE OF** PIPELINES

Legal Authority: 49 USC 1672 CFR Citation: 49 CFR 192

Abstract: Operators would not be required to maintain maps and records to identify the location, size, and operating pressure of all pipelines.

Timetable:

Action	Date	BH.	FR	Cite
ANPRM	11/29/79	44	FR	68493
Withdrawn	09/17/84	49	FR	36415

Small Entity: No

Additional Information: Docket No. PS-61. Present regulations include maps and records requirements for corrosion control (Sec 192.491); damage prevention program (Sec 192.614); transmission line recordkeeping (Sec 192.707); plus those documents implied and necessary for continuing surveillance, leakage surveys, distribution and transmission line patrol, changes in classification and emergency plans. Study showed benefits do not exceed costs for additional requirements.

Agency Contact: R. Langley, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA22

523. ISOLATED CORROSION PITTING

Legal Authority: 49 USC 2002 CFR Citation: 49 CFR 195

Abstract: Language would be amended to clearly state that a reduction in operating pressure is an acceptable remedy for isolated corrosion pitting.

Timetable:

Action	Date	FR Cite
NPRM	10/13/83	48 FR 46589
Final Action	09/17/84	49 FR 36383

Small Entity: No

Additional Information: Docket No. PS-77.

Analysis: Regulatory Evaluation 09/17/84

Agency Contact: F. Robinson,

Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA57

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Research and Special Programs Administration (RSPA)

Completed Actions Other Rulemakings: Routine and Frequent

COMPLETED RULEMAKINGS 524. IMPLEMENTATION OF THE ICAO TECHNICAL INSTRUCTIONS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 171 to 175

Abstract: These amendments permit the offering, acceptance and transportation by aircraft, and by motor vehicle

incident to transportation by aircraft, of hazardous materials shipments conforming to the provisions of the International Civil Aviation Organization's (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air, in order to facilitate continued shipment of hazardous materials in international

commerce by air. They will be updated annually.

Timetable:

Action	Date		FR	Cite
NPRM	07/08/84	49	FR	27180
Final Action	11/20/84	49	FR	45749

Small Entity: No

Completed Actions

Other Rulemakings: Routine and Frequent

Additional Information: Docket HM-184, HM-184A, HM-184B. This rulemaking is updated annually. For reference, see the following: NPRM 08/02/82, 47 FR 33295; Final Action 12/06/82, 47 FR 54817; NPRM 08/04/83, 48 FR 35491 and Final Action 11/29/83, 48 FR 53710. Analysis: Regulatory Evaluation 07/08/84

Agency Contact: Edward A. Altemos, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0656

RIN: 2137-AA48 [FR Doc. 85-8370 Filed 04-26-85; 8-45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Maritime Administration (MarAd)

Current and Projected Rulemakings
Priority Rulemakings: Major

525. VESSEL OBLIGATION GUARANTEES; VESSEL REQUIREMENTS, UNITED STATES CONSTRUCTION

Priority: Major

Legal Authority: 46 USC 1114(b) CFR Citation: 46 CFR 298.11

Abstract: MARAD is considering amending 46 CFR 298.11 to relax the requirement that where practicable only articles, materials, and supplies of U.S. origin be used in vessels receiving obligation guarantees.

Timetable:

Action Date FR Cite
NPRM 03/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: John M.

Hotaling, (202) 426-5727 (See Agency Contact heading for address).

Analysis: Preliminary RIA 03/00/85

Agency Contact: Norman Hammer, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5733

Current and Projected Rulemakings

Priority Rulemakings: Non-Major

RIN: 2133-AA29 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Maritime Administration (MarAd)

526. CARGO PREFERENCE-U.S. FLAG VESSELS-DETERMINATION OF FAIR AND REASONABLE RATES FOR LINER VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1241(b); 46 USC 1114(b)

CFR Citation: 46 CFR 382, (New)

Abstract: Regulation would require provision of rate and cost data to MARAD so it can determine fair and reasonable rates for carriage of preference cargo at the request of concerned Federal agencies. This rulemaking is significant because it concerns a matter on which there is substantial public interest. It is needed to clarify the meaning of a statutory term.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 05/00/85

Small Entity: No

Analysis: Draft Regulatory Evaluation 05/00/85

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-6036

RIN: 2133-AA02

527. AWARD AND ADMINISTRATION OF OPERATING-DIFFERENTIAL SUBSIDY (ODS) FOR DRY BULK CARGO VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1114(b); 46 USC 1171 to 1176

CFR Citation: 46 CFR 254, (New)

Abstract: Regulation states conditions for award of ODS for dry bulk cargo vessels engaged in worldwide trade. This rulemaking is significant because it reflects a change in policy on a matter of substantial public interest. It is needed because it would recognize unique economic aspects of dry bulk carriers and is intended to afford sufficient flexibility to allow them to compete in worldwide trade.

Timetable:

Action	Date		FR	Cite
NPRM	09/06/79	44	FR	52002
To be withdrawn	03/00/85			

Small Entity: No

Additional Information: There are only 3 dry bulk carriers now under ODS agreements. Those vessels are carrying preference cargoes without subsidy. Since it is unlikely that there will be approval of new ODS applications, this regulation is no longer considered necessary.

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-6036

RIN: 2133-AA04

528. REVIEW: OPERATING-DIFFERENTIAL SUBSIDY (ODS) RATES FOR LINER VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1171 to 1176; 46 USC 1114(b)

CFR Citation: 46 CFR 280

Abstract: New provisions would establish subsidy rates for liner vessels under ODS agreements. This rulemaking is significant because it involves a program with substantial public interest. It would formalize, in a regulation, policy of the Maritime

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

Subsidy Board concerning subsidy rates now published in manual form.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Rulemaking action was suspended pending completion of review of all ODS Regulations for purposes of possible consolidation and simplification. Review has been completed. Development of regulation is awaiting policy decision on procedure for determining subsidy rates.

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-6036

RIN: 2133-AA07

529. PARTICIPATION BY VESSELS BUILT WITH CDS IN THE CARRIAGE OF OIL FROM ALASKA IN THE DOMESTIC TRADE

Priority: Agency Determination

Legal Authority: 46 USC 1156; 46 USC 1114(b)

CFR Citation: 46 CFR 250

Abstract: This advance notice would reassess and ask for comments on whether there is still a need for the current 100,000 deadweight ton criterion for carriage of oil from Alaska to the Panama Canal. This regulation is significant because of substantial public interest.

Timetable:

Action Date FR Cite
ANPRM 03/00/85

Small Entity: No

Agency Contact: Edmond J. Fitzgerald, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA19

530. O OBLIGATION GUARANTEES

Priority: Agency Determination

Legal Authority: 46 USC 1114 (b); 46 USC 1279 (b); 49 CFR 1.66

CFR Citation: 46 CFR 298

Abstract: This NPRM asks for comments on the following issues:

procedures for the calculation of the internal rate of return, used to assist in determining the economic soundness of a project proposed for an obligation guarantee; the anticipated economic impact of the proposed requirement; and proposed changes to confidential information disclosure and insurance reporting requirements pertaining to obligation guarantees applications. This NPRM proposes specific, clear procedures for complying with the internal rate of return analysis required in the final rule on obligation guarantees (see Additional Information). The proposed calculation procedures would produce more accurate information to assist the Maritime Administration in selecting successful applicants. The cost of this NPRM would be an increase in the paperwork burden on applicants required to calculate the internal rate of return. Applicants would benefit from the institution of a more uniform, fair procedure. This rulemaking involves important Departmental policy and is, therefore, significant.

Timetable:

Action	Date	FR Cite
NPRM	03/08/85	50 FR 9532
NPRM Comment Period Begin	03/08/85	
NPRM Comment Period End	04/08/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: Simultaneously with the publication of this NPRM, a Final Rule on Obligation Guarantees will be published. The Final Rule prescribes conditions, terms and procedures for applying for and administering Federal ship financing assistance in the form of obligation guarantees. However, the Final Rule does not specify the method for calculating the internal rate of return. This NPRM asks for comments on the procedures for calculating the internal rate of return. (See the Completed Action section, RIN 2133-AA30.)

Agency Contact: James L. Westcott, Director, Office of Ship Financing, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0389

RIN: 2133-AA30

531. ESTABLISHMENT OF MANDATORY POSITION REPORTING SYSTEM FOR VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1122a; 46 USC 1283

CFR Citation: 46 CFR 307, (New)

Abstract: The Maritime Administrator and the Commandant of the Coast Guard have agreed to merge MARAD's U.S. Merchant Vessel Locator Filing System (USMER) with Coast Guard's Automated Mutual-Assistance Vessel Rescue System (AMVER). Under the new reporting system, USMER reports will be suspended and AMVER reports will be mandatory for all vessels that were previously subject to USMER reporting requirements. This rulemaking is significant because it may involve important Departmental policy.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	WELL BUILD

Small Entity: No

Agency Contact: Walter Lockland, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5743

RIN: 2133-AA31

532. DETERMINATIONS OF NON-AVAILABILITY OF U.S.-FLAG VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1114(b); 46 USC 1122(d); 46 USC 1241(b); PL 97-31

CFR Citation: 46 CFR 381.8

Abstract: This regulation is intended to provide Government agencies and departments guidance in complying with the provisions of the Cargo Preference Act of 1954, 68 Stat. 832 (46 USC 1241(b)), commonly known as Pub. L. 664. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	Long Section 1

Small Entity: No

Current and Projected Rulemakings Priority Rulemakings: Non-Major

Agency Contact: S. Thomas Romeo, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1765

RIN: 2133-AA36

533. ● CARGO PREFERENCE - U.S. FLAG VESSELS - DETERMINATION OF FAIR AND REASONABLE RATES FOR BULK VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1241(b); 46 USC 1114(b)

CFR Citation: 46 CFR 382, (New)

Abstract: This regulation would require provision of rate and cost data to MARAD so it can determine fair and reasonable rates for carriage of preference cargo in bulk vessels at the request of concerned Federal agencies. This rulemaking is significant because it concerns a matter on which there is substantial public interest. It would clarify the meaning of a statutory term.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Della Diggs

Small Entity: No

Additional Information: This rulemaking has split from an earlier rulemaking: Cargo Preference - U.S.

Flag Vessels - Determination of Fair and Reasonable Rates for Liners (RIN = 2133-AA02). Cargo preference regulation was last revised in 1977 (46 CFR 381).

Agency Contact: Frederick D. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-6036

RIN: 2133-AA43

534. NOTICE OF INTENT TO REDESIGNATE ESSENTIAL TRADE ROUTES

Priority: Agency Determination Legal Authority: 46 USC 1121

CFR Citation: Not applicable

Abstract: The Maritime Administration intends to redesignate U.S., foreign trade routes determined to be essential for the promotion, development, expansion and maintenance of the foreign commerce of the United States, under authority in the Merchant Marine Act, 1936. There have been no substantial changes in essential trade route designations since the Act's enactment, other than inclusion of the U.S. Great Lakes. This action recognizes that in recent years major changes in shipping technology and U.S. trade patterns have emerged. It consolidates the present 29 essential

trade routes and essential trade areas into eight essential trade areas.

Timetable:

Action	Date	FR Cite
Notice of Intent to Redesignate Essential Trade Routes	03/08/85	50 FR 9532
Public Comment Period Begins	03/08/85	
Public Comment Period Ends	04/22/85	

Small Entity: No

Additional Information: It reflects the current pattern of vessel operations. It contemplates amendments to the Operating-Differential Subsidy Agreement for a subsidized operator upon request made to the Maritime Subsidy Board. A detailed discussion of the factors supporting this action is contained in a study of the Agency, Reevaluation of U.S. Liner Trade Routes. This study is available upon request.

Agency Contact: Edmond J. Fitzgerald, Director, Office of Trade Studies -MARAD, Department of Transportation, Maritime Administration, 400 Seventh Street, SW - Room 8117, Washington, DC 20590, 202 382-0374

RIN: 2133-AA44 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Maritime Administration (MarAd)

535. FEDERAL INCOME TAX ASPECTS OF THE CAPITAL CONSTRUCTION FUND

Legal Authority: 46 USC 1177; 46 USC 1114(b)

CFR Citation: 46 CFR 391

Abstract: Joint rulemaking with Treasury Department would finalize technical regulations governing the utilization of Capital Construction Fund (CCF) - comprised of deposits of the deferred income from shipping operations, related income, and CCF investment income. To be withdrawn pending further study.

Timetable:

Action	Date		FR	Cite
NPRM	06/15/72	37	FR	11887
To be withdrawn	03/00/85			

Small Entity: No

Additional Information: NPRM published jointly with Treasury Department on June 15, 1972 [37 FR 11887].

Agency Contact: James L. Westcott, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0395

RIN: 2133-AA05

536. REQUIREMENTS AND
PROCEDURES FOR THE
ADMINISTRATION OF CONDITION
SURVEYS AND MAINTENANCE AND
REPAIR SUBSIDY

Legal Authority: 46 USC 1114(b); 46 USC 1171(a)

CFR Citation: 46 CFR 272

Current and Projected Rulemakings Other Rulemakings

Abstract: Regulation clarifies and liberalizes MARAD policy and procedure for administering that part of the Operating-Differential Subsidy (ODS) program relating to requirement for conducting condition surveys of vessels under ODS agreements which provide maintenance and repair (M&R) subsidy.

Timetable:

Next Action Undetermined

Current and Projected Rulemakings Other Rulemakings

Small Entity: No

Additional Information: Separate rulemaking action was suspended pending completion of review of all ODS regulations for purposes of possible consolidation and simplification. Review has been completed. Development of regulation is awaiting policy decision on procedure for determining subsidy rates for maintenance and repair.

Agency Contact: John J. Davis, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5743

RIN: 2133-AA08

537. REQUIREMENTS FOR ESTABLISHING UNITED STATES CITIZENSHIP

Legal Authority: 46 USC 802; 46 USC 803; 46 USC 808; 46 USC 835; 46 USC 838; 46 USC 839; 46 USC 841; 46 USC 1151; 46 USC 1171; 46 USC 1276

CFR Citation: 46 CFR 355

Abstract: Proof of U.S. citizenship is required under MARAD financial assistance and vessel transfer programs. These amendments would amend citizenship regulations to simplify proof of corporate citizenship and to ensure corporate control by U.S. citizens under existing corporate organizational structures. It has been determined that this rulemaking is not necessary at this time.

Timetable:

Action	Date	FR Cite
NPRM	10/12/79	44 FR 58928
To be withdrawn	03/00/85	

Small Entity: No

Agency Contact: Doris Lansberry, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5711

RIN: 2133-AA15

538. STATISTICAL DATA FOR USE IN OPERATING-DIFFERENTIAL SUBSIDY (ODS) APPLICATION HEARINGS

Legal Authority: 46 USC 1175

CFR Citation: 46 CFR 207

Abstract: The amendment proposes procedures that would assist in preparation of standard forecasts of liner cargo (if a Final Rule covering ODS application hearing procedures is issued) in which forecast procedures would be included.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Life Commo

Small Entity: No

Agency Contact: Edmond J. Fitzgerald, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA16

539. SUSPENSION OF ODS AGREEMENTS FOR ALL OR PORTION OF THE VESSELS INCLUDED THEREIN

Legal Authority: 46 USC 1184; 46 USC 1114(b); PL 97-35

CFR Citation: 46 CFR 295, (New)

Abstract: These regulations are necessary to implement Sec. 1603 of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35), which adds a new Sec. 614 to the Merchant Marine Act, 1936.

Timetable:

Date	LE	Cite
08/18/83	48 FF	37449
05/00/85		
		08/18/83 48 FF

Small Entity: No

Analysis: Draft Regulatory Evaluation 08/18/83; Final Regulatory Evaluation 05/00/85

Agency Contact: Raymond Barberesi, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0382

RIN: 2133-AA17

540. RULES OF PRACTICE AND PROCEDURES; FOR HEARING IN OPERATING-DIFFERENTIAL SUBSIDY (ODS) APPLICATION; APPLICATIONS FOR SUBSIDIES AND OTHER DIRECT FINANCIAL AID

Legal Authority: 46 USC 1114(b)

CFR Citation: 46 CFR 201; 46 CFR 208; 46 CFR 251

Abstract: Amendments to existing agency rules of practice and procedure and regulations governing applications for financial assistance, as well as new Part 208 that would establish a standard discovery order and standard techniques for forecasting the adequacy of U.S. flag liner service in hearings

required under the Merchant Marine Act, 1936.

Timetable:

Action	Date	FR	Cite
NPRM	06/25/79 44	FR	37003
Final Action	05/00/85		

Small Entity: No

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: Robert J. Patton, Jr., Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5711

RIN: 2133-AA20

541. FEDERAL TORT CLAIMS

Legal Authority: 28 USC 2672 CFR Citation: 46 CFR 204, (New)

Abstract: This rule establishes a system for processing Federal tort claims involving the Maritime Administration and provides information to the public

Timetable:

on filing such claims.

Action	Date	FR Cite
NPRM	08/30/84	49 FR 34368
NPRM Comment Period Begin	08/30/84	
NPRM Comment Period End	10/29/84	
Final Action	04/00/85	10 10 10

Small Entity: No

Additional Information: LEGAL AUTHORITY: 28 CFR 14.11; 49 CFR 1.45(a)(2) and (3).

Agency Contact: Michael J. McMorrow, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-6321

RIN: 2133-AA32

542. VESSEL OBLIGATION GUARANTEES; WAIVERS FOR FOREIGN-BUILT MAIN DIESEL ENGINES

Legal Authority: 46 USC 1271 to 1279; 46 USC 1114(b)

CFR Citation: 46 CFR 298.11

Abstract: The proposed amendment would adopt a policy to allow all applications for waiver of the "Buy American" requirement with respect to foreign-built high and medium speed diesel engines that are not built in the United States and which afford a specified energy savings. This

Current and Projected Rulemakings Other Rulemakings

rulemaking is being withdrawn because the subject matter is within the scope of a separate, more comprehensive, rulemaking action titled Vessel Obligation Guarantees; Vessel Requirements, United States Construction (RIN = 2133-AA29).

Timetable:

Action	Date	FR Cite
ANPRM	04/21/83	48 FR 17120
ANPRM	04/21/83	48 FR 17120
Comment		
Period Begin		
ANPRM	06/20/83	
Comment		
Period End		
To be withdrawn	03/00/85	

Small Entity: No

Agency Contact: Paul E. Speicher, Jr., Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5727

RIN: 2133-AA33

543. MAKING EXCESS OR SURPLUS FEDERAL PROPERTY AVAILABLE TO THE UNITED STATES MERCHANT MARINE ACADEMY (USMMA), STATE MARITIME ACADEMIES AND APPROVED NONPROFIT MARITIME TRAINING INSTITUTIONS

Legal Authority: 46 USC 1295g

CFR Citation: 46 CFR 310

Abstract: MARAD proposes to implement a provision in the Maritime Education and Training Act of 1980 to make excess or surplus vessels, shipboard equipment and other marine equipment available to the USMMA, State Maritime Academies and other nonprofit training institutions approved jointly by MARAD and the Coast Guard.

Timetable:

Action	Date		FR	Cite
NPRM	12/01/83	48	FR	54254
NPRM Comment Period Begin	12/01/83	48	FR	54254
NPRM Comment Period End	01/16/84			
Final Action	04/00/85			

Small Entity: No

Additional Information: Reference to this rulemaking has been moved from inclusion in the entry "Merchant Marine Training," in the "Priority Rulemakings: Non-Major" section of MARAD's portion of the Agenda.

Analysis: Draft Regulatory Evaluation 12/01/83 (48 FR 54254); Final Regulatory Evaluation 04/00/85

Agency Contact: Arthur Friedberg, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5755

RIN: 2133-AA34

544. BLANKET APPROVAL FOR BAREBOAT CHARTERS AND SALES OF PLEASURE BOATS TO NON-CITIZENS

Legal Authority: 46 USC 808; 46 USC 839; 46 USC 841a

CFR Citation: 46 CFR 221

Abstract: These amendments would expand the scope of a general provision for the blanket approval of certain vessel charters and sales to non-citizens.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	and solved in

Small Entity: Yes

Additional Information: Reference to this rulemaking has been moved from inclusion in the entry, "Documentation, Transfer or Charter of Vessels," in the "Other Rulemakings" section of MARAD's portion of the Agenda.

Analysis: Draft RFA 04/00/85; Regulatory Evaluation 04/00/85

Agency Contact: Jessie Fernanders, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5821

RIN: 2133-AA40

545. MERCHANT MARINE
TRAINING; REGULATIONS AND
MINIMUM STANDARDS FOR STATE,
TERRITORIAL OR REGIONAL
MARITIME ACADEMIES AND
COLLEGES

Legal Authority: 46 USC 1114(b); PL 97-31

CFR Citation: 46 CFR 310

Abstract: The Maritime Administration is amending its merchant marine training regulations to rescind a 10 percent reduction in the number of student incentive payments offered to incoming students at the state maritime academies/colleges. The reduction which is being rescinded was published in the Federal Register on April 4, 1984,

as one of a number of amendments to 46 CFR Part 310 (49 FR 13364). This action is necessary because the 1985 funding level for Maritime Training contained in appropriation legislation exceeds the funding level that had been reflected in the MARAD April rulemaking action.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 49 CFR 1.66.

Agency Contact: Edwin M. Hackett, Department of Transportation, Maritime Administration, 400 Seventh Street, SW. Washington, DC 20590, 202 426-5759

RIN: 2133-AA42

546. ● ELIMINATION OF RESTRICTIONS ON NON-SUBSIDIZED VOYAGES BY SUBSIDIZED LINER COMPANIES

Legal Authority: 46 USC 1173; 46 USC 1114(b)

CFR Citation: 46 CFR 281

Abstract: The Maritime Administration (MARAD) proposes to amend its regulations with respect to procedures now required under liner operating-differential subsidy agreements (ODSA) for Approval of "Non-Subsidized Voyages." This proposed rulemaking would revoke existing requirements that the subsidized operator obtain MARAD approval before it or a related company undertakes a non-subsidized voyage.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Edmond J. Fitzgerald, Director, Office of Trade Studies -MARAD, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA45

Current and Projected Rulemakings Other Rulemakings

547. © GENERAL PROCEDURES FOR DETERMINING OPERATING-DIFFERENTIAL SUBSIDY (ODS) FOR LINER VESSELS

Legal Authority: 46 USC 1173; 46 USC 1114(b)

Abstract: The procedure that MARAD now follows in determining ODS for liner vessels is set forth in a manual, rather than in a regulation. Under the existing procedure, final subsidy payments are delayed on the average of three years. The proposed rule

prescribes a system of fixed and final ODS rates that would permit administration of the ODS program on a more current basis. A change in procedures for determining foreign competition more accurately could result in annual ODS savings of up to \$4 million.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	5 FEET 15
Small Entity		

Agency Contact: Fred Larson, Director, Department of Transportation, Maritime Administration, Office of Ship Operating Costs-MARAD, 400 Seventh Street, SW-Room 8114, Washington, DC 20590, 202 382-0374

RIN: 2133-AA46 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT) Maritime Administration (MarAd)

COMPLETED RULEMAKINGS 548. OBLIGATION GUARANTEES

Priority: Agency Determination

Legal Authority: 46 USC 1271 to 1279; 46 USC 1114(b)

CFR Citation: 46 CFR 298

Abstract: The amendments proposed in this rulemaking are intended to streamline procedures for processing applications for obligation guarantees under Title XI of the Merchant Marine Act, 1936, as amended, and to make those procedures more efficient and responsive; clarify the criteria that will be applied in evaluating Title XI applications; provide more detailed financial requirements; and establish specific criteria and procedures for reviewing and evaluating requests by Title XI obligors for advances to pay for debt service, insurance payments and other vessel-related expenses. The proposed rule is significant because it may involve important Departmental policy.

Timetable:

Action	Date		FR	Cite
NPRM	08/18/83	48	FR	37453
NPRM Comment Period Begin	08/18/83	48	FR	46825
NPRM Comment Period End	11/17/83			

Action	Date F		FR	? Cite	
Final Action	03/08/85	50	FR	9437	

Small Entity: No

Additional Information: Simultaneously with the Final Rule, an NPRM was published requesting comments on the calculation of the internal rate of return. See Current and Projected Rulemakings: Obligation Guarantees, RIN=2133-AA30.

Analysis: Draft Regulatory Evaluation 08/18/83; Final Regulatory Evaluation 03/00/85

Agency Contact: James L. Westcott, Director, Office of Ship Financing, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0389

RIN: 2133-AA30

549. CARGO PREFERENCE; U.S.-FLAG VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1114(b); 46 USC 1241(b)(2); PL 97-31

CFR Citation: 46 CFR 381

Abstract: The rule sets forth procedures governing the evaluation by U.S. departments or agencies of bids from subsidized U.S.-flag bulk vessel

Completed Actions Priority Rulemakings: Non-Major

operators for the carriage of dry bulk preference cargoes. It is significant because it is of substantial interest to the various U.S. shipper departments and agencies and to the maritime industry for which the shipment of preference cargoes represents a major

Timetable:

source of business.

Action	Date	102	FR	Cite
Interim Final Rule	01/24/84	49	FR	2897
Final Action	10/11/84	49	FR	39847
Final Action Effective	10/11/84	49	FR	39847

Small Entity: No

Additional Information: While the interim rule was effective upon publication, comments were invited on issues raised by the rulemaking and were received. The final rule was issued on 10/11/84.

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-6036

RIN: 2133-AA37

[FR Doc. 85-8370 Filed 04-26-85; 8:45 am]

BILLING CODE 4910-62-T

DEPARTMENT OF TRANSPORTATION (DOT)

Maritime Administration (MarAd)

Completed Actions Other Rulemakings

COMPLETED RULEMAKINGS 550. TREATMENT OF SUBSIDY DURING VOYAGE DEVIATIONS

Legal Authority: 46 USC 1173(a); 46 USC 1114(b)

CFR Citation: 46 CFR 281.6

Abstract: This regulation would have clarified existing MARAD policy of generally not paying ODS to an operator for any period of operation attributable solely to a deviation from the contractually authorized subsidized service.

Timetable:

Action	Date	FR	Cite

Action terminated 12/14/84

Small Entity: No

Additional Information: Rulemaking action was suspended pending completion of review of all ODS regulations for purposes of possible consolidation and simplification. Review has been completed. It has been determined that this subject does not require such action at this time.

Agency Contact: Edmond J. Fitzgerald. Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA18

551. PRIORITY USE AND ALLOCATION OF SHIPPING SERVICES, CONTAINERS AND PORT FACILITIES AND SERVICES FOR NATIONAL DEFENSE OPERATIONS

Legal Authority: 50 USC App. 2061 et seq; EO 11490

CFR Citation: 46 CFR 340, (New)

Abstract: This regulation establishes procedures for requesting priority use and allocation of certain civil transportation resources under authority of Title I of the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.). It will apply under circumstances in which there is either the imminent or actual deployment of the Armed Forces of the United States.

Timetable:

Action	Date	FR Cite
NPRM	08/30/82	47 FR 38157
NPRM Comment Period Begin	08/30/82	47 FR 38157
NPRM Comment Period End	10/29/82	
Final Action	12/21/84	49 FR 49630
Final Action Effective	01/22/85	49 FR 49630

Small Entity: No

Additional Information: Reference to this rulemaking has been moved from inclusion in the entry, "National Shipping Authority," in the "Other Rulemakings" section of MARAD's portion of the Agenda.

Agency Contact: Frank B. Case, Department of Transportation, Maritime Administration, 400 Seventh Street, SW. Washington, DC 20590, 202 382-6100

RIN: 2133-AA39

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

552.

ADMISSION AND TRAINING OF MIDSHIPMEN AT THE UNITED STATES MERCHANT MARINE ACADEMY

Legal Authority: 46 USC 1114(b); PL 97-

CFR Citation: 46 CFR 310

Abstract: The Maritime Administration has amended its regulations to change the deadline date by which a candidate seeking admission to the United States Merchant Marine Academy must have attained 17 years of age but not have passed his or her 25th birthday. The purpose of the amendment is to establish for the Academy a deadline date of July 1 which is consistent with all other Federal Service academies."

Timetable:

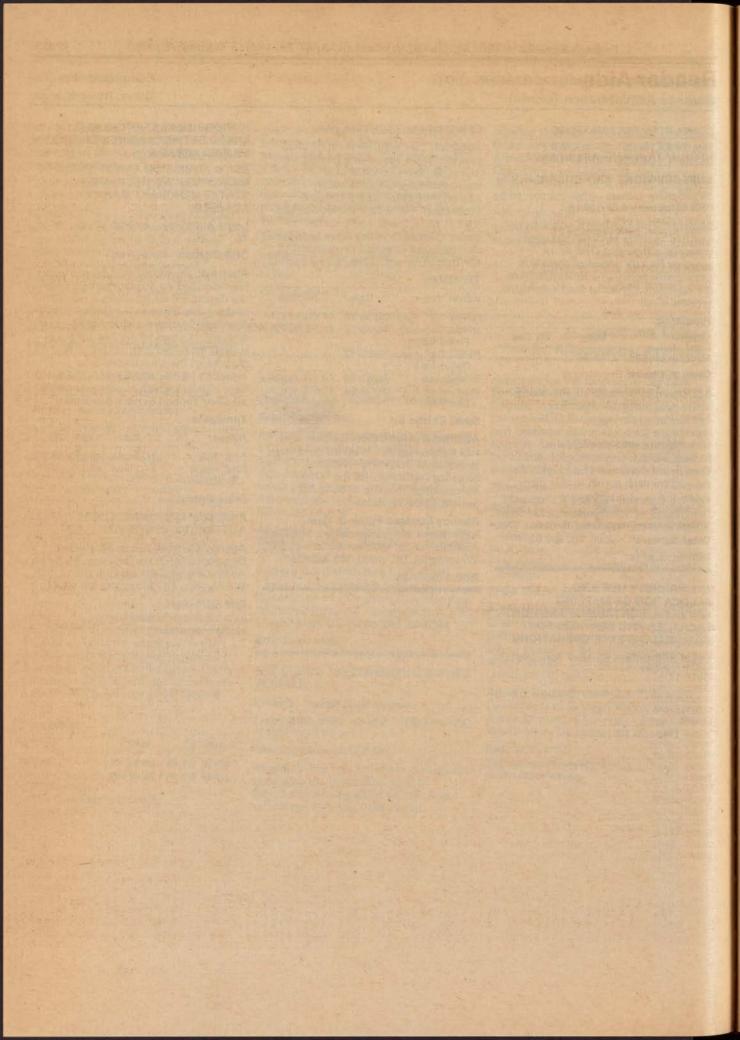
Action	Date		FR	Cite
Final Action	11/21/84	49	FR	45857
Final Action Effective	11/21/84	49	FR	45857

Small Entity: No

Additional Information: LEGAL AUTHORITY: 49 CFR 1.66.

Agency Contact: Edwin M. Hackett, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5759

RIN: 2133-AA41 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4910-62-T



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LIST OF PUBLIC LAWS

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This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the Federal Register but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone 202-275-3030).

S.J. Res. 63 / Pub. L. 99-28 To designate the week of April 21, 1985, through April 27, 1985, as "National DES Awareness Week". (Apr. 25, 1985; 99 Stat. 54) Price \$1.00

CFR CHECKLIST			Title	Price	Revision Date
O'TH O'TE O'TE O'TE		100000	400-End	12.00	Jan. 1, 1985
This checklist, prepared by the Office of the	Federal Reg	gister, is	16 Parts:	0.00	I 1 1005
published weekly. It is arranged in the order	of CFR titles	s, prices, and	0-149		Jan. 1, 1985 Jan. 1, 1985
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An asterisk (*) precedes each entry that has	been issue	d since last	17 Parts:		
week and which is now available for sale at the Government Printing		1–239	14.00	Apr. 1, 1984	
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1200-1499	13.00	Jan. 1, 1985	§§ 1.501–1.640		Apr. 1, 1984
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1900–1944		Jan. 1, 1985	§§ 1.851–1.1200		Apr. 1, 1984
1943-Eng	7.50	Jan. 1, 1985	§§ 1.1201–End		Apr. 1, 1984
	7.50	3411 1, 1105	2–29		Apr. 1, 1984
9 Parts: 1–199	13.00	Jan. 1, 1985	40-299		Apr. 1, 1984 Apr. 1, 1984
200-End	9.50	Jan. 1, 1985	300-499		Apr. 1, 1984
		I HOSEL W. LOTE	500-599		1 Apr. 1, 1980
10 Parts: 0-199	17.00	Jan. 1, 1985	600-End	5.50	Apr. 1, 1984
200-399	9.50	Jan. 1, 1985	27 Parts:		
400-499	12.00	Jan. 1, 1985	1-199	13.00	Apr. 1, 1984
500-End	14.00	Jan. 1, 1985	200-End		Apr. 1, 1984
11	7.50	Jan. 1, 1985	28	13.00	July 1, 1984
12 Parts:			29 Parts:		
1-199	8.00	Jan. 1, 1985	0-99	14.00	July 1, 1984
200-299	14.00	Jan. 1, 1985	100-499		July 1, 1984
300-499	9.50	Jan. 1, 1985	500-899		July 1, 1984
500-End		Jan. 1, 1985	900-1899		July 1, 1984
13	13.00	Jen. 1, 1985	1900–1910		July 1, 1984 July 1, 1984
14 Parts:			1920-End		July 1, 1984
1–59	13.00	Jan. 1, 1984		14.50	307 17 1704
60-139	13.00	Jan. 1, 1985 Jan. 1, 1985	30 Parts: 0-199	13.00	July 1, 1984
140-199	13.00	Jan. 1, 1984	200-699		July 1, 1984
200–1199	8.00	Jan. 1, 1985	700-End		July 1, 1984
		7, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,	31 Parts:		
15 Parts: 0-299	6.50	Jan. 1, 1985	0-199	8.00	July 1, 1984
300-399		Jan. 1, 1985	200-End		July 1, 1984
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Title	Price	Revision Date	Title	Price	Revision Date
32 Parts:			43 Parts:		- Sale
1–39, Vol. I	15.00	July 1, 1984	1-999	9.50	Oct. 1, 1984
1-39, Vol. II		July 1, 1984	1000–3999		Oct. 1, 1984
1–39, Vol. III		July 1, 1984	4000-End	8.00	Oct. 1, 1984
40-189		July 1, 1984	44	13.00	Oct. 1, 1984
190-399		July 1, 1984	45 Parts:	10.00	001, 1, 1704
400-629		July 1, 1984			
630-699		July 1, 1984	1-199	9.50	Oct. 1, 1984
700-799		July 1, 1984	200-499	6.50	Oct. 1, 1984
800-999		July 1, 1984	500-1199	13.00	Oct. 1, 1984
1000-End		July 1, 1984	1200-End	9.50	Oct. 1, 1984
	-	300	46 Parts:		
33 Parts:		1.1	1–40	9.50	Oct. 1, 1984
1-199		July 1, 1984	41-69	9.50	Oct. 1, 1984
200-End	13.00	July 1, 1984	70–89	6.00	Oct. 1, 1984
34 Parts:			90-139	9.00	Oct. 1, 1984
1-299	14.00	July 1, 1984	140-155	9.50	Oct. 1, 1984
300-399	8.50	July 1, 1984	156–165	10.00	Oct. 1, 1984
400-End	14.00	July 1, 1984	166-199	9.00	Oct. 1, 1984
35	7.50	July 1, 1984	200-499	13.00	Oct. 1, 1984
			*500-End	7.50	Dec. 31, 1984
36 Parts:	0.00	4404	47 Parts:		
1-199	9.00	July 1, 1984	0-19	13.00	Oct. 1, 1984
200-End		July 1, 1984	20-69	14.00	Oct. 1, 1984
37	8.00	July 1, 1984	70–79	13.00	Oct. 1, 1984
36 Parts:			80-End	14.00	Oct. 1, 1984
0-17	14.00	July 1, 1984			OCI. 1, 1904
18-End		July 1, 1984	48 Chapters:		
39	8.00	July 1, 1984	1 (Parts 1–51)	13.00	Oct. 1, 1984
	0.00	July 1, 1704	1 (Parts 52–99)	13.00	Oct. 1, 1984
40 Parts:			2		Oct. 1, 1984
1-51		July 1, 1984	3-6	12.00	Oct. 1, 1984
52		July 1, 1984	7-14	14.00	Oct. 1, 1984
53-80		July 1, 1984	15-End	12.00	Oct. 1, 1984
81-99		July 1, 1984	49 Parts:		
100-149	9.50	July 1, 1984	1-99	7.50	Oct. 1, 1984
150-189	13.00	July 1, 1984	100-177	14.00	Nov. 1, 1984
190-399	13.00	July 1, 1984	178-199	13.00	Nov. 1, 1984
400-424	13.00	July 1, 1984	200-399	13.00	Oct. 1, 1984
425-End		July 1, 1984	400-999	13.00	Oct. 1, 1984
41 Chapters:			1000-1199	13.00	Oct. 1, 1984
	12.00	11.1 1004	1200-1299		Oct. 1, 1984
1, 1-1 to 1-10	13.00	July 1, 1984	1300-End	3.75	Oct. 1, 1984
1, 1–11 to Appendix, 2 (2 Reserved)		July 1, 1984	50 Parts:	41,4	Sec. 1, 1907
3-6		July 1, 1984	1-199	0.50	
7		July 1, 1984			Oct. 1, 1984
8		July 1, 1984	200-End	14.00	Oct. 1, 1984
9		July 1, 1984	CFR Index and Findings Aids	18.00	Jan. 1, 1985
10-17		July 1, 1984			Jun. 1, 1703
18, Vol. I, Parts 1–5		July 1, 1984	Complete 1985 CFR set	550,00	1985
18, Vol. II, Parts 6–19		July 1, 1984	Microfiche CFR Edition:		Explanation of the second
18, Vel. III, Parts 20-52		July 1, 1984	Complete set (one-time mailing)	355.00	1000
19–100		July 1, 1984	Subscription (mailed as issued)	200.00	1983
101	15.00	July 1, 1984	Subscription (mailed as issued)	200.00	1984
102-End	9.50	July 1, 1984	Individual copies	2.25	1984
42 Parts:			Subscription (mailed as issued)	185.00	1985
1-60	12.00	Oct 1, 1004	Individual copies		1985
		Oct. 1, 1984	¹ No amendments to this volume were promulgated	during the period Apr	. 1, 1980 to March
61-399	8.00	Oct. 1, 1984	31, 1984. The CFR volume issued as of Apr. 1, 1980,	should be retained.	A CONTRACTOR OF THE PARTY OF TH

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18084	Part L—Federal Energy Regulatory Commission, DOE
18092	Part LI—Federal Home Loan Bank Board
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18106	Part LIII—Federal Reserve System
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18154	Part LVII—Nuclear Regulatory Commission
18194	Part LVIII—Securities and Exchange Commission



Monday April 29, 1985

Part XV

Department of the Treasury

Semiannual Regulatory Agenda

TREAS

DEPARTMENT OF THE TREASURY (TREAS) Office of the Secretary (OS)

DEPARTMENT OF THE TREASURY

Office of the Secretary

31 CFR Subtitle A, Chs. I and II

Semiannual Agenda

AGENCY: Office of the Secretary.

Treasury.

ACTION: Semiannual agenda.

SUMMARY: This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354.

September 19, 1980) and Executive Order 12291 ("Federal Regulation," February 17, 1981), which require the publication of a semiannual agenda of regulations. The semiannual agenda of the Department of the Treasury conforms to the Unified Agenda Format developed by the Regulatory Information Service Center.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific Office of the Secretary regulation contained in this agenda, contact the "agency contact" listed in the specific regulatory action. For general information concerning the agenda of the Department of the Treasury, contact Richard S. Carro, Director, Office of Legislation and Regulations, Office of the General Counsel, Room 1422, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220, (202) 566-8464.

SUPPLEMENTARY INFORMATION: The semiannual agenda of the Office of the Secretary includes the Office of the General Counsel and the Office of Revenue Sharing.

By direction of the Secretary. DATED: February 25, 1985. Edward J. Stucky, Acting Executive Secretary.

Office of the Secretary—Current and Projected Rulemakings

Title	Regulation Identifier Number
*21 CER 1.1 Disclosure of Records	1505-AA01
	1505-AA01
31 CFR 10 Continued Professional Education for Individuals Enrolled to Practice Before the Internal Revenue	
Service	1505-AA07
	1505-AA13
31 CFR 10 Discipline of Appraisers Against Whom Aiding and Abetting Penalties Under the Internal Revenue Code Have Been Assessed	1505-AA14
	*31 CFR 1.1 Disclosure of Records

^{*}Indicates priority regulation.

Office of the Secretary-Completed Actions

Se- quence Number	Title	Regulation Identifier Number
6	31 CFR 103 Casinos Regulations.	1505-AA10

DEPARTMENT OF THE TREASURY (TREAS) Office of the Secretary (OS)

Current and Projected Rulemakings

1. DISCLOSURE OF RECORDS

Priority: Agency Determination

Legal Authority: 5 USC 552; 5 USC 552a;

31 USC 321

CFR Citation: 31 CFR 1.1

Abstract: This regulation amends the Department of Treasury's regulations implementing the Freedom of Information and Privacy Acts. The proposed amendments are intended to facilitate and simplify public requests for information, and to assure accurate and consistent application of policies and procedures throughout the Department. The regulation revises fees charged by the Department for duplication, search and other services to reflect increased costs to the Department.

Action Date FR Cite NPRM 06/00/85 Final Action 09/00/85 Small Entity: No

Agency Contact: Phyllis De Piazza, Departmental Disclosure Officer, Department of the Treasury, Office of the Secretary, 202 566-2789

RIN: 1505-AA01

2. AMENDMENTS TO IMPLEMENTING REGULATIONS--CURRENCY AND FOREIGN TRANSACTIONS REPORTING ACT

Legal Authority: 31 USC 5314 Currency and Foreign Transactions Reporting Act

CFR Citation: 31 CFR 103

Abstract: This regulation would establish a mechanism through which the Secretary of the Treasury, exercising the authority conferred on him by the Currency and Foreign Transactions Reporting Act, could issue substantive regulations requiring financial institutions in the United States to submit reports of financial transactions with foreign financial agencies.

Timetable:

Action	Date	FR	Cite
NPRM	04/05/84	49 FR	13548
NPRM Comment Period Begin	04/05/84	49 FR	13548
NPRM Comment Period End	06/04/84		
Final Action	03/00/85		
Final Action Effective	04/00/85		

Small Entity: Undetermined

Agency Contact: Robert Stankey, Financial Crimes & Frauds, Advisor to the Ass't Secy (Enforcement), Department of the Treasury, Office of the Secretary, Room 1458, 1500 Pennsylvania Avenue, NW, Washington, DC 20220, 202 566-8022

RIN: 1505-AA05

3. CONTINUED PROFESSIONAL EDUCATION FOR INDIVIDUALS ENROLLED TO PRACTICE BEFORE THE INTERNAL REVENUE SERVICE

Legal Authority: 31 USC 330

CFR Citation: 31 CFR 10

Abstract: This notice reflects advance notice of an intention to modify the regulations governing practice before the Internal Revenue Service. The modification would require continuing professional education as a condition for the maintenance of good standing for enrollment to practice before the Internal Revenue Service.

Timetable:

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Action	Date		FR	Cite
ANPRM	07/03/84	49	FR	27326
ANPRM	07/03/84	49	FR	27326
Comment				
Period Begin				
ANPRM	09/04/84			
Comment				
Period End				
NPRM	04/00/85			
NPRM Comment	04/00/85			
Period Begin	1 - 1 - 1			
NPRM Comment	06/00/85			
Period End				

Small Entity: No

Agency Contact: Mr. Leslie S. Shapiro, Director of Practice, Department of the Treasury, Office of the Secretary, Internal Revenue Service, Washington, DC 20224, 202 535-6787

RIN: 1505-AA07

4. • REPORTING OF INTERNATIONAL CAPITAL AND FOREIGN CURRENCY TRANSACTIONS AND HOLDINGS, TRANSFERS OF CREDIT, AND EXPORT OF COIN AND CURRENCY

Legal Authority: 31 USC 5315

CFR Citation: 31 CFR 128

Abstract: Part 128 of Title 31, CFR, sets forth the requirements and describes the forms used for reporting international capital and foreign currency transactions and holdings. Large amounts of offshore loans to U.S. nonbank residents are not being properly reported on the TIC C-series forms prescribed in Subpart B of Part 128. Much of this underreporting results from confusion among nonbank borrowers over whether the source of their loans is domestic or foreign. This confusion is exacerbated by the failure of U.S. intermediaries to comply with existing obligations, specified in the Form BL-2 instructions, either to report certain foreign transactions on behalf of their U.S. customers or to inform those customers of foreign ownership of claims held against them. This final rule describes and authorizes the issuance of TIC Form BL-3, designed for use by a bank or other financial intermediary in the U.S. to notify a nonbanking customer that a foreign loan has been arranged and that the customer has an obligation to report on TIC Form CQ-1.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Agency Contact: Gary A. Lee, Department of the Treasury, Office of the Secretary, Room 5453, 1500 Pennsylvania Avenue, NW, Washington, DC 20220, 202 566-3114

RIN: 1505-AA13

5. © DISCIPLINE OF APPRAISERS AGAINST WHOM AIDING AND ABETTING PENALTIES UNDER THE INTERNAL REVENUE CODE HAVE BEEN ASSESSED

Legal Authority: 5 USC 301; 31 USC 321

CFR Citation: 31 CFR 10

Abstract: This notice solicits public comment on proposed regulations implementing section 156 of the Deficit Reduction Act of 1984 (98 Stat. 695). Section 156 provides for the disqualification of appraisals and appraiser testimony in connection with Treasury Department or Internal Revenue Service proceedings with respect to any appraiser who has been assessed an aiding and abetting penalty under 26 USC 7601(a) after July 18, 1984.

Timetable:

Action	Date	FR Cite
NPRM	02/20/85	50 FR 07075
NPRM Comment Period Begin	02/20/85	50 FR 07075
NPRM Comment Period End	04/21/85	
Final Action	09/00/85	

Small Entity: No

Agency Contact: Mr. Leslie S. Shapiro, Director of Practice, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, 202 535-6787

RIN: 1505-AA14

DEPARTMENT OF THE TREASURY (TREAS)

Completed Actions

Office of the Secretary (OS)

COMPLETED RULEMAKINGS 6. CASINOS REGULATIONS

Legal Authority: 31 USC 5311 to 5322 Bank Secrecy Act; 12 USC 1829b Bank Secrecy Act; 12 USC 1951 to 1959 Bank Secrecy Act

CFR Citation: 31 CFR 103

Abstract: The proposed rule would subject gambling casinos, not otherwise exempted under the proposed rule, to the reporting and recordkeeping requirements of Titles I and II of Public Law 91-508, commonly referred to as the "Bank Secrecy Act."

Name and Association of the Control		man Carry C
Action	Date	FR Cite
NPRM	08/00/84	
NPRM Comment Period Begin	08/00/84	
NPRM Comment Period End	12/00/84	
Final Action	02/06/85	50 FR 5065

05/07/85 50 FR 5065

Small Entity: No

Final Action

Effective

Agency Contact: Robert J. Stankey, Federal Crimes & Fraud Advisor, Department of the Treasury, Office of the Secretary, 1500 Pennsylvania Avenue, NW, Room 1458, Washington, DC 20220, 202 566-8022

RIN: 1505-AA10

[FR Doc. 85-6370 Filed 04-26-85; 8:45 am]

BILLING CODE 4810-25-T

Office of Revenue Sharing-Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
7	*31 CFR 51 Wind Down of Revenue Sharing Program	1507-AA09

^{*}Indicates priority regulation.

Office of Revenue Sharing—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
8	31 CFR 51 Subpart G Revision of Subpart G	1507-AA08

Office of Revenue Sharing—Completed Actions

Se- quence Number	Title Title	Regulation Identifier Number
9	Regulations to Implement Legislation Renewing the General Revenue Sharing Program Age Discrimination Regulations	1507-AA00 1507-AA02

DEPARTMENT OF THE TREASURY (TREAS) Office of Revenue Sharing (ORS)

Current and Projected Rulemakings

7. • WIND DOWN OF REVENUE SHARING PROGRAM

Priority: Agency Determination

Legal Authority: 31 USC 6701 to 6724

The Revenue Sharing Act

CFR Citation: 31 CFR 51

Abstract: The administration is recommending termination of the Revenue Sharing Program one year in advance of the current authorization. The last payments would be made during the current FY instead of during

FY 1986. A number of provisions of the regulations will have to be revised to permit the ORS to take certain actions before they are required by regulation. No alternative to wind down is available. It is expected that early termination of the program will effect a substantial cost savings.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

TREAS-ORS

Current and Projected Rulemakings

Additional Information: ADDITIONAL AGENCY CONTACT: Jacqueline L. Jackson, Attorney Advisor. (See contact heading for address and phone.)

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1985

Government Levels Affected: Local, Federal

Agency Contact: Richard S. Isen, Chief Counsel for Revenue Sharing, Department of the Treasury, Office of Revenue Sharing, 2401 E Street, NW, Washington, DC 20226, 202 634-5182

RIN: 1507-AA09

DEPARTMENT OF THE TREASURY (TREAS) Office of Revenue Sharing (ORS)

Existing Regulations Under Review

8. • REVISION OF SUBPART G

Legal Authority: 31 USC 6701 to 6724 The Revenue Sharing Act

CFR Citation: 31 CFR 51 Subpart G

Abstract: Subpart G contains the administrative hearing procedures to be used when a violation of the Revenue Sharing Act has occurred. These regulations have not been substantially reviewed since 1979 and need to be clarified and updated. No cost to the public or the Federal government is expected to be incurred as a result of this regulation.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL

AGENCY CONTACT: Jacqueline L. Jackson, Attorney Advisor. (See contact heading for address and phone.)

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1985

Government Levels Affected: Local, Federal

Agency Contact: Richard S. Isen, Chief Counsel for Revenue Sharing, Department of the Treasury, Office of Revenue Sharing, 2401 E Street, NW, Washington, DC 20226, 202 634-5182

RIN: 1507-AA08

DEPARTMENT OF THE TREASURY (TREAS)

Office of Revenue Sharing (ORS)

Completed Actions

COMPLETED RULEMAKINGS 9. REGULATIONS TO IMPLEMENT LEGISLATION RENEWING THE GENERAL REVENUE SHARING PROGRAM

Legal Authority: 31 USC 6701 to 6724; PL 98-185

CFR Citation: 31 CFR 51

Abstract: The General Revenue Sharing Program was renewed in 1983. The Office of Revenue Sharing is developing regulations to implement that legislation. Included within this regulatory project will be revision of policy concerning reservation of entitlement funds, adjustment of allocations described below.

Timetable:

Action

A.O.L.O.L.	-	
NPRM	07/06/84	49 FR 2777
NPRM Comment	07/06/84	
Period Begin		
NPRM Comment	08/20/84	
Period End		
Final Action	01/24/85	50 FR 3454
Final Action	02/25/85	
Effective		

FR Cite

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jacqueline L. Jackson, Attorney Advisor. (See agency contact heading for address and phone.)

Government Levels Affected: Local

Agency Contact: Richard S. Isen, Chief Counsel, Department of the Treasury, Office of Revenue Sharing, Office of Chief Counsel, Washington, DC 20226, 202 634-5182

RIN: 1507-AA00

10. AGE DISCRIMINATION REGULATIONS

Legal Authority: 31 USC 6701 to 6724 The Revenue Sharing Act; 42 USC 6701 et seq Age Discrimination Act of 1975

CFR Citation: 31 CFR 51

Abstract: The Office of Revenue Sharing is required, pursuant to the Age Discrimination Act of 1975, to issue regulations implementing that Act. A proposed rule containing these

TREAS-ORS

Completed Actions

regulations was issued on December 31, 1979 (44 FR 77456), as part of the overall revision of the revenue sharing regulations. Final regulations were drafted and submitted in 1979 for approval to HHS. The regulations will be issued shortly after HHS provides final approval.

Timetable:	A SULPRISON OF			110
Action	Date		FR	Cite
Final Action	01/24/85	50	FR	3454
Final Action Effective	02/25/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jacqueline L. Jackson, Attorney Advisor. (See agency contact heading for address and phone.)

Government Levels Affected: Local

Agency Contact: Richard S. Isen, Chief Counsel, Department of the Treasury, Office of Revenue Sharing, Office of Chief Counsel, Washington, DC 20226, 202 634-5182

RIN: 1507-AA02 [FR Doc. 85-8370 Filed 04-26-85; 8:45 am] BILLING CODE 4810-28-T

DEPARTMENT OF THE TREASURY (TREAS) Financial Management Service (FMS)

Financial Management Service, Fiscal Service

31 CFR Ch. II

Semiannual Agenda

AGENCY: Financial Management Service, Treasury.

ACTION: Semiannual agenda.

SUMMARY: This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354, September 19, 1980) and Executive Order 12291 ("Federal Regulation," February 17, 1981), which require the publication of a semiannual agenda of regulations under development or review.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific regulation contained in this agenda, contact the "agency contact" listed in the specific regulatory action.

SUPPLEMENTARY INFORMATION: The proposed regulations are not considered to be major regulations within the meaning of E.O. 12291 and will not have a significant impact on small entities within the meaning of the Regulatory Flexibility Act.

DATED: February 15, 1985. W. E. Douglas, Commissioner.

TREAS-FMS

Financial Management Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
11	31 CFR 205 Revision of Treasury Department Circular (TDC) No. 1075, Regulations Governing Withdrawal of Cash from the Treasury for Advances Under Federal Grant and Other Programs.	1510-AA00
12	31 CFR 223.1 Regulations Governing Surety Companies Doing Business with the United States	1510-AA05
13	*31 CFR 206 Regulations Governing the Management of Federal Agency Receipts and Operation of the Cash Management Improvements Fund	1510-AA06

^{*}Indicates priority regulation.

Financial Management Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
14 15	31 CFR 210 Federal Recurring Payments Through Financial Organizations by Means Other Than Checks	1510-AA01
	Receipts	1510-AA07

^{*}Indicates priority regulation.

DEPARTMENT OF THE TREASURY (TREAS)

Financial Management Service (FMS)

Current and Projected Rulemakings

11. REVISION OF TREASURY DEPARTMENT CIRCULAR (TDC) NO. 1075, REGULATIONS GOVERNING WITHDRAWAL OF CASH FROM THE TREASURY FOR ADVANCES UNDER FEDERAL GRANT AND OTHER PROGRAMS

Legal Authority: 5 USC 301; 31 USC 6503; 42 USC 4213

CFR Citation: 31 CFR 205

Abstract: Revision of TDC No. 1075 will formally establish the Letter of Credit-Treasury Financial Communications System (LOC-TFCS). The two established letter of credit systems, the Letter of Credit-Federal Reserve Bank System and the Letter of Credit-Treasury Regional Disbursing Office System, do not provide the combination of Federal agency preaudit of payment requests and guaranteed payment time. The LOC-TFCS provides both of these features, thus enabling improved Federal control of advances made through letter of credit. In addition, other financing issues, such as developing more definitive guidelines for the immediate cash requirements of recipient organizations receiving advances of Federal funds, will be addressed at this time.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	2 10 2
Decision pending	00/00/00	

Small Entity: No

Additional Information: In addition, new funding techniques developed through the Federal/State Equity Program will be incorporated into the regulations.

Government Levels Affected: Local, State, Federal

Agency Contact: Katherine Payne, Manager, Treasury Programs Branch, Department of the Treasury, Financial Management Service, Treasury Anx. 1, PB 802, Madison Place and Pennyslvania, NW, Washington, DC 20226, 202 634-5704

RIN: 1510-AA00

12. REGULATIONS GOVERNING SURETY COMPANIES DOING BUSINESS WITH THE UNITED STATES

Legal Authority: 31 USC 9305

CFR Citation: 31 CFR 223.1; 31 CFR 223.2; 31 CFR 223.3; 31 CFR 223.8; 31 CFR 223.10; 31 CFR 223.11; 31 CFR 223.12; 31 CFR 223.14; 31 CFR 223.16; 31 CFR 223.17; 31 CFR 223.21; 31 CFR 223.22

Abstract: The amended regulations will revise United States Code references: revise titles of designated officials: reduce quarterly reporting requirements of insurance companies from an estimated 4,000 hours annually to approximately 2,000 hours; eliminate the admitted reinsurer requirement thereby eliminating the reporting requirements and fees of 150 companies and saving approximately 900 staff review hours. Other benefits will include the reduction in application and renewal fees currently \$1,050 and \$700 respectively (by 30 to 50 percent); reduction in staff hours required for annual reviews (cut from 3700 hours to 1850 hours); reduction in staff hours required for application reviews (cut from 1800 to 900) and quarterly reviews (cut from 200 to 100 hours). Purpose of the revisions is to substantially reduce the human and material resources needs of this operation.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31454
NPRM Comment Period Begin	08/07/84	
NPRM Comment Period End	10/09/84	
Final Action	00/00/00	

TREAS-FMS

Current and Projected Rulemakings

Small Entity: Not Applicable

Agency Contact: Terry L. Boyer, Manager, Surety Bond Branch, Department of the Treasury, Financial Management Service, 615 Matomic Bldg., 1717 H Street, NW, Washington, DC 20226, 202 634-2345

RIN: 1510-AA05

13. REGULATIONS GOVERNING THE MANAGEMENT OF FEDERAL AGENCY RECEIPTS AND OPERATION OF THE CASH MANAGEMENT IMPROVEMENTS FUND

Priority: Agency Determination

Legal Authority: 31 USC 321; 31 USC 3301; 31 USC 3302; 31 USC 3720

CFR Citation: 31 CFR 206

Abstract: This proposed regulation implements the Deficit Reduction Act of 1984. Title VI, Subtitle C. Section 2652. This regulation prescribes the policies and guidelines for promoting effective cash management through improved billing, collection, and deposit that results in improved availability of funds.

Timetable:

Action , Date FR Cite
NPRM 04/00/85

Small Entity: Not Applicable

Additional Information: Previous reporting proposed two regulations to

implement Section 2652 of the Deficit Reduction Act of 1984 (RIN 1510-AA06 and AA07). The two regulations have now been combined into one regulation. Therefore, RIN 1510-AA07 is withdrawn.

Agency Contact: Susan Veintemillas, Program Analyst, Department of the Treasury, Financial Management Service, Cash Management Division, Rm 711 Premier Building 1725 "I" St. NW, Washington, DC 20226, 202 634-2016

RIN: 1510-AA06

DEPARTMENT OF THE TREASURY (TREAS)

Financial Management Service (FMS)

COMPLETED RULEMAKINGS

14. FEDERAL RECURRING PAYMENTS THROUGH FINANCIAL ORGANIZATIONS BY MEANS OTHER THAN CHECKS

Legal Authority: 5 USC 301; 12 USC 391

CFR Citation: 31 CFR 210

Abstract: Analysis showed the need to simplify and clarify the reclamation sections of the regulation, and to provide notice to account owners when the Government seeks recovery of post-death direct deposit/EFT payments from financial institutions. A notice of proposed rulemaking published August 7, 1984 explains the reasons for these changes. See 49 FR 31450.

Timetable:

Action	Date		FR	Cite
NPRM	08/07/84	49	FR	31450
NPRM Comment Period Begin	08/07/84	49	FA	31450
NPRM Comment Period End	10/09/84			
Final Action	12/17/84	49	FR	48918

Action	Date	FR Cite
Final Action Effective	04/21/85	

Small Entity: No

Agency Contact: Dan Gordon, Project Analyst, Department of the Treasury, Financial Management Service, ACH Program Branch, Room 224, Treasury Anx. 1, Washington, DC 20226, 202 535-

RIN: 1510-AA01

15. REGULATIONS APPLICABLE TO THE BILLING, COLLECTION AND DEPOSIT OF FEDERAL AGENCY RECEIPTS

Priority: Agency Determination

Legal Authority: 5 USC 301; 31 USC 3301 to 3302; 31 USC 3720

CFR Citation: Not yet determined

Abstract: Authority to prescribe the timing and mechanisms for collection and deposit of Federal Agency Receipts will result in a development of an integrated government collection system, thereby reducing interest losses on collection float, providing accurate and timely cash position and account balance data, and provide for efficient handling of transactions. Regulations are required by Deficit Reduction Act of 1984, Division B, Title 6, Subtitle C, Section 2652.

Completed Actions

Timetable:

Action	Date	FR Cite
Withdrawn	02/00/85	

Small Entity: Not Applicable

Agency Contact: Susan Veintemillas, Program Analyst, Department of the Treasury, Financial Management Service, Cash Management Division, Rm 711 Premier Building 1725 "I" St. NW, Washington, DC 20226, 202 634-2016

RIN: 1510-AA07 [FR Doc. 85-6374 Filed 04-26-85: 8:45 am] BILLING CODE 4810-35-T

DEPARTMENT OF THE TREASURY (TREAS) Bureau of Alcohol, Tobacco and Firearms (BATF)

Bureau of Alcohol, Tobacco and Firearms

27 CFR Ch. I

[Notice No. 563]

Unified Agenda of Federal Regulations

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF); Department of the Treasury.

ACTION: General notice; Unified Agenda of Federal Regulations of regulatory projects under development, consideration, and review.

SUMMARY: Pursuant to section 5 of Executive Order 12291, entitled "Federal Regulations," ATF is publishing an agenda of proposed regulations that are expected to be issued and of proposed regulations that have been issued and an agenda of existing regulations that are being reviewed under the terms of the Executive Order, within the next six months. The latter agenda also lists regulatory projects identified for review pursuant to the ATF Regulatory Reform Program. Pursuant to section 610 of the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 610), ATF is also indicating whether a regulatory project is likely to

have a significant economic impact upon a substantial number of small entities.

This general notice is designed to give the public adequate notice of the regulatory activities being contemplated by ATF.

The agenda is based on information available at the present time. The next Unified Agenda of Federal Regulations will be published in the Federal Register of October 1985.

FOR FURTHER INFORMATION CONTACT: For information about any particular regulatory project, contact the person listed in the subheading "Agency

Contact," for the regulatory project.

For general information about this general notice, contact Lori Weins, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226; (202) 566-7626.

Following is a table of abbreviations used throughout the agenda.

TABLE OF ABBREVIATIONS

ABBREVIATION	MEANING		
ANPRM	Advance notice of pro- posed rulemaking		
ATF	Bureau of Alcohol, Tobac- co and Firearms		

TABLE OF ABBREVIATIONS— Continued

CFR	
DSP Distilled Spirits Plant E.O. Executive Order FR. Federal Register FAA Act Federal Alcohol Administ tion Act NPRM Notice of proposed ru making	tra-
E.O. Executive Order FR. Federal Register FAA Act Federal Alcohol Administ tion Act NPRM Notice of proposed ru making	tra-
FR. Federal Register FAA Act Federal Alcohol Administ tion Act Notice of proposed ru making	tra-
NPRM	tra-
NPRM Notice of proposed rumaking	
making	
	ule-
OFR Office of the Federal R	
	eg-
ister	
OMB Office of Management a	and
Budget	
Pub. L Public Law	
T.D Treasury Decision	
T.D. with N (Temporary) Treasury De	eci-
sion with Notice	U .
T.D. w/o N Treasury Decision with	out
Notice	
Treasury Department of the Treas	WHEN

Issuance

By direction of the Secretary of the Treasury, this general notice reads as set forth below.

SIGNED: February 15, 1985. W. T. Drake, Acting Director.

Bureau of Alcohol, Tobacco and Firearms—Current and Projected Rulemakings

Se- quence Number	Title Total Control of	Regulation Identifier Number
10	TOTAL CERT AND	
16	*27 CFR 19.11 Implementation of the "Wine Impact Bill"	1512-AA06
18	*27 CFR 19.377 Reporting Taxes Due to the Governments of Puerto Rico and the Virgin Islands	1512-AA07
19	*27 CFR 5.22 Standard of Identity for Vodka	
20	*27 CFR 4 Recodification of 27 CFR Part 4	1512-AA10 1512-AA17
21	*27 CFR 197 Nonbeverage Drawback	
22	*27 CFR 245 Recodification of Beer Regulations	1512-AA24
23	*27 CFR 4.29 Grape Harvest Labeling for Wine	1512-AA31
24	27 CFR 5.22(b)(1)(iii) Change in Standard of Identity for Straight Whiskies of the Same Type	1512-AA32
25	*27 CFR 4.26 Estate Bottled	1512-AA34
26	27 CFR 252 Effect of Reduced Customs Staffing at Customs Bonded Warehouses	1512-AA35
27	27 CFR 5.22 Reduced Proof Distilled Spirits Products	1512-AA36
28	*27 CFR 4.39(i) Geographic Brand Names	1512-AA37
29	*27 CFR 5.47a 375 ml and 500 ml Containers for Distilled Spirits	1512-AA39
30	*27 CFR 240.180 to 240.400 Recodification of Wine Regulations (Subparts A to O)	1512-AA42
31	*27 CFR 13.31 Denatured Alcohol - Measurement of Proof	1512-AA43
32	*27 CFR 19.42 Caribbean Basin Economic Recovery Act	1512-AA45
33	*27 CFR 5.22(h)(3) 2 1/2% Alcohol Flavoring	1512-AA46
34	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Use of the Word Light (Lite)	1512-AA48
35	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Appearance of Athletes and Depiction of Athletic Events	1512-AA50
36	*27 CFR 240 Materials and Processes for the Production and Treatment of Wine	
37	*27 CFR 5.37 Replacement of Proof Statement with Percentage-of-Alcohol- by-Volume Statement on Distilled Spirits Labels	1512-AA61 1512-AA62

TREAS-BATF

Bureau of Alcohol, Tobacco and Firearms-Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
38	*27 CFR 19 Repeal of Strip Stamp Requirement on Distilled Spirits Containers	1512-AA63
39	*27 CFR 178 121(a) Federal Firearms License Record Retention	1512-AA40
40	*27 CFR 179 Removal of References to United States Attorneys and United States Marshalls as Possible Certifying Officials and Minor Changes to Identification Procedures	1512-AA51
41	*27 CFR 55 Information Gathering on Fireworks Regulations	1512-AA52
42	*27 CFR 47 Revision of 27 CFR Part 47 to Conform to the Revision of the International Traffic in Arms Regulations (ITAR).	1512-AA59
43	*27 CFR 47.11 Importation of Firearms and Other Miscellaneous Amendments Relating to Firearms and Ammunition.	1512-AA60
44	*27 CFR 55 Firearms License and Explosives License or Permit Application and Renewal Procedures	1512-AA64
45	*27 CFB 270 11 Manufacturer's Identification on Tobacco Products Packages	1512-AA28
46	27 CFR 285 27 CFR Part 285, Manufacture of Cigarette Papers and Tubes	1512-AA33

^{*}Indicates priority regulation.

Bureau of Alcohol, Tobacco and Firearms—Completed Actions

Se- quence Number	Title		
47	*27 CFR 5 Implementation of the Distilled Spirits Tax Revision Act of 1979 and Revision of Vinegar Regulations	1512-AA08	
48	*27 CFR 240 Materials and Processes for the Production and Treatment of Wine	1512-AA12	
49	*27 CFR 211 Recodification of 27 CFR Parts 211 and 213 as 27 CFR Parts 20 and 22	1512-AA21	
50	*27 CFR 240.1 to 240.145 Recodification of Wine Regulations (Subparts A to E)	1512-AA30	
51	*27 CFR 4.25a Appellation of Origin, Name and Address, and Net Contents	1512-AA38	
52	*27 CFR 19.409 Overprinting Strip Stamps with the Word "Export"	1512-AA41	
53	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits, and Malt Beverages; Incorporation of Voluntary Industry Codes into the Federal Regulations	1512-AA47	
54	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Use of the Word "Natural"	1512-AA49	
55	*27 CFR 178.41(b) Sales of Firearms and Ammunition by Licensees at Gun Shows	1512-AA44	

^{*}Indicates priority regulation.

DEPARTMENT OF THE TREASURY (TREAS) Bureau of Alcohol, Tobacco and Firearms (BATF)

Current and Projected Rulemakings

ALCOHOL

16. IMPLEMENTATION OF THE "WINE IMPACT BILL"

Priority: Agency Determination

Legal Authority: 26 USC 5010

CFR Citation: 27 CFR 19.11; 27 CFR 19.37 to 19.40; 27 CFR 19.42; 27 CFR 19.346; 27 CFR 19.372; 27 CFR 19.402; 27 CFR 19.505; 27 CFR 19.566; 27 CFR 19.681; 27 CFR 19.748; 27 CFR 19.763; 27 CFR 19.764; 27 CFR 19.778 to 19.780; 27 CFR 170.681 to 170.691; 27 CFR 197.105; ...

Abstract: Restores the tax system which existed for distilled spirits products containing wine or alcoholic flavoring materials prior to the enactment of the Distilled Spirits Tax Revision Act of 1979; also permits spirits bottled for industrial purposes to be transferred in bond between distilled spirits plants.

Timetable:

Action	Date	FR Cite		
NPRM	04/00/85			
Interim Final Rule	00/00/00			

Small Entity: No

Agency Contact: Richard C. Langford, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA06

17. AMERICAN VITICULTURAL AREAS

Priority: Agency Determination Legal Authority: 27 USC 205 CFR Citation: 27 CFR 9 Abstract: Establishes grape-growing regions as American viticultural areas for purposes of labeling and advertising of wine.

Supplemental Timetable: Alexander Valley, CA (contact Charles Bacon)

NPRM 08/19/82 (47 FR 35521) NPRM Comment Period End 10/18/82 Final Action 10/24/84 (49 FR 42719)

Arkansas Mountain, AR (contact Steve Simon)

NPRM 10/00/85

Armendaris, NM (contact Ed Reisman)
NPRM 12/00/85

Bonny Doon, CA (contact Roger Arnold) NPRM 10/00/85

Central Coast, CA (contact John Linthicum) NPRM 07/12/84 (49 FR 28257) NPRM Comment Period End 09/10/84 Final Action 10/00/85

Coastal Sonoma, CA (contact John Linthicum)

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Current and Projected Rulemakings

NPRM 12/00/85

Columbia Valley, WA and OR (contact Charles Bacon)

NPRM 08/24/83 (48 FR 38497) NPRM Comment Period End 10/11/83 Final Action 11/13/84 (49 FR 44895)

Cumberland Valley, MD and PA (contact Michael Breen)

NPRM 02/28/85 (50 FR 8142) George Washington's Birthplace, VA (contact Ed Reisman) NPRM 06/00/85

Kanawha River Valley, WVA (contact John Linthicum)

NPRM 10/00/85 King City, CA (contact Roger Arnold)

NPRM 10/00/85

Lodi, CA (contact Roger Arnold) NPRM 06/00/85

Madera, CA (contact Charles Bacon) NPRM 01/26/82 (46 FR 3564) NPRM Comment Period End 03/12/82 Final Action 12/07/84 (49 FR 47831)

Martha's Vineyard, MA (contact Charles Bacon)

NPRM 08/04/83 (48 FR 35462) NPRM Comment Period End 09/19/83 Final Action 01/03/85 (50 FR 255)

Mesilla Valley, NM and TX (contact Ed Reisman)

NPRM 07/12/84 (49 FR 28260) NPRM Comment Period End 08/27/84 Final Action 02/14/85 (50 FR 6161)

Mimbres Valley, NM (contact Ed Reisman) NPRM 02/12/85 (50 FR 5775)

North Fork of Long Island, NY (contact Ed Reisman)

NPRM 06/00/85

North Yuba, CA (contact Mike Breen) NPRM 10/00/85

Northern Sonoma, CA (contact John Linthicum)

NPRM 06/27/83 (48 FR 29539) NPRM Comment Period End 08/11/83 Final Action 03/00/85

Ozark Mountains, AR, OK, MO (contact Steve Simon) NPRM 07/00/85

San Benito, CA (contact Steve Simon) NPRM 10/00/85

San Lucas, CA (contact Roger Arnold) NPRM 10/00/85

Santa Clara, CA (contact Ed Reisman) NPRM 12/00/85

Sonoma Mountain, CA (contact John Linthicum)

NPRM 09/05/84 (49 FR 35027) NPRM Comment Period End 10/22/84 Final Action 01/23/85 (50 FR 2978)

South Coast, CA (contact Steve Simon) NPRM 04/00/85

Temecula, Murrieta and Rancho Calif., CA (contact John Linthicum)

NPRM 07/27/82 (47 FR 32450) Hearing Held 01/20/83 End Comment Period 02/20/83 Final Action 10/23/84 (49 FR 42563)

The Hamptons, Long Island, NY (contact Ed Reisman)

NPRM 08/13/84 (49 FR 32223) NPRM Comment Period End 09/27/84 Final Action 04/00/85

Treasure Valley, ID and OR (contact Steve

NPRM 12/00/85

Small Entity: No

Agency Contact: See supplemental timetable, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 586-7626

RIN: 1512-AA07

18. REPORTING TAXES DUE TO THE **GOVERNMENTS OF PUERTO RICO** AND THE VIRGIN ISLANDS

Priority: Agency Determination

Legal Authority: 26 USC 5555; 26 USC 5207

CFR Citation: 27 CFR 19.377

Abstract: Changes the reporting requirements for most Puerto Rican and Virgin Islands spirits bottled at domestic distilled spirits plants. The reporting requirement will remain as a line item on the proprietor's monthly reports. However, the time for recording tax determination of insular spirits will change from the time these spirits enter the processing account to the time of tax determination.

Timetable:

Action	Date	FR	Cite	
NPRM	04/13/81	46 FR	21624	
Amended NPR	M 03/00/85			

Small Entity: No

Agency Contact: Susan M. McCarron, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA09

19. STANDARD OF IDENTITY FOR VODKA

Priority: Agency Determination Legal Authority: 27 USC 205 CFR Citation: 27 CFR 5.22

Abstract: Considers clarifying the standard of identity for vodka by revoking Revenue Ruling 56-98 which permits the use of small quantities of sugar or citric acid in vodka; or would propose a new class and type of vodka which contains trace amounts of sugar or citric acid.

Timetable:

Action	Date	FR Cite
ANPRM	01/11/82	47 FR 1148
ANPRM Comment Period End	07/11/82	Section 1995
NPRM	06/00/85	

Small Entity: No

Additional Information: Additional Agency Contact: Ed Reisman.

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA10

20. RECODIFICATION OF 27 CFR PART 4

Priority: Agency Determination Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Abstract: To revise the wine labeling and advertising regulations: where applicable, to incorporate production regulations; and due to statutory amendments requested, may result in a legislative submission.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	181

Small Entity: No

Additional Information: Additional Agency Contact: Ed Reisman

Agency Contact: James Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA17

21. NONBEVERAGE DRAWBACK

Priority: Agency Determination

Legal Authority: 26 USC 5131 et seq

CFR Citation: 27 CFR 197

Abstract: To update, clarify, simplify, and recodify the regulations relating to drawback of tax on distilled spirits used in the manufacture of nonbeverage products.

Current and Projected Rulemakings

Timetable:

Action	Date	FR Cite	
NPRM	05/00/85		

Small Entity: Yes

Additional Information: SMALL BUSINESSES CONT: This regulation affects approximately 500 entities.

Agency Contact: Steve Simon, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA20

22. RECODIFICATION OF BEER REGULATIONS

Priority: Agency Determination

Legal Authority: 26 USC 5051 et seq; 26 USC 5401 et seq

CFR Citation: 27 CFR 245

Abstract: To simplify and clarify regulations relating to the production and taxpayment of beer; to simplify and reduce paperwork and recordkeeping requirements imposed on industry; and to reflect technological advances in the beer industry since the regulations were last revised.

Timetable:

Action	Date	FR Cite
NPRM	02/03/83	48 FR 4803
NPRM Comment Period End	05/04/83	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA24

23. GRAPE HARVEST LABELING FOR

Priority: Agency Determination

Legal Authority: 27 USC 205E; 27 USC 205F

CFR Citation: 27 CFR 4.29

Abstract: Late harvest designations, based on the Brix (percent by weight) level of the grapes at harvest would indicate to consumers that the grapes used to produce the wine were left on the vine for express purpose of increasing the sugar content. The designations would indicate additional techniques and processes were used in the production of the wine.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: No

Agency Contact: Michael Breen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA31

24. CHANGE IN STANDARD OF IDENTITY FOR STRAIGHT WHISKIES OF THE SAME TYPE

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22(b)(1)(iii); 27 CFR 19.346(b)

Abstract: Current regulations do not provide for distilled spirits plant proprietors to mingle and still designate as straight whiskies of the same type produced at different distilleries or produced by different distillers. This project will allow such whiskies to be labeled as straight as long as the whiskies are produced within the same state. Their only alternative is to leave the regulations as they are and to not allow such whiskies to be mingled and designated as straight. We do not anticipate any extra costs to result from this change in regulations. This change will result in greater flexibility for distilled spirits plant proprietors.

Timetable:

Action	Date		FR	Cite
NPRM	05/08/84	49	FR	19333
NPRM Comment Period Begin	05/08/84			
NPRM Comment Period End	07/06/84			
NPRM Comment Period Extended	07/13/84	49	FR	30538
Extended NPRM Comment Period Ends	10/29/84			
Final Action	08/00/85			

Small Entity: No

Agency Contact: Robert White, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA32

25. ESTATE BOTTLED

Priority: Agency Determination Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.26

Abstract: To redefine estate bottled requirements and provide for additional terms to provide requirements for imported wine.

Timetable:

Action	Date	FR Cite	
NPRM	09/00/85	Links have	

Small Entity: No

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA34

26. EFFECT OF REDUCED CUSTOMS STAFFING AT CUSTOMS BONDED WAREHOUSES

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 252; 27 CFR 251

Abstract: The Customs Bureau has withdrawn Customs Officers from Customs Bonded Warehouses, consequently, there are no Customs Officers present to certify ATF forms or to make gauges of distilled spirits. Because of possible jeopardy to the Federal Revenue, ATF has issued instructions to proprietors of customs bonded warehouses requesting them to certify ATF forms and make gauges of distilled spirits in the absence of customs officers. This change in regulations will formalize this procedure. The alternative to allowing customs bonded warehouse proprietors to sign forms and gauge spirits is to not require anyone to perform these functions. This would result in an unacceptable risk to the Federal Revenue. We do not anticipate any extra costs to result from this change in regulations. This change will ensure

TREAS-BATF

Current and Projected Rulemakings

that there is no jeopardy to the Federal Revenue.

Ti			

Action	Date	FR Cite
Interim Final Rule	08/00/85	

Small Entity: No

Agency Contact: Robert White, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA35

27. REDUCED PROOF DISTILLED SPIRITS PRODUCTS

Legal Authority: 27 USC 205 CFR Citation: 27 CFR 5.22

Abstract: ATF is publishing an ANPRM to gather information from consumers and industry on whether our regulations should be amended to provide for reduced proof distilled spirits products similar to "light beer," "light wine" and similar "light" products which have become increasingly popular with consumers in recent years. Since 1968, the words "light whisky" have referred to whisky produced by two processes which are different from other American whiskies and the term "light" does not refer to lower alcohol content. However, ATF is considering abolishing "light whisky" as a standard of identity, so that the word "light" can refer only to reduced alcohol content. Unlike wine and beer, distilled spirits products are usually sold at more than one bottling proof (e.g. whisky is frequently sold at 80 degrees, 86 degrees, and 100 degrees proof) with the difference in proof being the only distinction between products which are otherwise identical. Therefore, ATF must carefully consider labeling to insure there exists a clear cut difference in the minds of consumers between products at minimum bottling proof or above

Timetable:

Action	Date		FR	Cite
ANPRM	08/04/83	48	FR	35460
ANPRM Comment Period Begin	08/04/83	48	FR	35460

minimum bottling proof, and those which are reduced in proof.

Action	Date	FR Cite
ANPRM Comment Period	10/28/83	48 FR 49870
Extension ANPRM Comment Period End	11/02/83	
ANPRM Extended Comment Period Ends	01/31/84	
ANPRM Comment Period Extension	01/30/85	50 FR 4236
ANPRM Extended Comment Period Ends	04/15/85	
NPRM	09/00/85	

Small Entity: No

Additional Information: Based on the comments received, ATF will decide whether to publish a NPRM or withdraw the ANPRM.

Government Levels Affected: Federal

Agency Contact: Charles N. Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA36

28. GEOGRAPHIC BRAND NAMES

Priority: Agency Determination Legal Authority: 27 USC 205 CFR Citation: 27 CFR 4.39(i)

Abstract: To propose alternatives to the present regulation which requires that the word "brand" appear in the same size type as the brand name itself.

Timetable:

Period Ends

Action	Date	FR Cite
NPRM	05/07/84	49 FR 19330
NPRM Comment Period Begin	05/07/84	
NPRM Comment Period End	07/06/84	
NPRM Comment Period Extended	07/13/84	49 FR 28417
NPRM Comment Period Extended	09/04/84	49 FR 34847
Extended NPRM Comment	09/14/84	

Action	Date	FR Cite
NPRM Extended Comment Period Ends	01/02/85	
Final Action	09/00/85	

Small Entity: No

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA37

29. 375 ML AND 500 ML CONTAINERS FOR DISTILLED SPIRITS

Priority: Agency Determination

Legal Authority: 26 USC 5301; 27 USC

205

CFR Citation: 27 CFR 5.47a

Abstract: To determine if both sizes should be standards of fill or whether the 375 ml size should replace the 500 ml size.

Timetable:

Action	Date	FR	Cite
NPRM	09/23/83	48 FR	43346
NPRM Comment Period Begin	09/23/83		
NPRM Comment Period Extended	03/21/84	49 FR	10553
NPRM Comment Period End	03/23/84		
Extended Comment Period Ends	01/02/85		
Final Action	08/00/85		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Edward Reisman

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA39

30. RECODIFICATION OF WINE REGULATIONS (SUBPARTS A TO O)

Priority: Agency Determination Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 240.180 to 240.400

Abstract: To update, simplify, and clarify regulations relating to wine; and

TREAS-BATF

Current and Projected Rulemakings

to incorporate ATF rulings into the Regulations.

Timetable:

Action Date FR Cite

NPRM 04/00/85

Small Entity: No

Agency Contact: James Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA42

31. DENATURED ALCOHOL -MEASUREMENT OF PROOF

Priority: Agency Determination

Legal Authority: 26 USC 7805 (68A Stat. 917, as amended)

CFR Citation: 27 CFR 13.31

Abstract: The regulation will prescribe procedures for proofing industrial alcohol containing volatile or non-volatile specific gravity obscuring solids.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Robert Petrangelo, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA43

32. CARIBBEAN BASIN ECONOMIC RECOVERY ACT

Priority: Agency Determination

Legal Authority: PL 98-67, Title II (Caribbean Basin Economic Recovery Act); 26 USC 7652

CFR Citation: 27 CFR 19.42; 27 CFR 19.377; 27 CFR 19.517; 27 CFR 250.30; 27 CFR 250.31; 27 CFR 250.35; 27 CFR 250.200

Abstract: Under current law (26 USC 7652), the excise taxes collected on all merchandise manufactured in Puerto Rico and the Virgin Islands, and shipped to the U.S., are deposited into the Treasury of either Puerto Rico or the Virgin Islands.

The Caribbean Basin Economic Recovery Act was passed to promote the economic revitalization of the Caribbean Basin area by removing the duty on certain merchandise from certified Caribbean Basin countries. In order to minimize any adverse effects this would have on Puerto Rico and the Virgin Islands, a provision was added to require that the excise taxes collected on all rum that is imported into the U.S. be deposited in the Treasuries of Puerto Rico and the Virgin Islands. This would be in addition to the amounts already transferred under 26 U.S.C. 7652 (a) and (b).

Timetable:

 Action
 Date
 FR Cite

 NPRM
 03/00/85

Small Entity: No

Agency Contact: Susan McCarron, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA45

33, 2 1/2% ALCOHOL FLAVORING

Priority: Agency Determination Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22(h)(3); 27 CFR 5.22(h)(4); 27 CFR 5.22(i); 27 CFR 5.35; 27 CFR 5.42(b); 27 CFR 5.65(a)

Abstract: Ten standard of identity products will be held more closely to the class and type of spirits indicated by their designation.

The class and type of distilled spirits contained in certain other products will be disclosed in greater detail.

Misleading impressions created by the use of the term "Distilled" on distilled spirits products containing coloring, flavoring, or blending materials will be eliminated.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/00/85

Small Entity: No

Agency Contact: Robert Petrangelo, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA46

34. LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; USE OF THE WORD LIGHT (LITE)

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Abstract: "Light (Lite)" was addressed to a limited extent in Notice No. 362 (45 FR 83530). However, subsequent to its publication ATF was petitioned by the Center for Science in the Public Interest (CSPI), requesting mandatory caloric labeling on all alcohol beverages, as well as the establishment of upper limits on calories in products labeled as "light (lite)." Comments will be requested on CSPI's petition as well as other issues involving use of the term "light (lite)."

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Charles Bacon.

Agency Contact: James Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA48

35. LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; APPEARANCE OF ATHLETES AND DEPICTION OF ATHLETIC EVENTS

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Abstract: Discusses present policy on prohibition of active athletes and requests comments on whether the policy should be relaxed, retained, expanded to include all celebrities. On athletic events, comments are requested if the present prohibition should be expanded to include any athletic event, regardless of when the participants are shown consuming, or preparing to consume, alcohol beverages.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Charles Bacon.

Agency Contact: James Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA50

36. • MATERIALS AND PROCESSES FOR THE PRODUCTION AND TREATMENT OF WINE

Priority: Agency Determination Legal Authority: 27 USC 5382

CFR Citation: 27 CFR 240

Abstract: Updates, clarifies, and simplifies the regulations relating to the production and treatment of wine.

Timetable:

Action	Date	FR Cite
NPRM	09/24/84	49 FR 37527
NPRM Comment Period Begin	09/24/84	
NPRM Comment Period Extended	01/22/85	50 FR 2832
NPRM Comment Period End	01/23/85	
Extended NPRM Comment Period Ends	03/01/85	

Small Entity: No

Additional Information: This was formerly part of RIN 1512-AA12 Materials and Processes for the Production and Treatment of Wine.

Agency Contact: Mike Breen, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA61

37. • REPLACEMENT OF PROOF STATEMENT WITH PERCENTAGE-OF-ALCOHOL- BY-VOLUME STATEMENT ON DISTILLED SPIRITS LABELS

Priority: Agency Determination

Legal Authority: 26 USC 5206; 26 USC 5301; 27 USC 205(e)

CFR Citation: 27 CFR 5.37; 27 CFR 19.643

Abstract: Joseph E. Seagram and Sons, Inc. has petitioned ATF to require the statement of alcohol content on labels of distilled spirits to be stated in percentage-alcohol-by-volume instead of proof.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: No

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA62

38. • REPEAL OF STRIP STAMP REQUIREMENT ON DISTILLED SPIRITS CONTAINERS

Priority: Agency Determination

Legal Authority: PL 98-369, Sec 454

CFR Citation: 27 CFR 19; 27 CFR 170; 27 CFR 194; 27 CFR 197; 27 CFR 250; 27 CFR 251; 27 CFR 252

Abstract: The Deficit Reduction Act of 1984 (Pub. L. 98-369) eliminated the stamp requirement for containers of Distilled Spirits by repealing 26 U.S.C. 5205. Containers having a capacity of one wine gallon or less will be required to bear tamper-evident closures or other devices which are designed to require breaking to gain access to the contents of the container. The effective date of this provision is July 1, 1985. This saves the U.S. Government approximately \$1.7 million dollars annually in printing costs that were incurred by supplying these stamps to the industry.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Interim Final Rule	06/00/85	

Small Entity: No

Agency Contact: Susan McCarron, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA63

FIREARMS

39. FEDERAL FIREARMS LICENSE RECORD RETENTION

Priority: Agency Determination

Legal Authority: 18 USC 926 (82 Stat. 1226)

CFR Citation: 27 CFR 178.121(a); 27 CFR 178.124(b); 27 CFR 178.125(e)

Abstract: Firearms transaction records are now retained permanently under the Gun Control Act, may be disposed of after 20 years beginning December 10, 1988, excepting acquisition records retained by manufacturers and importers, which will continue to be held permanently. All transaction records obtained before the Gun Control Act of 1968, again with the exception of the acquisition records of manufacturers and importers, may be disposed of immediately.

Timetable:

Action	Date	FR Cite
NPRM	02/14/84	49 FR 5628
NPRM Comment Period End	04/16/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: J. Barry Fields, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA40

40. REMOVAL OF REFERENCES TO UNITED STATES ATTORNEYS AND UNITED STATES MARSHALLS AS POSSIBLE CERTIFYING OFFICIALS AND MINOR CHANGES TO IDENTIFICATION PROCEDURES

Priority: Agency Determination

Legal Authority: PL 90-618 82 Stat. 1213

CFR Citation: 27 CFR 179

Abstract: To amend the regulations by deleting the regulatory references to United States Attorneys and United States Marshalls as law enforcement

Current and Projected Rulemakings

officials available for certifying applications to make or transfer National Firearms Act (NFA) firearms.

Timetable:

Action Date FR Cite Final Action 06/00/85

Small Entity: No

Agency Contact: Larry White, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA51

41. INFORMATION GATHERING ON FIREWORKS REGULATIONS

Priority: Agency Determination

Legal Authority: 18 USC Chapter 40

CFR Citation: 27 CFR 55

Abstract: Information gathering on Safe Handling of Explosive Materials in the Fireworks industry is necessary due to accidental explosions causing death. Injuries and property damage have occurred at fireworks manufacturing and assembling plants. Damage has been in the millions of dollars and some regulatory changes are needed. This notice to gather information is to determine changes needed and potential costs.

Timetable:

Action	Date	FI	R Cite
General Notice	06/08/84	49 FI	23872

Small Entity: No

Agency Contact: Art Cunn, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA52

42. • REVISION OF 27 CFR PART 47 TO CONFORM TO THE REVISION OF THE INTERNATIONAL TRAFFIC IN ARMS REGULATIONS (ITAR)

Priority: Agency Determination

Legal Authority: 22 USC 2778 Sec. 38, Arms Export Control Act of 1976; EO 11958 (42 FR 4311)

CFR Citation: 27 CFR 47

Abstract: On December 6, 1984, the Department of State published a final rule revising the International Traffic in Arms regulations. Subsequently, ATF is proposing to revise, simplify, and clarify regulations in 27 CFR Part 47 to conform to the revised ITAR and to improve the regulatory scheme established under the ARMS Export Control Act of 1976 to control the import of defense articles and defense services. The major changes consist of revision of the U.S. Munitions Import list articles, increase of the registration fees, procedures for filing the ATF Form 6A, revisions of the list of prescribed countries, and modification of the import provisions of articles coming from Canada.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	-

Small Entity: No

Agency Contact: Teri Byers, Arms Imports Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7151

RIN: 1512-AA59

43. 6 IMPORTATION OF FIREARMS AND OTHER MISCELLANEOUS AMENDMENTS RELATING TO FIREARMS AND AMMUNITION

Priority: Agency Determination

Legal Authority: 18 USC 926; 22 USC 2778

CFR Citation: 27 CFR 47.11; 27 CFR 47.52; 27 CFR 178, Subpart J

Abstract: Implements Section 233 of the Trade and Tariff Act of 1984 (Pub. L. 98-573, 98 Stat. 2991). This section of the Act amended Section 925 of Chapter 44 of Title 18, U.S.C., by adding a new paragraph (e). Under this paragraph, the importation by a licensed importer of all rifles and shotguns listed by the Director as curios or relics, and all handguns listed by the Director as curios or relics that are recognized as particularly suitable for or readily adaptable to sporting purposes is allowed not withstanding any other provision of Title 18. This includes such firearms that may be surplus military firearms. Also revises the regulations in Subpart J of 27 CFR Part 178 by removing certain penalty provisions

from the regulations and by redesignating the remaining provisions.

Timetable:

Action	Date	ED Cito
ACTION	Date	FR Cite

Final Action

03/00/85

Small Entity: No

Agency Contact: Dan Crowley, ATF Specialist, Department of the Treasury. Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA60

44. • FIREARMS LICENSE AND **EXPLOSIVES LICENSE OR PERMIT** APPLICATION AND RENEWAL **PROCEDURES**

Priority: Agency Determination

Legal Authority: 18 USC Chapter 40 Section 841 to end; 18 USC Chapter 44 Section 921 to 928

CFR Citation: 27 CFR 55; 27 CFR 178

Abstract: Firearms licenses and Explosives licenses and Permits are currently acquired by an applicant filing an application with the Regional Director (Compliance) via the Director of the Internal Revenue Service Center for the area in which the applicant intends to engage in business.

This procedure will use a commercial lockbox operation for receiving, separating the forms and depositing the fees to the Governments account, and forward the applications to the right ATF licensing section expeditiously and at no cost to the Government.

This lockbox procedure will take the place of the receipt and collection function performed by the Internal Revenue Service Center.

Timetable:

Action	Date	FR Cite
NPRM	11/13/84	49 FR 44922
NPRM Comment Period Begin	11/13/84	
NPRM Comment Period End	12/13/84	
Final Action	03/00/85	

Small Entity: No

TREAS-BATF

Current and Projected Rulemakings

Agency Contact: Henry McMahon, ATF Firearms Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA64

TOBACCO PRODUCTS
45. MANUFACTURER'S
IDENTIFICATION ON TOBACCO
PRODUCTS PACKAGES

Priority: Agency Determination Legal Authority: 26 USC 5723

CFR Citation: 27 CFR 270.11; 27 CFR 270.212; 27 CFR 275.163; 27 CFR 275.170; 27 CFR 275.172; 27 CFR 275.174; 27 CFR 290.11; 27 CFR 290.181; 27 CFR 290.185; 27 CFR 290.241 to 290.267; 27 CFR 295.42

Abstract: To liberalize requirements relating to manufacturer identification

on tobacco products packages and to make other miscellaneous changes.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/00/85

Small Entity: No

Agency Contact: Cliff Mullen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA28

46. 27 CFR PART 285, MANUFACTURE OF CIGARETTE PAPERS AND TUBES

Priority: Undetermined

Legal Authority: 26 USC 7805 (68A Stat

917)

CFR Citation: 27 CFR 285

Abstract: Administrative and recordkeeping burdens under 27 CFR Part 285 and their reduction or elimination.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/84	minute Charles
ANPRM Comment Period Begin	09/02/84	
ANPRM Comment Period End	10/02/84	
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Cliff Mullen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA33

DEPARTMENT OF THE TREASURY (TREAS) Bureau of Alcohol, Tobacco and Firearms (BATF)

Completed Actions

COMPLETED RULEMAKINGS

47. IMPLEMENTATION OF THE DISTILLED SPIRITS TAX REVISION ACT OF 1979 AND REVISION OF VINEGAR REGULATIONS

Priority: Agency Determination

Legal Authority: 26 USC 5001 to 5691

CFR Citation: 27 CFR 5; 27 CFR 13; 27 CFR 19; 27 CFR 170; 27 CFR 173; 27 CFR 194; 27 CFR 195; 27 CFR 196; 27 CFR 197; 27 CFR 200; 27 CFR 211; 27 CFR 212; 27 CFR 213; 27 CFR 231; 27 CFR 240; ...

Abstract: Eliminates the wine gallon method of imposing the distilled spirits tax and the rectification tax; converts DSP from the former distilled spirits tax system to an all-in-bond tax system; incorporates other amendments from prior projects.

Timetable:

······otabiot	No. of Concession, Name of Street, or other Designation, Name of Street, Name	
Action	Date	FR Cite
NPRM	07/18/79	· 明初 (10) [10]
Temporary Regulations	12/11/79	
Final Action	03/01/85	50 FR 8456
Final Action Effective	06/01/85	

Small Entity: No

Agency Contact: Richard Langford, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA08

48. MATERIALS AND PROCESSES FOR THE PRODUCTION AND TREATMENT OF WINE

Priority: Agency Determination Legal Authority: 27 USC 5382

CFR Citation: 27 CFR 240

Abstract: Updates, clarifies, and simplifies the regulations relating to the production and treatment of wine.

Timetable:

Action	Date		rn	Cite
NPRM	06/18/82	47	FR	26399
NPRM Comment Period Begin	06/18/82	47	FR	41402
NPRM Comment Period End	12/20/82			
Final Action	09/24/84	49	FR	37510
Final Action Effective	10/24/84			

Small Entity: No

Agency Contact: Mike Breen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA12

49. RECODIFICATION OF 27 CFR PARTS 211 AND 213 AS 27 CFR PARTS 20 AND 22

Priority: Agency Determination

Legal Authority: 26 USC 5271 to 5275

CFR Citation: 27 CFR 211; 27 CFR 213; 27 CFR 19; 27 CFR 20; 27 CFR 21; 27 CFR 22; 27 CFR 30; 27 CFR 173; 27 CFR 200; 27 CFR 250; 27 CFR 251; 27 CFR 252

Abstract: To liberalize the qualification, bonding, operational, recordkeeping, and reporting requirements imposed on users and dealers of specially denatured spirits and users of tax-free alcohol.

Timetable:

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Action	Date	FR Cite
NPRM	10/23/81	ARTIN TRAIN
NPRM Comment Period End	01/21/82	
Final Action	03/06/85	50 FR 9152
Final Action	06/04/85	

Completed Actions

Small Entity: No

Additional Information: 17 comments received during the comment period are being studied for incorporation in the temporary rule. A temporary rule will be issued with a nine-month comment period.

Government Levels Affected: Local, State, Federal

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA21

50. RECODIFICATION OF WINE REGULATIONS (SUBPARTS A TO E)

Priority: Agency Determination Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 240.1 to 240.145

Abstract: To update, simplify and clarify regulations relating to wine; and to incorporate ATF Rulings.

Timetable:

Action	Date	FR Cite

Merged with RIN 01/00/85 1512-AA42

Small Entity: No

Agency Contact: Jim Whitley, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA30

51. APPELLATION OF ORIGIN, NAME AND ADDRESS, AND NET CONTENTS

Priority: Agency Determination Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.25a; 27 CFR 4.35; 27 CFR 4.37

Abstract: To propose to relax the appellation of origin type size requirement to substantially as conspicuous in lieu of same size as the class and type designation; to propose to allow the name and address and net content statement to appear on any label in lieu of only the brand label; and to propose multi-viticultural area appellations of origin.

Timetable:

Action	Date	FR Cite	
NPRM Comment Period Extension	11/13/83	49 FR 1752	
NPRM	11/16/83	48 FR 52088	
NPRM Comment Period Begin	11/16/83		
NPRM Comment Period End	01/16/84		
NPRM Comment Period Extension Ends	02/27/84		
Final Action	01/07/85	50 FR 759	
Final Action	02/06/85		

Small Entity: No

Agency Contact: James Ficaretta, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA38

52. OVERPRINTING STRIP STAMPS WITH THE WORD "EXPORT"

Priority: Agency Determination

Legal Authority: 26 USC 7805 (68A Stat. 917, as amended)

CFR Citation: 27 CFR 19.409; 27 CFR 19.661; 27 CFR 250.252a; 27 CFR 251.72; 27 CFR 251.85a; 27 CFR 252.102

Abstract: Currently, exporters of bottled distilled spirits are required to overprint the word "EXPORT" on the strip stamps (or alternative devices) affixed to each bottle that is exported (a tax-free removal). This requirement is burdensome for exporters in that it restricts flexibility over bottling operations.

ATF is proposing to eliminate this requirement, provided the exporter's records can be relied upon to accurately reflect all export transactions. Cases of bottled spirits will still be required to be marked in accordance with 27 CFR 252.103.

Timetable:

Action	Date	FR Cite
Withdrawn	07/18/84	

Small Entity: No

Agency Contact: Susan McCarron, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA41

53. LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS, AND MALT BEVERAGES; INCORPORATION OF VOLUNTARY INDUSTRY CODES INTO THE FEDERAL REGULATIONS

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27

Abstract: Discusses voluntary advertising standards of various Trade Organizations, and the possibility of incorporating them into the Federal regulations.

Timetable:

Action	Date	FR Cite
Withdrawn - be issued policy statement	02/27/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Charles Bacon.

Agency Contact: James F. Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

BIN: 1512-AA47

54. LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; USE OF THE WORD "NATURAL"

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27

Abstract: Use of the word "natural" was initially addressed by ATF in Notice No. 362 (45 FR 83530). ATF had proposed a regulatory standard for use of the term natural, based upon the one proposed by FTC. However, due to the

subsequent termination by FTC of a

TREAS-BATF

Completed Actions

definition for "natural," and pertinent information received from FDA, ATF is reconsidering its earlier decision to define the term "natural."

Timetable:

Action	Date	FR Cite
Withdrawn	01/08/85	50 FR 960

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Charles Bacon.

Agency Contact: James Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA49

55. SALES OF FIREARMS AND AMMUNITION BY LICENSEES AT GUN SHOWS

Priority: Agency Determination

Legal Authority: 18 USC 926 (82 Stat.

CFR Citation: 27 CFR 178.41(b); 27 CFR 178.50; 27 CFR 178.100; 27 CFR 178.101

Abstract: Sales of firearms and ammunition are now restricted to the licensed premises of licensees. This proposed change will allow licensees to sell at organized gun shows held within the State of the licensed premises.

Timetable:

Action	Date		FR	Cite
ANPRM	04/22/80	45	FR	26982
NPRM	09/27/83	48	FR	44089

Action	Date		FR	Cite
NPRM Comment Period reopened	12/12/83	48	FR	55298
Final Action Final Action Effective	11/29/84 11/29/84	49	FR	46889

Small Entity: No

Agency Contact: J. Barry Fields, ATF Specialist, Department of the Treasury. Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA44 [FR Doc. 85-6371 Filed 04-26-85; 8:45 am] BILLING CODE 4810-31-T

DEPARTMENT OF THE TREASURY (TREAS) Comptroller of the Currency (OCC)

Comptroller of the Currency 12 CFR Ch. I

Semiannual Agenda of Regulatory

AGENCY: Office of the Comptroller of the Currency, Department of the Treasury.

ACTION: Semiannual agenda of regulations.

SUMMARY: As required by the Regulatory Flexibility Act and Executive Order 12291, the Office of the Comptroller of the Currency (Office) has prepared this semiannual agenda of its rules and regulations currently under review and scheduled for review. Regulatory actions taken since the publication of the Office's previous semiannual agenda on October 22, 1984 (49 FR 41995) are also included. It is expected that this semiannual agenda will enable the public to be more aware

of, and allow it to more effectively participate in, the Office's regulatory activity.

ADDRESS: The mailing address for all contacts: Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219.

FOR FURTHER INFORMATION CONTACT:

For general information about this semiannual agenda contact Nancy Lowther, Financial Analyst, Legislative and Regulatory Analysis Division, (202) 447-1177.

For additional information about a particular item on this semiannual agenda contact the individual identified as the contact person.

SUPPLEMENTARY INFORMATION: The Office has determined that none of the rulemakings discussed in this semiannual agenda requires a regulatory flexibility analysis, although an analysis was prepared for Assessment of Fees; all entries have been determined not to

have a "significant impact on a substantial number of small entities," and therefore are not subject to the provisions of the Act. Additionally, none of the rules, with the exception of Minimum Capital Ratios, is a "major" rule as defined by Executive Order 12291. Executive Order 12291 defines a "major" rule as one likely to result in:

- (1) An annual effect on the economy of \$100 million or more;
- (2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- (3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

DATED: February 21, 1985. C. T. Conover, Comptroller of the Currency.

Comptroller of the Currency—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
56 57 58	*12 CFR 5 Rules, Policies, and Procedures for Corporate Activities	1557-AA00 1557-AA04 1557-AA06

TREAS-OCC

Comptroller of the Currency-Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
59	12 CFR 17 Required Notification To Nominate Bank Directors	1557-AA07
60	12 CFR 7.5225 Reporting of Bank-Related Crimes and Mysterious Disappearances of Funds	1557-AA12
61	12 CFR 27 Fair Housing Home Loan Data System	1557-AA14
62	00 CFR Not yet determined Bankers' Banks	1557-AA17
63	12 CFR 5. (New Subsection) Bank Service Corporations	1557-AA23
64	12 CFR 5.52 Brokerage Activities to be Conducted in an Operating Subsidiary	1557-AA34
65	12 CFR 19 Rules of Practice and Procedure	1557-AA43
66	Disclosure of Financial and Other Information Regarding National Banks	1557-AA44
67	Disclosure of Financial and Other Information Regarding National Banks	1557-AA51
68	12 CFR 12 Recordkeeping and Confirmation Requirements for Securities Practices	1557-AA52

^{*}Indicates priority regulation.

Comptroller of the Currency—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
69 70 71	12 CFR 8 Assessment of Fees; National Banks; District of Columbia Banks *12 CFR 3, (New) Minimum Capital Ratios; Issuance of Directives. *12 CFR 8.2 Assessment of Fees; National Banks; District of Columbia Banks	1557-AA45 1557-AA46 1557-AA50

^{*}Indicates priority regulation.

DEPARTMENT OF THE TREASURY (TREAS) Comptroller of the Currency (OCC)

Current and Projected Rulemakings

56. RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES

Priority: Agency Determination

Legal Authority: 12 USC 1 et seq

CFR Citation: 12 CFR 5

Abstract: The Office is engaged in a comprehensive review of its rules, policies, and procedures governing corporate activities. On August 27, 1984 at 49 FR 33846, the Office issued a final rule amending its policies and procedures on chartering national banks. The final rule expedited the application process for certain organizers, eliminated a duplicative publication requirement for bank holding companies, and clarified certain Office policies. On January 11, 1985 at 50 FR 1439, a final rule was published which set forth the Office procedures for determining fees for processing filings under 12 CFR Part 5 and eliminated reference to specific fee amounts appearing in different sections of Part 5. The Office will annually publish a single schedule of all processing fees eliminating confusion

that may result from annually amending different sections of Part 5. The Office will provide copies of the analysis that underlies the fee schedule to interested parties. On April 25, 1984 at 49 FR 17764, the Office issued a proposed rule on equity capital and subordinated debt. On November 14, 1984 at 49 FR 45007, the Office issued a proposed rule on (cont)

Timetable:

agencies and

CBCTs

Ilmetable:			
Action	Date	FR C	ite
NPRM equity capital and subordinated debt	04/25/84	49 FR 1	7764
Final Action policies and procedures - chartering	08/27/84	49 FR 3	3846
NPRM establishment of domestic branches, seasonal	11/14/84	49 FR 4	5007

Action	Date	FR Cite
Final Action fees for processing filings under 12 CFR Part 5	01/11/85	50 FR 1439
Final Action equity capital and subordinated debt	04/00/85	
Final Action establishment of domestic	00/00/00	

Small Entity: No

branches.

seasonal agencies and

CBCTs

Additional Information: ABSTRACT CONT: the establishment of domestic branches, seasonal agencies and customer bank communication terminals (CBCTs). These proposals are expected to benefit national banks and the Office by removing burdensome and costly regulatory requirements, while maintaining the Office's ability to render an informed decision on the proposed activity. The effect on small

TREAS-OCC

Current and Projected Rulemakings

entities is considered in the development of each rulemaking.

Agency Contact: Randall J. Miller, Director for Licensing Policy and Systems, Department of the Treasury, Comptroller of the Currency, Bank Organization & Structure Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1184

RIN: 1557-AA00

57. FIDUCIARY POWERS OF NATIONAL BANKS AND COLLECTIVE INVESTMENT FUNDS

Legal Authority: Sec 1, 77 Stat 668; 12 USC 92a; 12 USC 481

CFR Citation: 12 CFR 9

Abstract: Comments in response to a prior rulemaking Final rule Docket No. 80-16 (46 FR 71571) published October 29, 1980 included recommendations that additional amendments should be made to 12 CFR Part 9. The Office believes that the issues raised by the commenters can best be addressed through a comprehensive review of its regulations concerning national bank fiduciary powers and collective investment funds. The Office requested comments from the public as to the desirability and feasibility of a comprehensive review of its trust regulations pertaining to collective investment funds, including specific matters which should be addressed. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date		FR	Cite	
ANPRM	06/25/82	47	FR	27833	
ANPRM Comment Period Begin	06/25/82	47	FR	27833	
ANPRM Comment Period End	09/23/82				
NPRM	08/00/85				
NPRM Comment Period Begin	08/00/85				
NPRM Comment Period End	11/00/85				
Final Action	01/00/86				

Small Entity: No

Agency Contact: Charles M. Horn. Assistant Director, Department of the Treasury, Comptroller of the Currency. Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW. Washington, DC 20219, 202 447-1954

RIN: 1557-AA04

58. SECURITIES EXCHANGE ACT DISCLOSURE RULES

Legal Authority: 15 USC 78

CFR Citation: 12 CFR 11

Abstract: Rule proposal addresses a series of amendments to the securities disclosure regulations of the Office. The proposed amendments govern such matters as the form and content of financial statements of national banks. prescribed formats for financial statements and schedules, and requirements prohibiting the falsification of accounting records and misrepresentations by officers and directors of national banks. The Office seeks to minimize the regulatory burden of the Securities Exchange Act disclosure requirements and to make these rules more understandable. The Office is particularly interested in meeting these goals in order to facilitate the development of conforming regulations concerning Securities Exchange Act disclosure requirements. The Office, together with the other banking agencies, is coordinating with the SEC in these efforts. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date		FR	Cite
NPRM	09/21/84	49	FR	37246
NPRM Comment Period Begin	09/21/84	49	FR	37246
NPRM Comment Period End	11/20/84			
Final Action	04/00/85			

Small Entity: No

Agency Contact: Michael C. Dugas, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA06

59. REQUIRED NOTIFICATION TO NOMINATE BANK DIRECTORS

Legal Authority: 12 USC 1 et seq

CFR Citation: 12 CFR 17

Abstract: This regulation states that national banks may adopt bylaws or articles of association that require any shareholder proposing to nominate a director, other than a management nominee, to file certain information in advance with the Office and the bank. A proposal to rescind this regulation was published in the Federal Register. Because of the comments received on that proposal, the Office is now considering retaining the regulation in revised form. Alternative approaches are being considered together with revisions of other rules affecting the corporate governance of national banks with a view toward developing uniform federal standards. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date		FR	Cite
NPRM	04/14/80	45	FR	25078
NPRM Comment Period Begin	04/14/80	45	FR	25078
NPRM Comment Period End	06/13/80			
Final Action	00/00/00			

Small Entity: No

Agency Contact: James T. Pitts,
Assistant Director, Department of the
Treasury, Comptroller of the Currency.
Securities and Corporate Practices
Division, 490 L'Enfant Plaza East, SW,
Washington, DC 20219, 202 447-1954

RIN: 1557-AA07

60. REPORTING OF BANK-RELATED CRIMES AND MYSTERIOUS DISAPPEARANCES OF FUNDS

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 1818; 12 USC 1881 et seq

CFR Citation: 12 CFR 7.5225

Abstract: This ruling governs the reporting of crimes involving bank personnel or bank funds. The Office is considering changing the ruling into a regulation and making revisions to decrease the reporting requirements of banks. Topics under review include the number of offices with which reports must be filed, the \$1,000 threshold for reporting mysterious disappearances of funds, and the range of crimes intended to be covered by the reporting requirements. The effect on small entities will be considered in the development of this rulemaking.

Current and Projected Rulemakings

Timetable:			
Action	Date	FR	Cite
NPRM	00/00/00	-19	1000

Small Entity: No

Agency Contact: Robert S. Pasley, Assistant Director, Department of the Treasury, Comptroller of the Currency, Enforcement and Compliance Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1818

RIN: 1557-AA12

61. FAIR HOUSING HOME LOAN DATA SYSTEM

Legal Authority: 15 USC 1 et seq; 15 USC 481; 15 USC 1818; 15 USC 1691 et seq; 42 USC 3601 et seq

CFR Citation: 12 CFR 27

Abstract: This regulation requires national banks to record and retain information on age, race, sex, and marital status of applicants for home loans. Its purpose is to gather data necessary to statistically analyze lending practices to detect possible illegal discrimination. The Office anticipates amending this regulation only if it should become inconsistent with Regulation B data collection and recordkeeping requirements promulgated by the Board of Governors of the Federal Reserve System. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Date -

Small Entity: No

Agency Contact: Patrick J. Marr, Senior Fair Lending Specialist, Department of the Treasury, Comptroller of the Currency, Consumer Examinations Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1600

RIN: 1557-AA14

62. BANKERS' BANKS

Legal Authority: 12 USC 24(7); 12 USC 27

CFR Citation: Not yet determined

Abstract: The Garn-St. Germain Depository Institutions Act of 1982, PL 97-320, empowered this Office to charter bankers' banks, i.e., limited purpose national associations which will be owned exclusively by—and provide services solely to—depository institutions. On January 26, 1983, this office published an advance notice of proposed rulemaking Docket No. 83-3 (48 FR 3624) in order to solicit comments on what is virtually a new area of law. The effect on small entities will be considered in the development of this rulemaking. However, the Office is considering withdrawing the rulemaking proposal and issuing a policy statement.

Timetable:

Action	Date	FR Cite	
ANPRM	01/26/83	48 FR 03624	
ANPRM Comment Period Begin	01/26/83	48 FR 03624	
ANPRM Comment Period End	02/25/83		
NPRM	00/00/00		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Joseph Daly, Attorney, Legal Advisory Services Division, 202 447-1880, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: Randall J. Miller, Director for Licensing Policy and Systems, Department of the Treasury, Comptroller of the Currency, Bank Organization and Structure, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1184

RIN: 1557-AA17

63. BANK SERVICE CORPORATIONS

Legal Authority: 12 USC 1861 et seq

CFR Citation: 12 CFR 5, (New Subsection)

Abstract: The Bank Service Corporation Act was significantly amended by Section 709 of the Garn-St. Germain Depository Institutions Act of 1982, PL 97-320. Under the amended Act, a national bank may now invest up to 10% of paid-in and unimpaired capital and surplus in a bank service corporation. Prior approval of the appropriate federal regulator is necessary for a national bank to invest in a bank service corporation under certain conditions. The Office published notice of proposed rulemaking to solicit comments on proposed policies and procedures for obtaining the required approval. The effect on small entities will be considered in the development of this rulemaking.

Timetable:				
Action	Date	The s	FR	Cite
NPRM	10/03/84	49	FR	39066
NPRM Comment Period Begin	10/03/84	49	FR	39066
NPRM Comment Period End	12/03/84			
Final Action	05/00/85			
Final Action Effective	06/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Joseph Daly, Attorney, Legal Advisory Services Division, 202 447-1880, 490 L'Enfant Plaza East, SW, Washington, DC 20219

Agency Contact: Randall J. Miller, Director for Licensing Policy and Systems, Department of the Treasury, Comptroller of the Currency, Bank Organization and Structure, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1184

RIN: 1557-AA23

64. BROKERAGE ACTIVITIES TO BE CONDUCTED IN AN OPERATING SUBSIDIARY

Legal Authority: 12 USC 1 et seq; 12 USC 24(7); 12 USC 92a; 12 USC 93a

CFR Citation: 12 CFR 5.52; 12 CFR 12.6(e)

Abstract: Rule proposal addresses circumstances under which the brokerage activities of national banks should be conducted in operating subsidiaries of such banks. Such arrangements would appear to provide this Office with a more efficient means of supervising and examining bank brokerage activities. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date		FR	Cite
NPRM	04/17/84	49	FR	15089
NPRM Comment Period Begin	04/17/84	49	FR	15089
NPRM Comment Period End	06/01/84			
NPRM Comment Period Extended To 07/16/84	06/15/84	49	FR	24748
Final Action	06/00/85			
Final Action Effective	06/00/85			
Period Begin NPRM Comment Period End NPRM Comment Period Extended To 07/16/84 Final Action Final Action	06/01/84 06/15/84 06/00/85			THE STREET

Small Entity: No

TREAS-OCC

Current and Projected Rulemakings

Agency Contact: Linda Gottfried, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA34

65. RULES OF PRACTICE AND PROCEDURE

Legal Authority: 12 USC 1818 CFR Citation: 12 CFR 19

Abstract: The proposed regulation will set forth amendments to the hearing rules for administrative hearings. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Robert L. Davis, Attorney, Department of the Treasury, Comptroller of the Currency, Enforcement and Compliance Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1818

RIN: 1557-AA43

66. DISCLOSURE OF FINANCIAL AND OTHER INFORMATION REGARDING NATIONAL BANKS

Legal Authority: 12 USC 1 et seq; 12 USC 93a

Abstract: The advance notice of proposed rulemaking requests comments on whether changes should be made in the current public disclosures required of national banks. The comments received in response to the 25 questions posed will be used in the assessment of the need for and content of a regulation regarding financial disclosure. These questions are in four general areas: general characteristics of an effective disclosure

system, additional information about operations and management, additional disclosure of administrative enforcement actions, and cost-benefit considerations of possible changes. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Cite
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28566
28566
2

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: David G. Hayes, Senior Economic Advisor, Legislative and Regulatory Analysis Division, 202 447-1177, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: Emily R.
McNaughton, National Bank Examiner,
Department of the Treasury,
Comptroller of the Currency,
Commercial Examinations Division, 490
L'Enfant Plaza East, SW, Washington,
DC 20219, 202 447-1165

RIN: 1557-AA44

67. ● RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES

Legal Authority: 12 USC 1817(j)(13)

CFR Citation: 12 CFR 5.50(i)

Abstract: The proposed regulation revises the disclosure policy adopted under the Change in Bank Control Act to provide for the publication of notices of changes in control filed pursuant to the Act. The effect on small entities will be considered in the development of this rulemaking.

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Action	Date	FR	Cite
NPRM	08/00/85		

Small Entity: No

Agency Contact: James T. Pitts, Assistant Director, Department of the Treasury, Comptroller of the Currency, Securities and Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA51

68. • RECORDKEEPING AND CONFIRMATION REQUIREMENTS FOR SECURITIES PRACTICES

Legal Authority: 12 USC 24; 12 USC 92a; 12 USC 93a

CFR Citation: 12 CFR 12

Abstract: The proposed rule will relate to a national bank's obligation to forward proxy material and related information to bank customers owning securities held by the bank in its name or that of a bank nominee. Delays, inconsistent practices, voting difficulties, and other problems will be addressed. The rulemaking is expected to benefit bank customers by ensuring that they receive in a timely fashion those materials needed to make informed decisions on shareholder matters. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	THE PERSON

Small Entity: No

Agency Contact: Michael C. Dugas, Attorney, Department of the Treasury, Comptroller of the Currency, Securities and Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA52

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Completed Actions

COMPLETED RULEMAKINGS 69. ASSESSMENT OF FEES; NATIONAL BANKS; DISTRICT OF COLUMBIA BANKS

Legal Authority: 12 USC 1 et seq; 12 USC 481; 12 USC 482

CFR Citation: 12 CFR 8; 12 CFR 5

Abstract: This final rule revised the fees charged by the Office for special examinations and investigations of national banking associations and District of Columbia banks, for examinations of the affiliates of such institutions, for examinations of fiduciary activities of such institutions exercising fiduciary powers, and for examinations and investigations made pursuant to Rules, Policies, and Procedures for Corporate Activities. This rule permits the Office to recover the expenses it incurs in performing these supervisory functions. The regulation does not impose additional reporting or recordkeeping requirements on any banks subject to the jurisdiction of this Office, nor does it have a significant impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
NPRM	09/12/84	49 FR 35784
NPRM Comment Period Begin	09/12/84	49 FR 35784
NPRM Comment Period End	10/29/84	
Final Action	12/31/84	49 FR 50603
Final Action Effective	01/30/85	49 FR 50603

Small Entity: No

Agency Contact: Dennis J. Arczynski, Project Manager, Department of the Treasury, Comptroller of the Currency, Financial Operations, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1878

RIN: 1557-AA45

70. MINIMUM CAPITAL RATIOS; ISSUANCE OF DIRECTIVES

Priority: Agency Determination, Major

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 161; 12 USC 1818; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 3, (New); 12 CFR 7,1100

Abstract: The proposed regulation would establish required minimum levels of capital for national banks and procedures to assure that national banks achieve and maintain adequate capital. This action is required by section 908 of the International Lending Supervision Act of 1983, 12 USC 3907. The proposed minimum ratios of capital to assets, definitions of primary and secondary capital, procedures, and other issues have been presented for comment and alternatives on these issues will be considered in conjunction with the final regulation. Because some banks, including several large banks, would need to raise or generate additional capital to meet the minimum ratios, underwriting costs may be significant, competition in capital markets is likely to increase, and dividends could be lower than historical averages until the required capital ratios have been achieved. Benefits of the proposal would include an increased capacity for banks to fund economic growth and to withstand losses, and increased stability in the nation's financial system. The minimum capital levels required by the regulation are lower than those currently contained in agency guidelines used to evaluate (cont)

Timetable:

Action	Date		FR	Cite
NPRM	09/04/84	49	FR	34838
NPRM Comment Period Begin	09/04/84	49	FR	34838
NPRM Comment Period End	11/05/84			
Final Action	03/14/85			
Final Action Effective	04/15/85			

Small Entity: No

Additional Information: ABSTRACT CONT: the adequacy of capital in small national banks. Therefore, nearly all small national banks meet the minimum ratios contained in the proposed regulation.

Agency Contact: Dorothy A. Sable, Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1880

RIN: 1557-AA46

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

71. ASSESSMENT OF FEES; NATIONAL BANKS; DISTRICT OF COLUMBIA BANKS

Priority: Agency Determination

Legal Authority: 12 USC 1 et seq; 12 USC 481; 12 USC 482

CFR Citation: 12 CFR 8.2

Abstract: The Office of the Comptroller of the Currency has increased the rates in its semiannual assessment schedule for national banks, District of Columbia banks, and federally licensed branches and agencies. Unchanged for eight years, the old schedule failed to produce revenue sufficient to cover operating costs, which were boosted by inflation, an increase in responsibilities, and a modernization of bank examination techniques. The new schedule, like the old one, conforms to this Office's philosophy that the assessments paid by a bank should reflect, to the extent possible under existing statutory provisions, the costs of supervising it. On a per-dollar-ofassets basis, those costs decline as bank size increases. In addition, the Office will offset declines in the overall average assessment rate due solely to inflationary growth in bank assets by indexing the schedule annually to changes in the general price level. The immediate effect of the revision will be to increase national bank assessments by approximately \$15 million in 1985. The regulation does not impose additional reporting or recordkeeping requirements on any banks subject to the jurisdiction of this Office. An (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/14/84	49 FR 45102
NPRM Comment Period Begin	11/14/84	49 FR 45102
NPRM Comment Period End	12/14/84	
Final Action	12/31/84	49 FR 50600
Final Action Effective	01/31/85	49 FR 50600

Small Entity: No

Additional Information: ABSTRACT CONT: initial and final regulatory flexibility analysis were prepared.

TREAS-OCC

Completed Actions

Agency Contact: Roger Tufts, Financial Economist, Department of the Treasury, Comptroller of the Currency, Economic and Policy Analysis Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1924

RIN: 1557-AA50

[FR Doc. 85-6372 Filed 04-28-85; 8:45 am]

BILLING CODE 4810-33-T

DEPARTMENT OF THE TREASURY (TREAS) United States Customs Service (CUSTOMS)

Customs Service

19 CFR Ch. I

Semiannual Agenda

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Semiannual agenda.

SUMMARY: In response to Pub. L. 96-354, the "Regulatory Flexibility Act," and Executive Order 12291, "Federal Regulations," Customs has prepared and is publishing for public information a list of regulations either under development or under review.

FOR FURTHER INFORMATION CONTACT:

For additional information regarding the substance of any particular regulatory project described in the agenda, please communicate with the person identified as the "Agency Contact." All agency contact persons are located at U.S. Customs Service Headquarters, the address of which is noted below. Comments or inquiries of a general nature about the agenda itself should be

directed to Gertrude A. Bresnahan, Regulations Control Branch, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, Room 2426, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 (202-566-8237).

SUPPLEMENTARY INFORMATION:

Background

Public Law 96-354, the "Regulatory Flexibility Act" (RFA) and Executive Order (E.O.) 12291 of February 17, 1981, "Federal Regulation," require semiannual publication, in April and October of each year, of an agenda of regulations which are "likely to have a significant economic impact on a substantial number of small entities" and "major" regulations, respectively. The RFA and E.O. 12291 also require agencies to include in their agendas currently effective rules which are under agency review. Customs agenda includes a brief abstract of each regulatory project ("project") being considered, an indication of whether the project will have an RFA impact, the section(s) of the Code of Federal Regulations affected, the legal authority for the action being taken, the name.

title, and telephone number of an agency contact and, where applicable, an approximate timetable of completing action on any project for which Customs has published a notice of proposed rulemaking. In addition, the status of projects referred to in previously published agendas is shown.

The following is the ninth semiannual agenda to be published by Customs under the RFA and E.O. 12291. It has been determined that none of the projects listed as being under development meets the standards required of a "major" regulation provided in E.O. 12291.

General Statutory authority for the development or review of regulations relating to Customs matters is found in section 301, title 5, United States Code (5 U.S.C. 301), and in sections 66 and 1624, title 19, United States Code (19 U.S.C. 66, 1624). When appropriate, additional specific statutory authority is indicated as the legal authority for the project.

DATED: February 15, 1985.

John P. Simpson,

Director, Office of Regulations and Rulings.

United States Customs Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
72	19 CFR 111 Customhouse Brokers	1515-AA04
73	19 CFR 133 Copyright	1515-AA07
74	19 CFR 142 Entry of Merchandise; Bunds	1515-AA09
75	19 CFR 24.3a, (New) Accounting; Interest on Delinquent Accounts	1515-AA18
76	19 CFR 24.3a, (New) Accounting; Interest on Delinquent Accounts 19 CFR 19 Customs Warehouses; Duty-Free Stores	1515-AA22
77	19 CFR 4 Entry and Clearance of Vessels	1515-AA23
78	19 CFR 18 Foreign Trade Zones	1515-AA30
79	19 CFR 4 Passengers on Foreign Vessels	1515-AA31
80	19 CFR 10.8-10.9 Waiver of Certificate of Registration for Articles Exported for Repairs, Alterations or Processing	1515-AA40
81	19 CFR 18.8 Liquidated Damages Claims Against Bonded Carriers	1515-AA41
82	19 CFR 171.21 District Directors Authority Over Fines, Penalties and Liquidated Damages Cases	1515-AA42
83	19 CFR 158.2 Entry Summary Filing	1515-AA43

TREAS-CUSTOMS

United States Customs Service-Current and Projected Rulemakings-Continued

Se- quence Number		Title Title	Regulation Identifier Number
84	19 CFR 12.104-12.14h, (New)	Implementation of Convention on Cultural Property	1515-AA45

United States Customs Service—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
85	19 CFR 162:32 Fines, Penalties, and Forfeiture Procedures	1515-AA44

United States Customs Service—Completed Actions

Se- querice Number	Title	Regulation Identifier Number
86	19 CFR 113 Customs Bonds	1515-AA05
87	19 CFR 18 Transportation of Bonded Merchandise	1515-AA24
88	19 CFR 10 Elimination of Duty on Articles for Handicapped Persons	1515-AA25
89	19 CFR 10 Caribbean Basin Initiative	1515-AA27
90	19 CFR 6 Aircraft Reporting Requirements	1515-AA28
91	19 CFR 6 Textiles and Textile Products	1515-AA29
92	19 CFR 134 Country of Origin Marking - Rotary Metal Cutting Tools	1515-AA32

DEPARTMENT OF THE TREASURY (TREAS) United States Customs Service (CUSTOMS)

Current and Projected Rulemakings

72. CUSTOMHOUSE BROKERS

Legal Authority: 19-USC 1641 CFR Citation: 19 CFR 111

Abstract: Amend Customs Regulations to clarify responsibilities of customhouse brokers and to ensure uniform compliance with applicable regulations. Customs has under consideration as part of project issue of extent to which brokers should be regulated. Work plan 79-5 approved.

Timetable:

Action	Date	1	FR	Cite
NPRM .	04/07/83	48	FR	15154
NPRM Comment Period Begin	04/07/83			
Extension of Comment Period	05/12/83	48	FR	21343
NPRM Comment Period End	07/05/83			
New NPRM Under Development	06/00/85			

Small Entity: Undetermined

Additional Information: SMALL BUSINESSES CONT: Determination of RFA impact to be made concurrent with publication of NPRM.

Agency Contact: Margaret M.
O'Rourke, Director, Department of the
Treasury, United States Customs
Service, Office of Trade Operations,
Room 2426, 1301 Constitution Avenue,
NW, Washington, DC 20229, 202 5668047

RIN: 1515-AA04

73. COPYRIGHT

Legal Authority: 17 USC 1603 CFR Citation: 19 CFR 133

Abstract: Amendments to Customs Regulations relating to recordation of copyrights with Customs, to implement provisions of Pub. L. 94-533, "Copyright Act of 1976." The project would reduce administrative costs to Customs and copyright applicants. Work plan 82-17 approved.

Timetable:

Action	Date		FR	Cite
NPRM	07/07/83	48	FR	31245
NPRM Comment Period Begin	07/07/83			
NPRM Comment Period End	10/05/83			
In Treasury Review	11/13/84			
Final Action	04/00/85			

Small Entity: No

Agency Contact: Samuel Orandle, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5765

RIN: 1515-AA07

74. ENTRY OF MERCHANDISE; BONDS

Legal Authority: 19 USC 1623 CFR Citation: 19 CFR 142

TREAS—CUSTOMS

Current and Projected Rulemakings

Abstract: Acceptance of formal entries with unsecured bonds for certain importations. The project would decrease costs to an importer of merchandise valued less than \$1,000. Work plan 81-15 approved.

Timetable:

Action	Date	FR Cite
NPRM	12/21/83	48 FR 56401
NPRM Comment	12/21/83	
Period Begin		
NPRM Comment	02/21/84	
Period End		
In Customs	11/28/84	
Review		
Final Action	06/00/85	

Small Entity: No

Agency Contact: Herbert Geller, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5307

RIN: 1515-AA09

75. ACCOUNTING; INTEREST ON DELINQUENT ACCOUNTS

Legal Authority: 19 USC 197; 19 USC 198; 19 USC 1484; 19 USC 1500; 19 USC 1505; 19 USC 1623; 31 USC 483a

CFR Citation: 19 CFR 24.3a, (New): 19 CFR 113.4, (New)

Abstract: Establish interest charges for the last payment of supplemental duty bills (bills for additional duties ascertained upon liquidation), reimbursable services, and miscellaneous bills issued by Customs to organizations outside the Government. Provide incentive for prompt payment or reimbursement of interest costs resulting from Government borrowing. Work Plan 80-2 approved.

Timetable:

Action	Date	FR Cite
NPRM	03/10/83	48 FR 10077
NPRM Comment Period Begin	03/10/83	
NPRM Comment Period End	05/09/83	
Treasury Review Began	12/31/84	Vol. bille collect
Final Action	06/00/85	

Small Entity: No

Agency Contact: Robert B. Hamilton, Accountant, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-2596

RIN: 1515-AA18

76. CUSTOMS WAREHOUSES; DUTY-FREE STORES

Legal Authority: 19 USC 1556; 19 USC 1565; 19 USC 1623

CFR Citation: 19 CFR 19; 19 CFR 144

Abstract: Consideration of various actions in regard to administration of duty-free stores. Actions range from abolition of stores to their designation as class of bonded warehouse and/or increased regulation. Actions necessary due to need for increased efficiency of store administration by Customs and to address enforcement problems related to stores. Public comment requested on actions under consideration, as well as store operations in general. Work Plan 83-1 approved.

Timetable:

Action	Date		FR	Cite
ANPRM	07/21/83	48	FR	33318
ANPRM	07/21/83			
Comment Period Begin ANPRM	09/19/83			
Comment Period End	03/13/03			
Pending Congressional Action	00/00/00			

Small Entity: No

Agency Contact: John R. Holl, Operation Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5354

RIN: 1515-AA22

77. ENTRY AND CLEARANCE OF VESSELS

Legal Authority: 19 USC 66, 19 USC 1624; 46 USC 2; 46 USC 3

CFR Citation: 19 CFR 4

Abstract: Amends Customs Regulations relating to the application of the entry and clearance requirements of the navigation laws to vessels engaged in the lightering of import and export cargo between the U.S. and vessels

located beyond the territorial waters of the U.S.

Timetable:

Action	Date		FR	Cite
ANPRM	10/14/83	48	FR	46808
ANPRM	10/14/83			
Comment				
Period Begin				
ANPRM	12/13/83			
Comment				
Period End				
NPRM	10/03/84	49	FR	39072
NPRM Comment	10/03/84			
Period Begin				
NPRM Comment	12/03/84			
Period End				
T. D. Under	02/00/85			
Development	SETTING TO			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Edward B. Gable, Jr., Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5732

RIN: 1515-AA23

78. FOREIGN TRADE ZONES

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 81a to 81u; 19 USC 1202; 19 USC 1623; 19 USC 1624; 31 USC 9701

CFR Citation: 19 CFR 18; 19 CFR 24; 19 CFR 112; 19 CFR 141; 19 CFR 144; 19 CFR 146; 19 CFR 191

Abstract: Amends Customs Regulations to incorporate new audit-inspection method of zone supervision by Customs, as well as to set forth revised general provisions applicable to the administration of zones.

Timetable:

Action	Date	FR Cite
NPRM	07/17/84	49 FR 28855
NPRM Comment Period Begin	07/17/84	
NPRM Comment Period End	10/15/84	
Comments being analysed	12/00/84	
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: John Holl, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-8151

RIN: 1515-AA30

79. PASSENGERS ON FOREIGN VESSELS

Legal Authority: 19 USC 66; 19 USC 1624; 46 USC 2; 46 USC 3

CFR Citation: 19 CFR 4

Abstract: Amends Customs Regulations relating to transportation of passengers by a foreign vessel between ports or places in the U.S., either directly or by way of foreign port. It would provide that, with certain exceptions, such transportation is prohibited when passengers are actually embarked at one port or place in the U.S. and disembarked at another port or place in the U.S.

Timetable:

Action	Date	FR Cite
ANPRM	04/25/84	49 FR 17769
ANPRM Comment Period Begin	04/25/84	
ANPRM Comment Period End	06/25/84	
NPRM	01/09/85	50 FR 1060
NPRM Comment Period Begin	01/09/85	
NPRM Comment Period End	03/11/85	

Small Entity: Undetermined

Agency Contact: Edward B. Gable, Jr., Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5732

RIN: 1515-AA31

80. • WAIVER OF CERTIFICATE OF REGISTRATION FOR ARTICLES EXPORTED FOR REPAIRS, ALTERATIONS OR PROCESSING

Legal Authority: 19 USC 66; 19 USC 197; 19 USC 198; 19 USC 1624; 19 USC 1641; 19 USC 1648

CFR Citation: 19 CFR 10.8-10.9

Abstract: Provides for waiver of the Certificate of Registration required for entry of articles exported for repair, alteration, or processing abroad, upon payment of duty on only the value of the work done abroad, when the importer satisfies Customs that exportation of the articles occurred.

Timetable:

Action	Date	FR Cite
NPRM	09/10/84	49 FR 35509
NPRM Comment Period Begin	09/10/84	
NPRM Comment Period End	11/09/84	
Final Action T. D. under development	06/00/85	

Small Entity: No

Agency Contact: Leo Wells,

Operations Officer, Department of the Treasury, United States Customs Service, 1301 Constitution Avenue, NW, Room 4114, Washington, DC 20229, 202 566-2957

RIN: 1515-AA40

81. • LIQUIDATED DAMAGES CLAIMS AGAINST BONDED CARRIERS

Legal Authority: 19 USC 66; 19 USC 1624; 49 USC 1509

CFR Citation: 19 CFR 18.8

Abstract: To assure uniform assessment of liquidated damages claims against carriers, as well as cartman, revises regulations relating to liability for shortages, irregular delivery, or nondelivery of imported merchandise.

Timetable:

Action	Date	FR Cite
NPRM	01/11/85	50 FR 1545
NPRM Comment Period Begin	01/11/85	
NPRM Comment Period End	03/12/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: William Rosoff, Attorney, Department of the Treasury, United States Customs Service, 1301 Constitution Avenue, NW, Room 2414, Washington, DC 20229, 202 566-5732

RIN: 1515-AA41

82. • DISTRICT DIRECTORS AUTHORITY OVER FINES, PENALTIES AND LIQUIDATED DAMAGES CASES

Legal Authority: 19 USC 66; 19 USC 1618; 19 USC 1623; 19 USC 1624; 19 USC 1641; 46 USC 7; 46 USC 320

CFR Citation: 19 CFR 171.21; 19 CFR 171.33

Abstract: Increases the authority of district directors to act on petitions for

relief in administrative cases involving penalties, forfeitures, or claims for liquidated damages, incurred for violations of the Customs or navigation laws or regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/17/84	49 FR 28883
NPRM Comment Period Begin	07/17/84	
NPRM Comment Period End	09/17/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Jeremy Baskin, Attorney, Department of the Treasury, United States Customs Service, 1301 Constitution Avenue, NW, Room 2332, Washington, DC 20229, 202 566-5746

RIN: 1515-AA42

83. • ENTRY SUMMARY FILING

Legal Authority: 19 USC 66; 19 USC 197; 19 USC 198; 19 USC 1624; 19 USC 1641; 19 USC 1648

CFR Citation: 19 CFR 158.2

Abstract: Allows importers to file entry summaries and pay duty for less than the invoiced and manifested number of packages in a permitted shipment, provided the importer submits both a discrepancy report and, in lieu of the carrier's declaration on the report (attesting to the shortage), copies of the dock receipt or other documents evidencing nonreceipt of the lost or missing packages.

Timetable:

Action	Date	FR	Cite
NPRM	10/23/84	49 FR	42576
NPRM Comment Period Begin	10/23/84		
NPRM Comment Period End	12/24/84		
Comments being analysed	01/00/85		
Final Action	06/00/85		

Small Entity: No

Agency Contact: Jerry C. Laderberg, Attorney, Department of the Treasury, United States Customs Service, 1301 Constitution Avenue, NW, Room 2417, Washington, DC 20229, 202 566-5765

RIN: 1515-AA43

TREAS—CUSTOMS

Current and Projected Rulemakings

84. ● IMPLEMENTATION OF CONVENTION ON CULTURAL PROPERTY

Legal Authority: 19 USC 66; 19 USC 1624; 19 USC 2612

CFR Citation: 19 CFR 12.104-12.14h, (New)

Abstract: Amends regulations to implement Convention on Cultural Property which prohibits illicit traffic in cultural property while allowing the exchange of national treasures for legitimate scientific, educational, and

cultural purposes. Certification or other documentation must be presented to show that exportation was not in violation of laws of country from which article originates.

Timetable:

Action	Date	FR Cite
Interim Final Rule in Customs Review	01/00/85	
Interim Final Rule	06/00/85	

Small Entity: No

Agency Contact: Harrison Feese, Operations Officer, Department of the Treasury, United States Customs Service, 1301 Constitution Avenue, NW, Room 4114, Washington, DC 20229, 202 566-8652

RIN: 1515-AA45

DEPARTMENT OF THE TREASURY (TREAS)

United States Customs Service (CUSTOMS)

Existing Regulations Under Review

85. ● FINES, PENALTIES, AND FORFEITURE PROCEDURES

Legal Authority: 19 USC 66; 19 USC 1603; 19 USC 1609; 19 USC 1610; 19 USC 1611; 19 USC 1612; 19 USC 1618; 19 USC 1624; 19 USC 1641; 19 USC 1705; 46 USC 7; 46 USC 320

CFR Citation: 19 CFR 162.32; 19 CFR 162.45; 19 CFR 162.46; 19 CFR 171.12; 19 CFR 171.33

Abstract: To implement provisions of the Trade and Tariff Act of 1984, revises the administrative petitioning process and the summary forfeiture process relating to the disposal of merchandise seized and forfeited for violations of the Customs laws and regulations.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: No

Agency Contact: Jeremy Baskin, Attorney, Department of the Treasury, United States Customs Service, 1301 Constitution Avenue, NW, Room 2332, Washington, DC 20229, 202 566-5746

RIN: 1515-AA44

DEPARTMENT OF THE TREASURY (TREAS) United States Customs Service (CUSTOMS)

Completed Actions

COMPLETED RULEMAKINGS 86. CUSTOMS BONDS

Legal Authority: 19 USC 1623 CFR Citation: 19 CFR 113

Abstract: Consolidation of Customs bonds and related forms to simplify bond structure and language preparatory to automated program. Project would simplify transactions between Customs and importing public by clarifying bond language and reducing number of bonds. Work plan 81-2 approved.

Timetable:

Action	Date	FR Cite
ANPRM	05/26/81	46 FR 28172
ANPRM Comment Period Begin	05/26/81	
ANPRM Comment Period End	07/25/81	
NPRM	03/15/83	48 FR 11032

Action	Date	FR Cite
NPRM Comment Period Begin	03/15/83	
NPRM Comment Period End	06/13/83	
T. D. in Treasury Review	05/17/84	
Final Action T. D. 84-213	10/19/84	49 FR 41152
Final Action Effective	02/18/85	

Small Entity: Undetermined

Additional Information: SMALL BUSINESSES CONT: Determination on RFA impact to be made after receipt of comments received in response to expected NPRM.

Agency Contact: Joseph Goody, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-2812

RIN: 1515-AA05

87. TRANSPORTATION OF BONDED MERCHANDISE

Legal Authority: 19 USC 66; 19 USC 1552; 19 USC 1553; 19 USC 1557; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 18; 19 CFR 123; 19 CFR 144

Abstract: Amends Customs Regulations to provide more control over imported merchandise transported in bond from the port of entry to the port of designation or port of exportation. Establishes time periods for the receipt. delivery, and notification to Customs of arrival of imported merchandise transported in bond within the U.S. Provides that presentation to Customs of in-bond document accompanying the merchandise will be acceptable as proof of delivery and that new in-bond control system will be applicable to truck shipments of in-bond merchandise transiting the U.S. to Canada or Mexico.

TREAS-CUSTOMS

Completed Actions

Timetable:		
Action	Date	FR Cite
NPRM	10/14/83	48 FR 46812
NPRM Comment Period Begin	10/14/83	
NPRM Comment Period End	12/13/83	
T. D. in Treasury Review	08/14/84	
Final Action T. D. 84-212	10/03/84	49 FR 39044
Final Action Effective	11/02/84	il and the same of

Small Entity: No

Agency Contact: J. Bradley Lund, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5354

RIN: 1515-AA24

88. ELIMINATION OF DUTY ON ARTICLES FOR HANDICAPPED PERSONS

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624

CFR Citation: 19 CFR 10

Abstract: Amends Customs Regulations to provide a procedure for duty-free treatment of imported articles specially designed or adapted for the use or benefit of physically or mentally handicapped persons. Describes a new law which expands coverage to encompass most articles specially designed or adapted for use by the handicapped other than articles solely for the blind.

Timetable:

2 120	-	ED 011-
Action	Date	FR Cite
NPRM	01/12/84	49 FR 1482
NPRM Comment Period Begin	01/12/84	
NPRM Comment Period End	03/12/84	
T. D. in Customs Review	07/09/84	
Final Action T. D. 84-233	11/26/84	49 FR 46363
Final Action Effective	12/26/84	

Small Entity: No

Agency Contact: Herbert Geller, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5307

RIN: 1515-AA25

89. CARIBBEAN BASIN INITIATIVE

Legal Authority: PL 98-67; 19 USC 66; 19 USC 1523; 19 USC 1624; 19 USC 2701

CFR Citation: 19 CFR 10

Abstract: Amends the Customs
Regulations to implement the duty-free aspects of the Caribbean Basin
Economic Recovery Act, commonly referred to as the Caribbean Basin
Initiative. Provides for the waiver of duties on most products imported from Caribbean and Central American countries designated by the President as beneficiary countries.

Timetable:

Action	Date		FR	Cite
NPRM	01/05/84	49	FR	852
NPRM Comment Period Begin	01/05/84			
NPRM Comment Period End	03/05/84			
Final Action T. D. 84-237	12/07/84	49	FR	47986
Final Action Effective	01/07/85			

Small Entity: No

Agency Contact: Frank Foote, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-2938

RIN: 1515-AA27

90. AIRCRAFT REPORTING REQUIREMENTS

Legal Authority: 19 USC 66; 19 USC 1624; 49 USC 1509

CFR Citation: 19 CFR 6

Abstract: Amends Customs Regulations to extend to certain commercial aircraft, the reporting requirements currently applicable to private aircraft arriving from areas south of the U.S. This includes a list of designated airports at which designated aircraft must land to report their arrival to Customs. The change is being made to expand the effectiveness of drug smuggling enforcement.

Action	Date	FR Cite
NPRM	07/31/84	49 FR 30527
NPRM Comment Period Begin	07/31/84	
NPRM Comment Period End	10/01/84	
Final Action T.	11/29/84	49 FR 46885

Comments being 12/00/84 analysed Final Action 12/31/84

Timetable:

D. 84-236

Effective

Small Entity: Undetermined

Agency Contact: Galen G. Garlick, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5607

RIN: 1515-AA28

91. TEXTILES AND TEXTILE PRODUCTS

Legal Authority: 7 USC 1854; 19 USC 66; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 6; 19 CFR 12; 19 CFR 18; 19 CFR 19; 19 CFR 141; 19 CFR 142; 19 CFR 144; 19 CFR 146

Abstract: Implements Executive Order 12475 of May 9, 1984, by amending Customs Regulations relating to the entry of imported textiles and textile products. The regulations provide criteria for determining country of origin of articles and require a declaration as to the origin and the manufacturing or processing operations performed.

Timetable:

Action	Date	FR Cite
NPRM	08/03/84	49 FR 31248
NPRM Commen Period Begin	t 08/03/84	
NPRM Commen Period End	t 10/02/84	
Final Action T.D 85-38	03/05/85	50 FR 8710

Small Entity: Undetermined

Agency Contact: Philip Robins, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-8161

RIN: 1515-AA29

TREAS-CUSTOMS

Completed Actions

92. COUNTRY OF ORIGIN MARKING -ROTARY METAL CUTTING TOOLS

Legal Authority: 19 USC 1304 CFR Citation: 19 CFR 134

Abstract: Changes practice relating to exempting imported rotary metal cutting tools from being marked individually with the country of origin. Designed to ensure that ultimate purchaser in U.S. is aware of the country of origin of the article.

Value of the same	100 miles (100 miles)	-	10/00	5350
Action	Date		FR	Cite
NPRM	04/25/84	49	FR	17772
NPRM Comment Period Begin	04/25/84			
NPRM Comment Period End	06/25/84			
Final Action T. D. 84-214	10/18/84	49	FR	40802
Final Action Effective	01/16/85			

Small Entity: Undetermined

Agency Contact: Harold Loring, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5765

FIN: 1515-AA32 [FR Doc. 85-6373 Filed 04-26-85; 8:45 am] **BILLING CODE 4820-02-T**

DEPARTMENT OF THE TREASURY (TREAS) Internal Revenue Service (IRS)

Internal Revenue Service

26 CFR Ch. I

Improving Government Regulations; Semiannual Agenda of Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Semiannual agenda of regulations.

SUMMARY: This semiannual agenda lists the regulations determined as of January 31, 1985, that the Internal Revenue Service will be developing from January 31, 1985 through April 15, 1986. The purpose of this semiannual agenda is to give the public adequate notice of regulatory activities of the Internal Revenue Service.

FOR FURTHER INFORMATION CONTACT: Robert A. Bley, Executive Assistant to the Director, Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR (202-566-3331), not a toll-free call.

SUPPLEMENTARY INFORMATION:

General

Section 5 of Executive Order 12291 and section 602 of the Regulatory Flexibility Act and the Treasury Directive implementing that Act all require that a semiannual agenda of regulations under development and review be published in the Federal Register. The next semiannual agenda of the Internal Revenue Service will be published in the Federal Register in October of 1985.

Description

This Semiannual Agenda of Regulations lists all projects within the Internal Revenue Service (I.R.S.) as of January 31, 1985, for the development of regulations to appear in the Code of Federal Regulations. This agenda lists existing regulations under development by the Legislation and Regulations Division and the Employee Plans and Exempt Organizations Division of the Office of Chief Counsel, I.R.S. The following information is provided for each regulation project: The title; priority status; whether the regulation is currently under review; its effect, if any, on small businesses; the part of the Code of Federal Regulations affected: the legal authority for issuing the regulation; a brief description of the problem to be addressed in the regulation; and a timetable of action taken and to be taken. Under additional information there is provided the control number of the project within the Chief Counsel's Office, and the name and telephone numbers of the drafting and reviewing attorneys.

By direction of the Secretary of the Treasury. Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

Internal Revenue Service—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
93	26 USC 7872 Temporary Income Tax Regulations Under the Tax Return Act of 1984, Relating to Below-Market Loans	1545-AG82
94	26 USC 7872 Regulations on Income Tax Under the Tax Reform Act of 1984, Relating to Below-Market Loans	1545-AH36
95	26 USC 25 To Provide Temporary Regulations Relating to Mortgage Credit Certificates	1545-AG90
96	26 USC 25 To Provide Regulations Relating to Mortgage Credit Certificates	1545-AH06
97	26 USC 26 Limitation on Credits Based on Tax Liability	1545-AH58
98	26 USC 39 General Business Credit and Carryforward and Carryback of Unused Business Credit	1545-AH57
99	26 USC 44F Income TaxCredit for Increasing Research Activities	1545-AA07
100	26 USC 41 Income TaxEmployee Stock Ownership Plan Credit	1545-AD56
101	26 USC 7805 Rules Relating to Various Sections Concerning Dependency and Family Status of Individuals Living	
	Apart	1545-AH44
102	26 USC 44C Income Tax-Joint Ownership of Energy Items & Renewable Energy Source Expenditures for	
	Purposes of the Residential Energy Credit to Conform to Secs 201(a) & 202 of the ETC	1545-AA03
103	Credit for Clinical Testing Expenses for Certain Drugs for Rare Diseases or Conditions	1545-AF64

TREAS-IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

108	GC 46 Income Tax-Investment Credit for Cooperatives	1545-AE41 1545-AF08 1545-AE89
105	C6. 46 Income TaxInvestment Credit for Cooperatives C7. 46 Income TaxThe Investment Credit for Qualified Progress Expenditures C8. 46(c)(8) Income TaxAt Risk-Limitations on Investment Credit C8. 46(a) Income TaxChanges Made by Secs 222(a) and 223(b) of the Crude Oil Windfall Profit Tax Act of C8. 46(a) Income TaxChanges Made by Secs 222(a) and 223(b) of the Crude Oil Windfall Profit Tax Act of C8. 48 Income TaxAmendment of Mass Assets for Investment Credit Purposes C8. 47 Income TaxAmendment of Recapture Rules C8. 48 Income TaxIncrease in Investment Tax Credit for Qualified Rehabilitation Expenditures C8. 48 Income TaxIncrease in Investment Tax Credit for Qualified Rehabilitation Expenditures C8. 48 Income TaxInvestment Credit for Rehabilitated Structures C8. 48 Income TaxSpecial Rules Added by Sec 223(c) of Crude Oil Windfall Profit Tax Act 1980, Relating eduction of Credit Where Property Is Financed by Subsidized ETC C8. 48 (i) (16) Amendment of the Income Tax Regulations Under Section 48 (i) (16), Relating to the Energy strent Credit for Qualified Intercity Buses That Are Leased C9. 48 (k) Income TaxDefinition of Films That Are "Topical or Otherwise Essentially Transitory in Nature" C9. 51 Income TaxAdjustments to New Jobs Credit C9. 52 Income TaxAdjustments to New Jobs Credit C9. 53 Income TaxAlternative Minimum Tax C9. 54 Income TaxNonqualified Salary Reduction Agreements C9. 55 Income TaxUnisex Annuity Tables C9. 67 Income TaxCertain Distributions, Contributions, ETC C9. 79 (d) Nondiscrimination Requirements for Employer-Provided Group-Term Life Insurance. C9. 79 (d) Nondiscrimination Requirements for Employer-Provided Group-Term Life Insurance.	1545-AA18 1545-AA18 1545-AA18 1545-AA18 1545-AA18 1545-AA28 1545-AA28 1545-AA28 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31
106	Income TaxThe Investment Credit for Qualified Progress Expenditures Council C 46(c)(8) Income TaxAra Tisk Limitations on Investment Credit Council C 46(c)(8) Income TaxAra Tisk Limitations on Investment Credit Council C 46(c)(8) Income TaxAra Tisk Limitations on Investment Credit Council C 46(c) Income TaxAranges Made by Secs 222(a) and 223(b) of the Crude Oil Windfall Profit Tax Act of Income TaxAmendment of Mass Assets for Investment Credit Purposes Council C 47 Income TaxAmendment of Recapture Rules Council C 48 Income TaxIncrease in Investment Tax Credit for Qualified Rehabilitation Expenditures Council C 48 Income TaxIncrease in Investment Tax Credit for Qualified Rehabilitation Expenditures Council C 48 Income TaxInvestment Credit for Rehabilitated Structures Council C 48 Income TaxSpecial Rules Added by Sec 223(c) of Crude Oil Windfall Profit Tax Act 1980, Relating eduction of Credit Where Property Is Financed by Subsidized ETC Council C 48 (i) (16) Amendment of the Income Tax Regulations Under Section 48 (i) (16), Relating to the Energy Stment Credit for Qualified Intercity Buses That Are Leased Council C 48(k) Income TaxAdjustments to New Jobs Credit Council C 48(c) Income TaxAlternative Minimum Tax Council C 55 Income TaxAlternative Minimum Tax Council C 48(c) Income TaxTax Benefit Rule for Minimum Tax Council C 48(c) Income TaxInvestment of Income of Certain Innocent Spouses in Community Property States Council C 48(c) Income TaxIncrease Annuity Tables Council C 48(c) Income TaxIncrease Annuity Tax Income TaxIncrease Annuity Tables Council C 48(c) Income TaxIncrease Annuity Tax I	1545-AA08 1545-AA18 1545-AA18 1545-AA18 1545-AA18 1545-AA28 1545-AA28 1545-AA28 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31 1545-AA31
107	C6 46 Income TaxInvestment Credit for Commuter Highway Vehicles C6 46(c)(8) Income TaxAt Risk Limitations on Investment Credit C6 46(a) Income TaxChanges Made by Secs 222(a) and 223(b) of the Crude Oil Windfall Profit Tax Act of C6 48 Income TaxTax Treatment of Mass Assets for Investment Credit Purposes. C6 47 Income TaxAmendment of Recapture Rules C6 47 Amendment of Income Tax Regulations Under Sections 47, 48 and 196 Relating to Basis Adjustment effect Investment Tax Credit. C6 48 Income TaxIncrease in Investment Tax Credit for Qualified Rehabilitation Expenditures C6 48 Income TaxInvestment Credit for Rehabilitated Structures C6 48 Income TaxSpecial Rules Added by Sec 223(c) of Crude Oil Windfall Profit Tax Act 1980, Relating eduction of Credit Where Property Is Financed by Subsidized ETC. C6 48 (I) (16) Amendment of the Income Tax Regulations Under Section 48 (I) (16), Relating to the Energy stment Credit for Qualified Intercity Buses That Are Leased. C6 48(k) Income TaxDefinition of Films That Are "Topical or Otherwise Essentially Transitory in Nature" C6 51 Income TaxAdjustments to New Jobs Credit. C6 55 Income TaxAlternative Minimum Tax. C7 10 Income TaxAlternative Minimum Tax. C7 10 Income TaxNonqualified Salary Reduction Agreements. C8 11 Income TaxUnisex Annuity Tables C7 2 Income TaxClarification of the Income Tax Regulations with Respect to the Taxation of Distribution Qualified Plans Providing Life Insurance Protection. C7 2 Income TaxClarification of the Income Tax Regulations with Respect to the Taxation of Distribution Qualified Plans Providing Life Insurance Protection. C7 2 Income TaxCarification of the Income Tax Regulations with Respect to the Taxation of Distribution Qualified Plans Providing Life Insurance Protection. C7 2 Income TaxCarification of the Income Tax Regulations with Respect to the Taxation of Distribution Qualified Plans Providing Life Insurance Protection. C7 2 Income TaxCarification Requirements for Employer-Provided Group-Term Life Ins	1545-AA08 1545-AA14 1545-AA18 1545-AA18 1545-AA18 1545-AA28 1545-AA28 1545-AA28 1545-AA31 1545-AA31 1545-AA33 1545-AA33 1545-AA38 1545-AA38 1545-AA38 1545-AA38 1545-AA38 1545-AA38 1545-AA38 1545-AA38 1545-AA38 1545-AA38
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447	26 USC 4041 Excise Tax-Applicable to Articles Sold on and After 1964	1545-AC85		
448	26 USC 4051 Excise Tax—Retailers Excise Taxes on Motor Vehicles	1545-AF61		
449	26 USC 4051 Temporary Regulation Excise Taxes on Heavy Trucks, Truck Trailers and Semitrailers, and Tractors	1545-AF79		
450	26 USC 4061 Excise TaxManufacturers Excise Taxes on Motor Vehicles	1545-AC86		
451	26 USC 4064 Excise TaxGas Guzzler Tax	1545 4007		
452	26 USC 4071 Manufacturers & Retailers Excise TaxRelating to Recapped or Retreaded Tires	1545-AC89		
453	26 USC 4071(a)(1) Manuf. & Ret. Excise TaxRefund for Certain Uses of Tread Rubber & Adjustments Pursuant			
454	to Warranty; Misc. Excise Taxes Tax on Policies of Insurance Issued by Foreign Insurers	1545-AC88		
454	26 USC 4041 Manufacturers and Retailers Excise TaxesTaxes on Fuels, Tires and Gasoline	1545-AF58		
455	26 USC 4481 Heavy Vehicle Use Tax and Tax on Diesel Fuel			
456 457	26 USC 4611 Excise Tax—Environmental Taxes—Imposition of Taxes on Petroleum and Certain Chemicals	1545-AC91		
458				
459				
460		1545-AE02		
461	26 USC 4943 Foundation Excise Tax-Excess Business Holdings 26 USC 4941 Foundation Excise Tax-Procedure and AdministrationRevision of Second Tier Excise Tax	1545-AG49		
10	Provisions, etc. Under Chapters 42 and 43	4545 4500		
462	26 USC 4962 Income TaxExcise TaxProcedure and AdministrationVarious Private Foundation Provisions	1545-AE09		
463	26 USC 4976 Tax with Respect to Certain Funded Welfare Benefit Plans	1545-AG18		
464	26 USC 4997 Excise TaxDefinition of Newly Discovered Oil	1545-AG12		
465	26 USC 4991 Excise TaxWith Respect to the Definition of Taxable Crude Oil	1545-AC96		
466	26 USC 4986 to 4998 Excise Tax-Issues Arising Where Multiple Parties Share in Production, Including	1545-AD00		
-	Unitizations, Partnerships, Trusts and Estates	1545-AC94		
467	26 USC 4993 Excise TaxIncremental Tertiary Oil	1545-AD04		
468	26 USC 4994 Excise Tax-Exemptions for Qualified Governmental Interests Qualified Charitable Interests	1045-7004		
	(Including Hesidential Child Care Agencies), Indian Oil, Alaskan FTC	1545-AD05		
469	26 USC 4994(c) Excise Tax-Exempt Front-End Oil Under the Crude Oil Windfall Profit Tax Act 1980	1545-AD06		
470	26 USC 4991 Excise TaxOil From a Stripper Well Property	1545-AD01		
471	26 USC 4996 Excise TaxDefinition of Oil Removed from the Premises	1545-AC95		
472	26 USC 4996 Excise TaxDefinition of Property Under the Crude Oil Windfall Profit Tax Act 1980	1545-AD08		
473	26 USC 4996 Excise TaxAmendment of Sec 51.4996-1(b) With Respect to the Treatment of Net Profits Interests			
474	for Windfall Profits Tax Purposes 26 USC 6011 Returns Required on Magnetic Media	1545-AD09		
475		1545-AF12		
476	26 USC 6012 Form of Individual Tax Return	1545-AF24		
710	for Preceding Taxable Year	45.5		
477	26 USC 6015 Conform Regulations Under Sections 6015, 6154, 6654 and 6655 to Section 201(i) of the Technical	1545-AE71		
	Corrections Act of 1982	1545-AF66		
478	26 USC 6031 Income Tax-Amendments to Requirements for Return of Partnership Income	1545-AE40		
479	26 USC 6033 Income TaxProcedure & AdministrationReturn and Reporting Requirements	1545-AE14		
480	26 USC 5035 Income Tax-To Amend Regulations Under Internal Revenue Code Sections 6035 and 6679 Relating			
481	to Returns of Foreign Personal Holding Companies	1545-AE29		
401	26 USC 6037 Proposed Regulations Under Section 6037 Relating to Information Required to Be Furnished to	-		
482	Shareholders to S Corporations	1545-AH48		
	Corporation Reporting Requirements and Penalties	4545 4540		
483	26 USC 6041 Return of Information as to Payments of \$600 or More	1545-AE43		
484	26 USC 6045 Information Returns of Brokers	1545-AF37 1545-AG02		
485	26 USC 6045 Furnishing Statements Required with Respect to Certain Substitute Payments			
486	26 USC 6045 Information Heturns of Brokers	1545-AG15 1545-AG52		
487	26 USC 6046A Income TaxRegulations Relating to Returns as to Interests in Foreign Partnerships.	1545-AG52		
488	26 USC 6050E Reporting of State and Local Income Tax Refunds	1545-AE76		
489	26 USC 6050D Notice of Proposed Rulemaking-Information Returns with Respect to Subsidized Energy Financing or Grants			
490	26 USC 6050J Notice of Proposed Rulemaking Relating to Reporting of Transfers of Security to a Person Other	1545-AG01		
- South	than the Lender Under the Tax Reform Act of 1984	1EAE ACCE		
491	26 USC 6050H Income TaxMortgage Interest Reporting	1545-AG51 1545-AG93		
431				

Se- quence Number	Title	Regulation Identifier Number
493	26 USC 60501 Temporary Income Tax Regulations Under the Tax Reform Act of 1984 Relating to Cash in Excess	1545-AG96
494	of \$10,000 Received in a Trade or Business	1545-AG97
495	of \$10,000 Received in a Trade or Business. 26 USC 6050J Notice of Proposed Rulemaking Relating to Reporting of Foreclosures and Abandonments of Security Under the Tax Reform Act of 1984.	1545-AG48
496	26 USC 6050K Returns Relating to Sales or Exchanges of Certain Partnership Interests	1545-AH42
497	PI 98-369 Sec 1072 (b) Employee Tip Reporting and Recordkeeping Requirements	1545-AH24
498	26 USC 6104(b) Public Inspection of Exempt Organization Returns.	1545-AE16
499	26 USC 6111 Proposed Regulations Under Sections 6111 and 6709, Relating to Tax Shelter Registration	1545-AG45
500	26 USC 6111 Procedure and Administration Regulations Relating to Tax Shelter Registration and the Requirement to Maintain Lists of Investors	1545-AH29
501	26 USC 6111 Temporary Regulations Relating to Tax Shelter Registration	
502	26 USC 6112 Requirement to Maintain Lists of Investors in Potentially Abusive Tax Shelters	1545-AG58
503	26 USC 6166 Estate TaxProcedure and AdministrationDeferral and Installment Payment of Estate Tax	1545-AD23
504	26 USC 6222 Miscellaneous Rules Relating to Consolidated Administrative and Judicial Proceedings to Determine	
	the Tax Treatment of Partnership Items	1545-AE51
505	26 USC 6231(a)(7) Designation of Tax Matters Partner for Purposes of Determining the Tax Treatment of Partnership Items.	1545-AE53
EOG	26 USC 6231(a)(3) Definition of "Partnership Item"	1545-AF09
506 507	26 USC 6231 (c)(3) Special Rules for Certain Refund Claims Treated as Special Enforcement Areas Under Rules for Consolidated Partnership Proceedings	1545-AH00
508	26 USC 6232 Proposed Regulations of Section 6232, Relating to the Applicability of Partnership Audit Rules to the Windfall Profit Tax	1545-AG54
509	26 USC 6241 Determination of the Tax Treatment of Subchapter S Items at the Corporate Level	1545-AE96
510	26 USC 6325 Procedure and AdministrationRelease of Liens, Notice Before Levy, Property Exempt from Levy Redemption of Levied Real Property and Amount of Damages in Case of Wrongful Levy	1545-AE82
511	Proposed Regulations Under the Spending Reduction Act of 1984, Relating to Reduction of Tax Overpayments by the Amount of Past-Due Legally on Forceable Debt Owed to Federal Agency	1545-AG95
512	26 USC 6411 Income Tax-Tentative Refund of Tax Under Claim of Right Adjustment	1545-AD30
513	26 USC 6001 to 6427 Excise TaxSporting Goods and Firearms & Administration Provisions of Special Application to Manufacturers & Retailers Excise Tax	1545-AD12
514	26 USC 6602 Regulations on Procedure and Admin	1545-AG42
515	26 USC 6611 Modification of Interest Payments for Certain Periods	1545-AF10
516	ments Attributable to Certain Tax Motivated Transactions	1545-AG75
517	1123 of Subtitle C of Title IIOmnibus Reconciliation Act of 1980)	1545-AD35 1545-AE37
518 519	26 USC 6655 To Provide Regulations Relating to Accelerated Payment of Estimated Taxes by Corporations	10101101
0.0	the Nedigence Penalty	1545-AD39
520	26 USC 6661 Income Tax-Addition to Tax for a Substantial Understatement of Liability	1545-AF05
521	26 USC 6695 Income TaxAmendment of Return Preparer Regulations	1545-AH38
522	26 USC 6700 Penalty for Promoting Abusive Tax Shelters	1545-AE99 1545-AF01
523 524	26 USC 6701 Penalty for Aiding and Abetting in the Understatement of Tax Liability. Amendment of the Income Tax Regulations Under Section 6815(d) Dealing with Certificates of Compliance with the Income Tax Laws Issued to Aliens Departing the United States	A STATE OF THE PARTY OF THE PAR
525	26 USC 6867 Income Tax-Presumption of Jeopardy in the Case of Illegal Activity Cash	1545-AE30
526	26 USC 7502 Procedure and AdministrationAmendment of Regulations Relating to the Timely Mailing of Returns, Taxes and Deposits	1545-AD42
527	26 USC 7609 Administrative Summonses	1545-AF33
528	26 USC 7611 Procedure and Administration—Restrictions on Church Tax Inquiries and Examinations	1545-AG61
529	26 USC 38(b) Income Tax-Investment Credit in Case of Property Used by Tax Exempt Organizations &	TEAE AADO
530	Governmental Units; Practice & Procedure—Def. of Service Contracts & Other Arrangements	1545-AA23
531	Classification of Certain Investment Arrangements 26 USC 7701(b) Amendment of Procedure and Administration Regulations Under Section 7701(b) (Definition of	1545-AG20 1545-AH13
532	Resident Aliens) to Reflect Section 138 of the Tax Reform Act of 1984 (P.L. 98-369) 26 USC 7805 Proposed Regulations Under the Tax Reform Act of 1984, Relating to the Definition of Fair Market Value of Property for Purposes of Determining Gain or Loss.	1545-AG94
533	26 USC 7805 Procedure and Administration Part 602—To Provide Regulations Relating to the Display of Control Number Assigned by OMB	1545-AG94
534	Temporary Regulations on Effective Dates and Other Questions Arising Under the Employee Benefit Provisions of	
004	the Tax Reform Act of 1984	1545-AG41

Internal Revenue Service—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
535 536 537 538	26 USC 7701 Indian Tribal Governments Treated as States for Certain Purposes. 46 USC 1177 Income Tax-Maritime Capital Construction Fund. Statement of Procedural RulesAmendments to Statement of Procedural Rules1981-1 Statement of Procedural RulesSpecial Amendment.	1545-AF77 1545-AD46 1545-AD55 1545-AF68

^{*}Indicates priority regulation.

Internal Revenue Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
539	26 USC 48(I) Income Tax-Definition of Energy Property, to Reflect Addition by Sec 222(h) of the Crude Oil	
540	Windfall Profit Tax Act of 1980 of Qualified Intercity Buses as Energy Property	1545-AA24
541	26 USC 103 Definition of "Materially Higher" for Acquired Purpose Obligations Guaranteed by Federal Depository Insurance	1545-AA61
542	26 USC 103(n) Limitation on Aggregate Amount of Private Activity Bonds	1545-AE73
543	26 USC 165 Temporary Income Tax Regulations. Tax Straddles Relating to Section 108 of the Tax Reform Act of	1545-AG08
544	26 USC 170(i) Income TaxCharitable Contributions Deduction for Nonitemizers	1545-AG60 1545-AA92
545	26 USC 193 Income Tax-To Add Provisions Relating to Tertiary Injectants to Conform to Sec 251, Crude Oil Windfall Profit Tax Act 1980	1545-AA99
546	26 USC 267 Temporary Regulations Under Section 267 IRC to Reflect Section 174 of the Tax Reform Act of 1984 Relating to Losses, Expenses, and Interest in Transactions Between Related Taxpayers	
547	26 USC 280F Temporary Regulations Under the Tax Reform Act of 1984, Relating to Limitations on Investment Tax Credit and Cost Recovery Deductions for Luxury Automobiles and Certain Other Property	1545-AG10
548	26 USC 304 Income TaxExtension of Anti-Bailout Provisions to Corporation Formed or Availed of to Avoid These Provisions	1545-AG24
549	26 USC 305 Income TaxTemporary RegulationsDividend Reinvestment in Stock of Public Utilities	1545-AF27
550	26 USC 7805 Temporary Regulations Relating to Elections and Miscellaneous Matters Under Section 338 of the Internal Revenue Code	1545-AB16
551	26 USC 338(i) Anti-Avoidance Rules Under Sections 338 and 346 of the Internal Revenue Code of 1954	1545-AG08
552	26 USC 385 Income TaxCharacterization in International Transactions of Interests in Corporations as Stock or Indebtedness.	1545-AB34
553	26 USC 401 Certain Cash or Deferred Arrangements	1545-AG36
554	*Income Tax-Amendment of Qualified Joint and Survivor Annuity Regulations	1545-AD70
555	26 USC 416 Questions and Answers on Top-Heavy Plans	1545-AF18
556	26 USC 416 Income TaxTop-Heavy Plans	1545-AE87
557	26 USC 501(c)(3) Income TaxEstate TaxGift TaxExemption of Certain Amateur Athletic Organizations From Tax	1545-AD97
558	*Income TaxComputation of Taxable Income from Sources Within and Without the United States	1545-AB88
559	26 USC 907 Income TaxLimitation on Foreign Tax Credit for Foreign Oil and Gas Taxes	1545-AF60
560	26 USC 911 Income Tax-Income of U.S. Citizens & Residents Working Abroad, Exclusions and Deduction from Gross Income	1545-AC08
561	26 USC 995 Income TaxAmendments Affecting DISC Pertaining to Military Sales & Incremental Export Gross Receipts	1545-AC17
562	26 USC 1232A Regulations Under Section 1232A Relating to Original Issue Discount Taken into Account on Basis of Constant Interest Rate	1545-AE27
563	26 USC 1232B Regulations Under Section 1232B Relating to the Tax Treatment of Stripped Bonds	1545-AE21
564	26 USC 1092(a) Income Tax RegulationsPart 1Tax Straddle Identification Rules	1545-AC24
565	Regulations Relating to Foreign Currency Contracts Under Section 1256 of the Internal Revenue Code	1545-AF50
566	26 USC 1441 Income TaxPersonal Services Income of Nonresident Alien Individuals	1545-AC43
567	26 USC 1491 Income TaxExcise Tax on Transfers of Property to Foreign Persons to Avoid the Federal Income Tax	1545-AC44
568	26 USC 2503 Gift TaxTransitional Rule for the Increased Annual Gift Tax Exclusion and the Unlimited Exclusion for Certain Transfers	1545-AC69
569	26 USC 4992(e) Excise TaxIndependent Producer Oil Allocations Within a Related Group Under the Crude Oil Windfall Profit Tax Act 1980	1545-AD03
570	26 USC 6045 Furnishing Statements Required with Respect to Certain Substitute Payments	1545-AG17

Internal Revenue Service-Completed Actions-Continued

Se- quence Number	Title	Regulation Identifier Number
571	Amendment of the Income Tax Regulations Under Section 6049(b) (2)(D) of the Internal Revenue Code of 1954 to	THE REAL PROPERTY.
2 323	Clarify When Interest Is Paid Outside the United States	1545-AF8
572	26 USC 6050J Temporary Regulation Relating to Reporting of Foreclosures and Abandonments of Security Under the Tax Reform Act of 1984	1545-AG4
573	26 USC 6112 Requirement to Maintain Lists of Investors in Potentially Abusive Tax Shelters	1545-AG5
574	26 USC 6232 Extension of Rules for Partnership-Level Determination of Partnership Items to the Windfall Profit Tax	1545-AF8
575	26 USC 7872 Temporary Income Tax Regulations Under the Tax Reform Act of 1984, Relating to Below-Market	
	Interest Rate Loans	1545-AG
576	Amendments to the Statement of Procedural Rules 1982-2	1545-AF4
577	26 USC 103 (c) To Provide Temporary Regulations Relating to Arbitrage on Nonpurpose Obligations	1545-AG8
578	26 USC 103 (n) Temporary Regulations Under Section 103 (n) Relating to Carryforward Elections and Election to Allocate State Ceiling to Certain Electric Facilities	1545-AG8
579	26 USC 103A To Provide Temporary Regulations Relating to Extension of Mortgage Subsidy Bonds.	1545-AG9
580	26 USC 132 Income Taxes, Employment Taxes, Excise Taxes—Taxation of Fringe Benefits	1545-AH5
581	26 USC 163 Sanctions on Issues and Holders of Registration-Required Obligations Not in Registered Form	1545-AH1
582	26 USC 170 (a) (1). Deductions in Excess of \$5,000 Claimed for Certain Charitable Contributions of Property and	CONTRACTOR OF
	Information Reporting by Donee Who Makes Certain Disposition of Donated Property	1545-AH
583	26 USC 72(m)(10) Assignment in Divorce Proceedings, ETC	1545-AH
584	26 USC 817 Temporary Income Tax Regulations - Effective Date for Regulations Relating to Diversification Requirements for Variable Annuity, Endowment, and Life Insurance Contracts	1545-AG
585	26 USC 871 Employment Taxes; Application of the Repeal of 30 Percent Withholding by the Tax Reform Act of 1984 and of Information Reporting and Backup Withholding in Light of Such Repeal	1545-AH
586	26 USC 921 FSC General Rules, Requirements, Definitions, and Special Rules	1545-AG6
587	PL 98-369, Temporary Income Tax Regulations Under the Tax Reform Act of 1984, Relating to Transition Rules for DISCs and FSCs.	1545-AH6
588	26 USC 924(d)(4) Temporary Income Tax Regulation Under the Tax Reform Act of 1984 Relating to Foreign Management and Foreign Economic Processes Requirements of a Foreign Sales Corporation	1545-AG
589	26 USC 1041 Treatment of Transfer of Property Between Spouses, Tax Treatment of Alimony and Separate Maintenance Payments, and Dependency Exemption in the Case of Child of Divorced Parents	1545-AH5
590	26 USC 1092 (b) Temporary Income Tax Regulations Under the Economic Recovery Tax Act of 1981 and the Tax Reform Act of 1984, Relating to Straddles	1545-AH5
591	26 USC 1092 (b) (1) Temporary Income Tax Regulations Under the Tax Reform Act of 1984 Relating to Mixed	
592	PL 98-369, Sec 102 (d) (3) Special Election by Commodities Dealers and Options Dealers to Be an S Corporation	1545-AH
302	Under Section 102 (d) (3) of the Tax Reform Act of 1984	1545-AH
593	26 USC 1445 Income Tax: Withholding Upon Dispositions of U.S. Real Property Interests by Foreign Persons	1545-AG6
594	26 USC 4041 Heavy Vehicle Use Tax and Tax on Diesel Fuel	1545-AH5
595	26 USC 6111 Temporary Procedure and Administration Regulations Relating to Tax Shelter Registration and the Requirement to Maintain Lists of Investors.	1545-AH3
596	26 USC-6231 (c) (3) Temporary Regulations Under TEFRA Relating to Special Enforcement Areas Under the Rules for Consolidated Partnership Proceedings	1545-AH4
597	26 USC 6621 Temporary Procedure and Administration Regulations - Increased Rate of Interest on Substantial	
	Underpayments Attributable to Certain Tax Motivated Transactions.	1545-AG7
598	26 USC 7805 Certain Elections Under the Deficit Reduction Act of 1984	1545-AH2

^{*}Indicates priority regulation.

DEPARTMENT OF THE TREASURY (TREAS)* Internal Revenue Service (IRS)

Current and Projected Rulemakings

93. TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX RETURN ACT OF 1984, RELATING TO BELOW-MARKET LOANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7872 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These temporary regulations provide taxpayers with a list of loan transactions that are not subject to section 7872. If a loan is subject to section 7872, the below-market loan is recharacterized as a market-interest rate loan coupled with a payment by the lender to the borrower in an amount generally equal to the amount of

imputed interest. Taxpayers who are parties to a loan listed in these regulations are not subject to section 7872 with respect to that loan. Accordingly, no amounts are imputed under section 7872.

Current and Projected Rulemakings

Timetable:				
Action	Date	FR Cite		
Interim Final	04/30/85			

Small Entity: Not Applicable

Additional Information: LR-309-84.

Drafting attorney: Howard A. Balikov (202) 566-3828.

Reviewing attorney: John Fischer.

Treasury attorney: Fairlea Sheehy.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3828

RIN: 1545-AG82

94. • REGULATIONS ON INCOME TAX UNDER THE TAX REFORM ACT OF 1984, RELATING TO BELOW-MARKET LOANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7872 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations provide guidance to taxpayers who enter into certain below-market interest rate loan transactions. The regulations explain what type of transactions are treated as loans and what type of loans are subject to the provisions of section 7872. If the loan is subject to section 7872, the below-market loan will be recharacterized as an arm's-length market-interest rate loan coupled with a payment by the lender to the borrower in an amount generally equal to the amount of imputed interest. The regulations provide rules for determining the amount and the character of the imputed transfers.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	iel quete

Small Entity: Not Applicable

Additional Information: LR-165-84.

Drafting attorney: Howard A. Balikov (202) 566-3828.

Reviewing attorney: John Fischer. Treasury attorney: Fairlea Sheehy. Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3828

RIN: 1545-AH36

95. TO PROVIDE TEMPORARY REGULATIONS RELATING TO MORTGAGE CREDIT CERTIFICATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 25 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.25-1T; 26 CFR 1.6709-1T

Abstract: The regulations will provide rules on the issuance of mortgage credit certificates. Rules will be provided with respect to the various eligibility requirements that must be satisfied by mortgagors as well as the various program requirements that must be satisfied by issuers.

Timetable:

Action	Date	FR Cite	
Interim Final Rule	06/00/85		

Small Entity: Not Applicable

Additional Information: LR-191-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Suzanne R. McDowell (202) 566-8277.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AG90

96. TO PROVIDE REGULATIONS RELATING TO MORTGAGE CREDIT CERTIFICATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 25 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.25-1 to 1.25-8T; 26 CFR 1.6709-1

Abstract: The regulations will provide guidance on the issuance of mortgage credit certificates rules. Guidance will be provided with respect to the various eligibility requirements that mortgagors must satisfy as well as the various

program requirements that issuers must satisfy.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	San Is lot the

Small Entity: Not Applicable

Additional Information: LR-245-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Suzanne R. McDowell (202) 566-8277.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AH06

97. • LIMITATION ON CREDITS BASED ON TAX LIABILITY

Legal Authority: 26 USC 26 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations provide for the grouping of tax credits and credit limitation based on tax liability. The current regulations concerning credits will be renumbered to conform to amendments made by the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	STATE OF

Small Entity: Not Applicable

Additional Information: LR-290-84.

Drafting attorney: Stuart G. Wessler

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH58

98. © GENERAL BUSINESS CREDIT AND CARRYFORWARD AND CARRYBACK OF UNUSED BUSINESS CREDIT

Legal Authority: 26 USC 38 Internal Revenue Code of 1954; 26 USC 39 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the general business credit established in the Tax Reform Act of 1984. These regulations will also provide rules for the carryback and carryforward of unused business credits. The regulations will define the general business credit, set forth limitations on the amount of credit allowed for the taxable year and set forth treatment of credit amounts in excess of the limitation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-300-84.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH57

99. INCOME TAX-CREDIT FOR 'INCREASING RESEARCH ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 44F Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Small Entity: Not Applicable

Abstract: The regulations will provide the extent to which taxpayers will be entitled to an income tax credit for increases in certain research activity.

Timetable:

Action	Date	FR Cite
NPRM	01/21/83	
NPRM Comment Period Begin	01/21/83	
NPRM Comment Period End	03/19/83	
Hearing	04/19/83	
Final Action	02/28/86	

Additional Information: LR-236-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Quinn.

Agency Contact: David R. Haglund. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA07

100. INCOME TAX-EMPLOYEE STOCK OWNERSHIP PLAN CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 41 Internal Revenue Code of 1954; 26 USC 404(i) Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide guidance for electing the employee stock ownership credit based on contributions to a tax credit employee stock ownership plan. The maximum credit is determined as a percentage of aggregate compensation of employees under the plan which cannot exceed 0.5 for 1983 and 1984, and .75 for 1985 through 1987.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: Not Applicable

Additional Information: EE-151-81.

Drafting attorney: John C. Khil (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD56

101. • RULES RELATING TO VARIOUS SECTIONS CONCERNING DEPENDENCY AND FAMILY STATUS OF INDIVIDUALS LIVING APART

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation will clarify the treatment of a dependent of both parents for medical expense deduction and provide consistent rules among various inter-related sections concerning the family status of individuals living apart.

Timetable:

1	Action	Date	FR	Cite
1	NPRM	11/00/85	US THE	7 88
6	Small Entit	ar Not Applicable		

Additional Information: LR-238-84.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Victor Thuronyi (202) 566-2566.

Agency Contact: Robert E. Shaw, Attorney. Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH44

102. INCOME TAX-JOINT
OWNERSHIP OF ENERGY ITEMS &
RENEWABLE ENERGY SOURCE
EXPENDITURES FOR PURPOSES OF
THE RESIDENTIAL ENERGY CREDIT
TO CONFORM TO SECS 201(A) & 202
OF THE ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 44C Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide the public with guidance to comply with changes made to section 44C by the Energy Tax Act of 1978 and the Windfall Profit Tax Act of 1980 relating to defining passive and active solar system, subsidized energy financing and other terms pertaining to the residential energy credit.

Timetable:

Action	Date	FR Cite
NPRM	12/01/85	HELD IN
Small Entit	y: Not Applicable	

Additional Information: LR-73-80.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Moshe Schuldinger (202) 566-2928.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA03

103. CREDIT FOR CLINICAL TESTING EXPENSES FOR CERTAIN DRUGS FOR RARE DISEASES OR CONDITIONS

Legal Authority: 26 USC 7805; 26 USC 44H(d)(5); 26 USC 280C(c)(3)

CFR Citation: 26 CFR 44H; 26 CFR 280C

Abstract: Proposal would amend the Income Tax Regulations in order to conform the regulations to sections 44H and 280C(c) of the Internal Revenue Code of 1954, relating to the new credit for clinical testing expenses for certain drugs for rare diseases or conditions. The proposal would provide the public with the guidance needed to comply with the law and would affect taxpayers seeking to obtain the new credit.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	day and

Small Entity: Not Applicable

Additional Information: LR-55-83.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: John Bromell (202) 566-3326.

Office of Tax Legislative Counsel reviewing attorney: Fairlea Sheehy.

In the Office of the Commissioner for Signature.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF64

104. SYNCHRONIZATION OF INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will provide rules relating to the synchronization of interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	all Hollists

Small Entity: Undetermined

Additional Information: LR-227-84.

Drafting attorney: Paulette Chernyshev (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3336.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Paulette Chernyshev, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH69

105. INCOME TAX-INVESTMENT CREDIT FOR COOPERATIVES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954; PL 95-600, Sec 316

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance with respect to the investment tax credit for cooperatives and their patrons.

Timetable:

Action	Date	FR Cite
NPRM	12/27/83	48 FR 56965
NPRM Comment Period Begin	12/27/83	48 FR 56965
NPRM Comment Period End	02/27/84	
Final Action	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-4-78.

Drafting attorney: Patricia K. Keesler (202) 566-3430.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Patricia K. Keesler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AA09

106. INCOME TAX-THE INVESTMENT CREDIT FOR QUALIFIED PROGRESS EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations add a new section to provide rules for claiming the investment credit for qualified progress expenditures.

Timetable:

Action	Date		FR	Cite
NPRM	01/30/79	44	FR	05910
NPRM Comment Period Begin	01/30/79	44	FR	05910
NPRM Comment Period End	04/01/79			
Hearing	06/27/79			
Final Action	12/31/85			

Small Entity: Not Applicable

Additional Information: LR-73-75.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Garlock.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AA13

107. INCOME TAX-INVESTMENT CREDIT FOR COMMUTER HIGHWAY VEHICLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret the rules contained in sections 46 and 47 of the Internal Revenue Code of 1954 dealing with the investment tax credit for certain commuter highway vehicles, thereby providing needed guidance to the public on how the Internal Revenue

Service intends to interpret those sections of the Code.

Timetable:

Action	Date		FR	Cite
NPRM	10/05/84	49	FR	39344
NPRM Comment Period Begin	10/05/84	49	FR	39344
NPRM Comment Period End	12/04/84			
Final Action	09/30/85			

Small Entity: Not Applicable

Additional Information: LR-169-79.

Drafting attorney: Patricia Wendlandt (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Patricia Wendlandt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA08

108. INCOME TAX--AT RISK LIMITATIONS ON INVESTMENT CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46(c)(8) Internal Revenue Code of 1954; 26 USC 46(c)(9) Internal Revenue Code of 1954; 26 USC 47(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will explain and illustrate the application of the investment tax credit at risk rules under which (with certain exceptions) a taxpayer's credit base for section 38 property for purposes of calculating the amount of investment credit (for certain taxpayers engaged in certain activities) shall be reduced by the nonqualified nonrecourse financing with respect to such property.

Timetable:

Action	Date	FR Cite
NPRM	12/01/85	

Small Entity: Not Applicable

Additional Information: LR-240-81.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Rick D'Avino (202) 566-4518.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA15

109. INCOME TAX--CHANGES MADE BY SECS 222(A) AND 223(B) OF THE CRUDE OIL WINDFALL PROFIT TAX ACT OF 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46(a) Internal Revenue Code of 1954; 26 USC 48(l)

CFR Citation: 26 CFR 1

Abstract: The proposed regulations will reflect the repeal of the refundable feature of the solar and wind energy credits and the extension of the energy credit through 1990 for certain long-term energy projects.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	

Small Entity: Not Applicable

Additional Information: LR-150-80.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative-Counsel (Treasury) reviewing attorney: Schuldinger.

In Office of Chief Counsel (Legislative and Regulations Division) for preparation of notice.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AA14

110. INCOME TAX-TAX TREATMENT OF MASS ASSETS FOR INVESTMENT CREDIT PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 38 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would clarify the investment tax credit recapture

treatment of mass assets thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret this area.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-92-73.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Carolyn Swift (202) 566-3458.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA10

111. INCOME TAX-AMENDMENT OF RECAPTURE RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The investment tax credit recapture regulations will be updated to explain the recapture treatment for recovery property.

Timetable:

Action	Date	FR Cite
NPRM	11/30/85	

Small Entity: Not Applicable

Additional Information: LR-315-81.

Drafting attorney: Patricia Wendlandt (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Patricia Wendlandt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA18

112. AMENDMENT OF INCOME TAX REGULATIONS UNDER SECTIONS 47, 48 AND 196 RELATING TO BASIS ADJUSTMENT TO REFLECT INVESTMENT TAX CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954; 26 USC 196 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide rules concerning a basis adjustment in the case of the investment tax credit.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	SOLD DES

Small Entity: Not Applicable

Additional Information: LR-183-82.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF06

113. INCOME TAX--INCREASE IN INVESTMENT TAX CREDIT FOR QUALIFIED REHABILITATION EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 48 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules and definitions relating to terms such as qualified rehabilitated expenditures, qualified rehabilitated building, substantial rehabilitation and certified historic structure.

Timetable:

Action	Date	FR Cite
Notice	04/30/84	23/19
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-238-81.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AA12

114. INCOME TAX-INVESTMENT CREDIT FOR REHABILITATED STRUCTURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules and definitions relating to terms such as qualified rehabilitated building, qualified rehabilitated expenditure, and major portion.

Timetable:

Action	Date	FR Cite
NPRM	10/28/80	MAL DO
Hearing	03/31/81	
Final Action	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-191-78.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA21

115. INCOME TAX-SPECIAL RULES ADDED BY SEC 223(C) OF CRUDE OIL WINDFALL PROFIT TAX ACT 1980, RELATING TO REDUCTION OF CREDIT WHERE PROPERTY IS FINANCED BY SUBSIDIZED ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48(I) Internal Revenue Code of 1954; PL 96-223, Sec 223(c)

CFR Citation: 26 CFR 1

Abstract: The regulations will provide that subsidized energy financing and proceeds of exempt industrial development bonds used to finance a facility reduce the qualified investment in the energy property contained in that facility for purposes of determining the amount of the energy tax credit.

Timetable:

Action	Date	FR Cite
NPRM	01/26/82	47 FR 03559
NPRM Comment Period Begin	01/26/82	47 FR 03559
NPRM Comment Period End	03/20/82	
Hearing	06/03/82	
Final Action	07/00/85	

Small Entity: Not Applicable

Additional Information: LR-176-80.

Drafting attorney: Charles W. Culmer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Moshe Schuldinger (202) 566-2928.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AA26

116. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 48 (L) (16), RELATING TO THE ENERGY INVESTMENT CREDIT FOR QUALIFIED INTERCITY BUSES THAT ARE LEASED

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48 (I) (16) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendments to the regulations will provide guidance for determining the eligibility of taxpayers for the energy credit when a qualified intercity bus is leased.

Timetable:

Action	Date	FR C	ite
NPRM	10/09/84	49 FR 3	9571
Hearing held	01/09/85		
Final Action	06/30/85		

Small Entity: Not Applicable

Additional Information: LR-69-84.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Moshe Schuldinger (202) 566-2928.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AG31

117. INCOME TAX-DEFINITION OF FILMS THAT ARE "TOPICAL OR OTHERWISE ESSENTIALLY TRANSITORY IN NATURE"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations more specifically define what movie and television films and videotapes qualify for the investment credit.

Timetable:

Action	Date	FR Cite
NPRM	06/03/82	47 FR 24142
NPRM Comment Period Begin	06/03/82	47 FR 24142
NPRM Comment Period End	08/02/82	
Final Action	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-143-80.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thuronyi.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA22

118. INCOME TAX-ADJUSTMENTS TO NEW JOBS CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 51 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules and definitions relating to the targeted job as amended by the Economic Recovery Tax Act of 1981.

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Action	Date	13	FR	Cite
NPRM	11/23/83	48	FR	52943
NPRM Comment Period Begin	11/23/83	48	FR	52943
NPRM Comment Period End	01/23/84			
Final Action	06/30/85			

Small Entity: Not Applicable

Additional Information: LR-218-81.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Thuronyi, McCarty.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA31

119. INCOME TAX--ALTERNATIVE MINIMUM TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 55 Internal Revenue Code of 1954; 26 USC 57 Internal Revenue Code of 1954; 26 USC 58 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The Regulations will provide rules for the computation of the alternative minimum tax and the computation of the credits that may be used to reduce that tax, as well as rules for determining the amount of tax preference for excluded dividends and interest, mining exploration and development costs, and circulation, research and experimental expenditures. The Regulations will also provide rules relating to the optional 10 year write off of certain tax preferences.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	The state of

Small Entity: Not Applicable

Additional Information: LR-235-82.

Drafting attorney: Neil W. Zyskind (202) 566-3287,

Reviewing attorney: Robert B. Coplan (202) 566-3287.

In Legislation and Regulations for preparation of notice.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AE80

120. INCOME TAX-TAX BENEFIT RULE FOR MINIMUM TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 56 Internal Revenue Code of 1954; 26 USC 57 Internal Revenue Code of 1954; 26 USC 58 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide tax benefit rules with respect to the minimum tax for tax preferences.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	sient imp

Small Entity: Not Applicable

Additional Information: LR-151-76.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AA33

121. INCOME TAX-MINIMUM TAX. ITEM OF TAX PREFERENCE FOR INTANGIBLE DRILLING COSTS INCURRED IN DRILLING OIL, GAS OR GEOTHERMAL WELLS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 57 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will explain the application and determination of the tax preference item for intangible drilling costs which was added by the Tax Reform Act of 1976. The regulations will provide rules for determining a taxpayer's net income from oil and gas properties, rules for determining if a well is nonproductive

and rules for determining the proper preference tax if a well proves to be nonproductive after the close of a taxable year for which a tax return has already been filed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-209-78.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AA34

122. INCOME TAX-NONQUALIFIED SALARY REDUCTION AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 61 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide guidance regarding the tax treatment of nonqualified deferred compensation arrangements established by tax exempt charitable organizations such as non-profit hospitals for their employees.

Timetable:

Action	Date		FR	Cite
NPRM	02/03/78	43	FR	4638
NPRM Comment Period Begin	02/03/78	43	FR	4638
Final Action Effective	03/06/78			
NPRM Comment Period End	04/04/78			
Hearing	05/14/78			
News release issued for comment	06/11/79			
Hearing	11/27/79			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-194-77.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA35

123. INCOME TAX--TREATMENT OF INCOME OF CERTAIN INNOCENT SPOUSES IN COMMUNITY PROPERTY STATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 66 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining acceptable amounts of community earned income transferred between spouses living apart in community property states, which will not preclude the disregard of community property laws for federal tax purposes.

Timetable:

Action	Date	FR Cite
NPRM	09/30/85	OF REEL

Small Entity: Not Applicable

Additional Information: LR-41-81.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA37

124. INCOME TAX--UNISEX ANNUITY TABLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide unisex tables to be used in reporting payments received on annuity contracts. The unisex tables would replace the tables currently prescribed in the regulations. The current tables are different for men and women.

Timetable:

Introduction		THE RESERVE OF THE PARTY OF THE
Action	Date	FR Cite
NPRM	06/00/85	William Adam

Small Entity: Not Applicable

Additional Information: LR-19-80.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA38

125. INCOME TAX-CLARIFICATION OF THE INCOME TAX REGULATIONS WITH RESPECT TO THE TAXATION OF DISTRIBUTION FROM QUALIFIED PLANS PROVIDING LIFE INSURANCE PROTECTION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would simplify income tax treatment of amounts distributed from qualified employee plans that provide life insurance.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00		

Small Entity: Not Applicable

Additional Information: EE-44-80.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD60

126. INCOME TAX-CERTAIN DISTRIBUTIONS, CONTRIBUTIONS, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72(o) Internal Revenue Code of 1954; 26 USC 72(m) Inter-

Current and Projected Rulemakings

nal Revenue Code of 1954; 26 USC 405(d)(3) Internal Revenue Code of 1954; 26 USC 401(d)(5) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Regulation will provide taxpayers with guidance regarding income tax treatment of distributions of qualified voluntary employee contributions from qualified employee plans.

Timetable:

Action Date FR Cite
NPRM 00/00/00

Small Entity: Not Applicable

Additional Information: EE-149-81.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD61

127. LOANS TREATED AS DISTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide guidance on the application of new rules for determining the income tax treatment to be accorded loans to participants or beneficiaries from qualified employer plans. The new loan rules are provided in new section 72(p) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR_Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: EE-106-82.

Drafting attorney: Calder L. Robertson, Jr., (202) 566-3544.

Reviewing attorney: Michael A. Thrasher, (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jeffrey A. Quinn, (202) 566-2175.

Agency Contact: Galder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AE41

128. INCOME TAX--EARLY WITHDRAWALS FROM DEFERRED ANNUITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for reporting amounts withdrawn from deferred annuities.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	S LOS PROPERTY.

Small Entity: Not Applicable

Additional Information: LR-279-82.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Donald Rocap (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF08

129. INCOME TAX-GROUP TERM LIFE INSURANCE-EVIDENCE OF INSURABILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 79 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Regulations will provide guidance in determining whether term life-insurance is group-term life insurance within the meaning of section 79 of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	10/07/82	47 FR 44343
NPRM Comment Period Begin	10/07/82	47 FR 44343
NPRM Comment Period End	12/06/82	
Hearing	01/19/83	47 FR 53745

Action Date FR Cite
Final Action 00/00/00

Small Entity: Not Applicable

Additional Information: LR-42-78.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA39

130. NONDISCRIMINATION REQUIREMENTS FOR EMPLOYERPROVIDED GROUP-TERM LIFE INSURANCE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 79(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the nondiscrimination requirements for group-term life insurance purchased for employees.

Timetable:

Action	Date	FR Cite
AIDDM	05/00/05	

Small Entity: Not Applicable

Additional Information: EE-110-82.

Drafting attorney: Nancy J. Marks (202) 566-3430.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel reviewing attorneys: Garlock, Pike.

Agency Contact: Nancy J. Marks, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE89

131. INCOME TAX-TO MAKE CERTAIN AMENDATORY CHANGES TO RULES RELATING TO PROPERTY TRANSFERRED IN CONNECTION WITH PERFORMANCE OF SERVICES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 83 Internal Revenue Code of 1954; Section 252 Economic Recovery Tax Act of 1981

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers who transfer and receive property in connection with the performance of services. The amendments relate to the definition of property, the effect of section 16(b) of the Securities Exchange Act of 1934 on transferred stock, when an employer may receive a deduction for compensation paid, and the consequences to a shareholder who transfers stock to an employee of the subject corporation.

Timetable:

Action	Date		FR	Cite
NPRM	11/16/83	48	FR	52079
NPRM Comment Period Begin	11/16/83	48	FR	52079
NPRM Comment Period End	01/16/84			
Final Action Effective	05/31/85			

Small Entity: Not Applicable

Additional Information: LR-16-80.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Fairlea Sheehy (202) 566-2565.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA41

132. REGULATIONS ON INCOME TAX UNDER THE SOCIAL SECURITY AMENDMENTS ACT OF 1983 RELATING TO THE TAXATION OF SOCIAL SECURITY BENEFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 86 Internal Revenue Code of 1954; 26 USC 6050F Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules relating to the taxation of social security benefits.

The regulations explain the calculation for determining the amount of social security benefits includible in the gross income of the recipient of the benefits. The regulations also provide rules for information reporting with respect to the benefit payments which require the furnishing of the amount of social security benefits paid to and repaid by the recipient along with the name, address, and taxpayer identification number of the recipient.

Timetable:

Action	Date	FR Cite
NPRM	12/03/85	and the same of the

Small Entity: Not Applicable

Additional Information: LR-81-84.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 586-3288

RIN: 1545-AG29

133. INCOME TAX-FLEXIBLE PREMIUM CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 101(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for determining what portion (if any) of a flexible premium life insurance contract is life insurance for purposes of section 101 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	, 00/00/00	SAME.

Small Entity: Not Applicable

Additional Information: LR-308-82.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Treasury attorney: Donald Rocap (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF28

134. INCOME TAX-INDUSTRIAL DEVELOPMENT BONDS FOR VEHICLES USED FOR MASS COMMUTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954; Economic Recovery Tax Act of 1981, section 811

CFR Citation: 26 CFR 1

Abstract: The regulations would define a qualified mass commuting vehicle for purposes of issuance of tax-exempt bonds. A qualified mass commuting vehicle is a bus, subway car or similar equipment that is leased to a mass transit system wholly owned by one or more governmental units and that is used by the mass transit system in providing mass commuting services.

Timetable:

Action	Date		FR	Cite
NPRM	12/31/81	46	FR	63326
NPRM Comment Period Begin	12/31/81	46	FR	63326
NPRM Comment Period End	03/03/82			
Final Action	12/31/85			

Small Entity: Not Applicable

Additional Information: LR-192-81.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: McCarty.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA43

135. INCOME TAX-TO AMEND THE REGULATIONS UNDER SECTIONS
1.103-13 AND 1.103-14 WITH RESPECT TO THE CALCULATIONS OF "OVERISSUANCE" AND "CUMULATIVE CASH FLOW DEFICIT"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify rules relating to the proper method for determining whether the amount of tax-exempt obligations exceeds the amount necessary for the governmental purpose for which the proceeds of the obligations are to be used.

Timetable:

Action	Date		FR	Cite
NPRM	03/29/83	48	FR	1305
NPRM Comment Period Begin	03/29/83	48	FR	1305
NPRM Comment Period End	05/31/83			
Hearing	06/08/83			
Final Action	12/00/85			

Small Entity: No

Additional Information: LR-82-82.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Pike.

Notice to Treasury for formal approval 06/17/82.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA44

136. INCOME TAX-TO AMEND THE REGULATIONS RELATING TO THE TREATMENT OF REPLACEMENT FUNDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers and users of tax-exempt obligations relating to whether amounts are replaced by the proceeds of such obligations. As such, such amounts will be treated as proceeds of such obligation and would be required to be invested at less than a materially higher yield. If such amounts are not invested at less than a materially higher yield than the yield on the obligations then the obligations would be arbitrage bonds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Anna Anna

Small Entity: No

Additional Information: LR-99-82.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel reviewing attorney: Pike.

In Legislation and Regulations Division for Preparation of Notice.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA46

137. INCOME TAX-TO PROVIDE FOR THE TAX CONSEQUENCES OF REFUNDING INDUSTRIAL DEVELOPMENT BONDS TO THE ISSUER, BOND-HOLDER & INDUSTRIAL USER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that advance refunding issues defined as those refunding issues issued more than 180 days before the redemption of the issue to be refunded may be exempt issues if issued to refund qualified public facilities. A definition of qualified public facilities is provided. Special rules for multipurpose issues are also provided.

Timetable:

Action	Date	FR	Cite
Previous Notice	12/06/77	42 FR	61613
Hearing	03/15/78		
Previous Notice	02/06/79	44 FR	7177
NPRM	06/30/85		

Small Entity: Not Applicable

Additional Information: LR-70-77.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Woodward.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA47

138. INCOME TAX-EXEMPTION FOR INDUSTRIAL DEVELOPMENT BONDS FOR WATER FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(4) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide guidance to determine the rules under which facilities for furnishing water to members of the general public can be financed with tax-exempt industrial development bonds under section 103 (b) (4) of the Internal Revenue Code of 1954.

Timetable:

Action	Date		FR	Cite
Final Action Effective	11/07/78	100	U S	EZ YM
NPRM	08/22/84	49	FR	33283
NPRM Comment Period Begin	08/22/84	49	FR	33283
NPRM Comment Period End	10/22/84			
Public Hearing	01/30/85			12
Final Action	01/00/86			

Small Entity: Not Applicable

Additional Information: LR-190-78.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Krolikowski.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA49

139. INCOME TAX--TO CLARIFY THE "SUBSTANTIALLY ALL" TEST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance in determining the amount of

Current and Projected Rulemakings

proceeds of an issue of industrial development bonds. Generally such bonds are exempt only if substantially all of the issue proceeds are used for a purpose designated in 26 USC 103 (b).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-182-79.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Mundstock.

Draft of notice returned to Legislation and Regulations Division for revision.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA50

140. INCOME TAX--TO CLARIFY THE "PUBLIC USE" AND "FUNCTIONALLY RELATED" REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendments to the regulations would provide additional rules to determine under what circumstances property is treated as functionally related and subordinate to an exempt facility, such as a dock or wharf, and, therefore financeable with tax-exempt industrial development bonds. Furthermore, the regulations would examine the public use requirement which generally restricts tax-exempt financing to exempt facilities used by the general public.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	250 310 10

Small Entity: Not Applicable

Additional Information: LR-51-79.

Drafting attorney: Mitchell H. Rapaport [202] 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel Reviewing attorney: Lokey.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA51

141. INCOME TAX-TO PROVIDE "TIMING" REQUIREMENTS FOR EXEMPT SMALL ISSUES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rules will provide "timing" requirements for exempt small issues of industrial development bonds. They will address the nature of the governmental action necessary to approve such an issue and the relationship in time between that action and various expenditures to be funded by the issue.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	had weed a
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-245-79.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Lokey.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA52

142. INCOME TAX-TO CLARIFY THE DEFINITION OF THE TERM "ISSUE"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers, and users of industrial development bonds relating to whether multiple lots of obligations will be treated as part of the same issue under section 103 (b).

Timetable:

Action	Date		FR	Cite
NPRM	10/08/81	46	FR	50014
NPRM Comment Period Begin	10/08/81	46	FR	50014
Hearing	11/12/81			
NPRM Comment Period End	01/06/82			
Final Action	12/15/85			

Small Entity: Not Applicable

Additional Information: LR-264-81.

Drafting attorney: unassigned.

Reviewing attorney: unassigned.

A revised notice of proposed rulemaking is currently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: John M. Coulter, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA54

143. INCOME TAX-TO DEFINE THE TERM "PRINCIPAL USER OF A FACILITY"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would define the meaning of the term "principal user of a facility" for purposes of applying the limitation set by the Internal Revenue Code upon the permissible size of a small issue of tax-exempt industrial development bonds, as diminished by certain other capital expenditures. This regulation would help identify other facilities the capital expenditures from which must be taken into account in determining whether that issue exceeds the small issue limitation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-59-74.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Furer.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA56

144. INCOME TAX-INCREASE IN LIMIT ON SMALL ISSUES OF INDUSTRIAL DEVELOPMENT BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(6)(D) Internal Revenue Code of 1954; 26 USC 103(b)(6)(I) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance regarding the effect of an urban development action grant with respect to a specific facility, upon the capital expenditures limitation with respect to a small issue of tax-exempt industrial bonds issued to finance such facility. The regulation may also provide guidance regarding the required size of such grant in relation to the cost of the facility to be financed by the bond issue, and the nexus between the grant and the financed facility.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/01/79	CONTRACT OF STREET
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-117-79.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Furer.

Notice pending Treasury review.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA57

145. INCOME TAX-TO CLARIFY THE DEFINITION OF PROPERTY WHICH IS A POLLUTION CONTROL FACILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will define the term "air or water pollution control facilities". The regulations will further determine the portion of the cost of such facilities that may be financed with tax-exempt industrial development bonds, whenever the facilities also serve certain other purposes.

Timetable:

Action	Date	FR Cite
NPRM	08/20/75	40 FR 36371
NPRM Comment Period Begin	08/20/75	40 FR 36371
Hearing	11/21/75	
NPRM Comment Period End	11/28/75	
Final Action	12/00/85	
Final Action Effective	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-9-75.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

TLC reviewing attorney: Joe Krolikowski (202) 566-2927.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA58

146. INCOME TAX-MANNER OF ELECTING \$10 MILLION LIMITATION ON EXEMPT SMALL ISSUES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would establish revised procedures whereby the issuer of a small issue of tax-exempt industrial development bonds can elect to have a \$10 million limitation rather than a \$1 million limitation apply in determining the maximum allowable size of such issue. This regulation would centralize the filing of documents relating to this election to make its requirements more administrable.

Timetable:

Action	Date		FR	Cite
NPRM	06/22/82	47	FR	26854
NPRM Comment Period Begin	06/22/82	47	FR	26854

Action	Date	FR Cite
NPRM Comment Period End	08/23/82	\$18 G.W.
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-50-80.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Krolikowski.

Presently under review in Office of Tax Policy.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA59

147. INCOME TAX-TO DEFINE THE TERM "FACILITY"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify meaning of term "FACILITY" for purposes of exempt small issues of industrial development bonds. This will affect whether something could qualify for the small issue exemption from the definition of industrial development bonds.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	Ville III.
Final Action	00/00/00	
Effective		

Small Entity: Not Applicable

Additional Information: LR-227-80.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA60

148. INCOME TAX--MORTGAGE SUBSIDY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules which interpret the provisions of section 103a, relating to Mortgage Subsidy Bonds. Mortgage Subsidy Bonds are any obligations a significant portion of the proceeds of which are used to provide financing for owner-occupied residences.

Timetable:

Action	Date		FR	Cite
Previous NPRM	07/01/81	46	FR	34348
Hearing	11/05/81			
NPRM	11/10/81	46	FR	55513
NPRM Comment Period Begin	11/10/81	46	FR	55513
NPRM Comment Period End	01/09/82			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-20-81.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: McDowell.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA63

149. INCOME TAX--TO CLARIFY THE DEFINITION OF PROPERTY THAT IS A SOLID WASTE DISPOSAL FACILITY & TO CONFORM TO STATUTORY EXEMPTION FOR INDUSTRIAL DEVELOPMENT BONDS FOR QUALIFIETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954; 26 USC 103(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules to determine whether property is a sewage or solid waste disposal facility or a facility for the local furnishing of electric energy or gas. Qualifying property may be financed with tax exempt industrial development bonds.

Timetable:

Action	Date	FR Cite
NPRM	12/15/85	

Small Entity: Not Applicable

Additional Information: LR-100-75.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Lokey.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA64

150. TO PROVIDE REGULATIONS REQUIRING CERTAIN DEBT OBLIGATIONS TO BE ISSUED IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954; 26 USC 163 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rules will provide that certain debt obligations issued after December 31, 1982, must be in registered form. The rules will provide examples of certain obligations that are not subject to the registration requirements. The sanctions for not issuing an obligation in registered form are the denial of an interest deduction and the denial that the interest is tax exempt.

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Action	Date	FR Cite
NPRM	11/15/82	47 FR 51414
NPRM Comment Period Begin	11/15/82	47 FR 51414
Final Action Effective	12/31/82	
NPRM Comment Period End	01/14/83	MOSE INCL.
Hearing	01/25/83	47 FR 51413
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-255-82.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr., (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Mark Perlis.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AE18

151. TO PROVIDE REGULATIONS UNDER SECTION 103(B)(10) RELATING TO LOCAL DISTRICT HEATING AND COOLING FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 103 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers and users of industrial development bonds substantially all of the proceeds of which are to be used to provide local district heating and cooling. As such, the regulations will provide guidance with respect to which parts of heating and cooling facilities may be financed with the proceeds of such bonds.

Timetable:

566-3459.

Action	Date	FR Cite
Final Action Effective	09/03/82	
NPRM	09/01/85	

Small Entity: Not Applicable

Additional Information: LR-219-82.

Drafting attorney: Renay France (202)

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AE22

152. TO PROVIDE REGULATIONS UNDER SECTION 103(K) AND (L)-RELATING TO PUBLIC APPROVAL AND INFORMATION REPORTING REQUIREMENTS FOR PRIVATE **ACTIVITY BONDS**

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal will clarify the information reporting requirements with respect to private activity bonds. Industrial development bonds must be publicly approved-failure to fulfill this requirement results in loss of tax exemption for the interest on these bonds. Issuers of student loan bonds, charitable use bonds and industrial development bonds are required to supply certain information to the Internal Revenue Service. Failure to comply with this requirement will result in the loss of tax exemption for the bond's interest.

Timetable:

Action	Date		FR	Cite
NPRM	05/11/83	48	FR	21166
NPRM Comment Period Begin	05/11/83	48	FR	21166
NPRM Comment Period End	07/11/83			
Final Action	08/15/85			

Small Entity: Not Applicable

Additional Information: LR-221-82.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney:

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE24

153. TO PROVIDE REGULATIONS UNDER SECTION 103(B)(14)--**RELATING TO LIMITATION ON** MATURITY OF INDUSTRIAL **DEVELOPMENT BONDS**

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Rules will provide guidance with respect to computation of average weighted economic life and average weighted maturity. Rules limit the average length of the maturity of all industrial development bonds.

Timetable-

Action	Date	FR Cite
NPRM	12/15/85	UN TEST

Small Entity: Not Applicable

Additional Information: LR-220-82.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr., (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: James Lokey.

Agency Contact: George T. Magnatta. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE69

154. TO PROVIDE REGULATIONS **UNDER SECTION 103A RELATING TO** MORTGAGE SUBSIDY BONDS FOR **COOPERATIVE HOUSING** CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 103A Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations will interpret the rules under section 103A, relating to mortgage subsidy bonds, as those rules relate to cooperatives. A mortgage subsidy bond is an obligation a significant portion of the proceeds of which are used to provide financing for single-family, owner-occupied residences. The proposed regulations also would provide rules for the treatment of certain leasing cooperatives under section 103 (b) (4) (A), relating to industrial development bonds for residential rental projects.

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Action	Date	FR Cite
NPRM	12/00/85	Salin S

Small Entity: Not Applicable

Additional Information: LR-16-83.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Mitchell H. Rapaport. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington. D.C. 20224, 202 566-3294

RIN: 1545-AF36

155. INTEREST EXEMPT OTHER THAN UNDER THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(m) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal would describe the application of new Code section 103 (m) to interest earned on obligations which are exempt from taxation under Federal laws outside the Internal Revenue Code. Section 103 (m) broadens the types of obligations described in section 103 (a) to include obligations on which the interest is taxexempt under provisions of Federal law outside of the Code. Section 103 (m) provides that interest on obligations described in section 103 (m) is considered to be interest described in section 103 (a) for all purposes of the Code.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Constitution	COLUMN TO THE PARTY OF THE PART	

Small Entity: No

Additional Information: LR-34-83.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney:

In Legislation and Regulations Division for preparation of Notice of proposed rulemaking.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AF49

156. TO PROVIDE REGULATIONS UNDER SECTION 103 (B) (6) (0) RELATING TO RESTRICTIONS ON FINANCING CERTAIN FACILITIES WITH EXEMPT SMALL ISSUES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulations would define the types of projects which may not be financed with the proceeds of tax-exempt obligations. The amendments will conform the regulations to changes made in section 103 (b) (6) by section 214 (e). Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-84-83.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Joe Krolikowski.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AF53

157. ARBITRAGE: TREATMENT OF ISSUE PRICE AND ADMINISTRATIVE COSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103-13

Abstract: This regulation would provide guidance to issuers of municipal bonds as to the proper treatment of administrative costs and determination of issue price. This regulation would replace the existing regulation which was invalidated by the D.C. Circuit Court of Appeals.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-32-83.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John Fischer (202) 566-3394.

In Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, for preparation of notice.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AF75

158. • REGULATIONS RELATING TO FEDERALLY GUARANTEED BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations would provide guidance regarding the provisions enacted by the Tax Reform Act of 1984 which denies Federal income tax exemption for bonds issued by State or local governmental units if payments of principal or interest with respect to such bonds are directly or indirectly guaranteed by the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	05/31/85	
Small Entit	v. Not Applicable	

Small Entity: Not Applicable

Additional Information: LR-156-84.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Treasury attorney: Joseph Krolikowski (262) 566-2927.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AG84

159. © TO CLARIFY REGULATIONS RELATING TO FAILURE BY PRINCIPAL USERS TO TIMELY FILE CAPITAL EXPENDITURE STATEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 (b) (6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations would clarify the consequences of failure to file capital expenditure statements concerning the election of the \$10 million limitation upon the size of a small issue of tax-exempt industrial development bonds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-185-84.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel reviewing attorney: Joseph Krolikowski.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AH18

160. • REGULATIONS RELATING TO \$40 MILLION SMALL ISSUE LIMIT ON TAX-EXEMPT BONDS PER TAXPAYER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC (b) (15) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations would provide guidance regarding the provision enacted by the Tax Reform Act of 1984 which generally denies Federal income tax exemption for a small issue of development bonds if any of its beneficiaries receives the benefits of more than \$40 million of prior outstanding industrial

development bonds allocated to itself, including its allocated portion of the small issue in question. These regulations would also provide guidance regarding how the proceeds of an issue of industrial development bonds are to be allocated among its beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	08/31/85	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-157-84.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel reviewing attorney: Thuronyi.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AH19

161. ● TEMPORARY REGULATIONS RELATING TO FEDERALLY GUARANTEED BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR IT

Abstract: These regulations will provide guidance regarding the provisions enacted by the Tax Reform Act of 1984 which denies Federal income tax exemption for bonds issued by State or local governmental units if payments of principal or interest with respect to such bonds are directly or indirectly guaranteed by the Federal Government.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/31/85	

Small Entity: Not Applicable

Additional Information: LR-155-84.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Treasury attorney: Joseph Krolikowski (202) 566-2927.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AH20

162.

■ INCOME TAX REGULATIONS—
TO PROVIDE REGULATIONS UNDER
SECTION 103 (B) (16) AND (17)
RELATING TO ACQUISITION OF LAND
AND EXISTING FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 (b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103

Abstract: The regulations will provide rules relating to the prohibition on use of more that 25 percent of the proceeds to acquire land and the exception for first time farmers. The regulations will also provide rules on the prohibition on use of proceeds to acquire existing property and the exception for rehabilitations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-219-84.

Drafting Attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: George T. Magnatta (202) 566-3294.

Treasury attorney: Joe Krolikowski (202) 566-2927.

Agency Contact: Mitchell H. Rapaport. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AH45

163. TO PROVIDE REGULATIONS
RELATING TO THE TAX EXEMPTION
OF OBLIGATIONS TO FINANCE
MIXED-USE RESIDENTIAL RENTAL
PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 (b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103-8

Abstract: The regulations will clarify the rule relating to obligations to

provide residential rented property. The regulations will make clear that a residential rental project can consist in part of non-residential rental property.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-269-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter (202) 566-4473.

Treasury attorney: Joe Krolikowski [202] 566-2927.

Agency Contact: Mitchell H. Rapaport. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AH68

164. ● AMENDMENT OF REGULATIONS RELATING TO ARBITRAGE ON NONPURPOSE OBLIGATIONS TO REFLECT SECTION 624 OF TRA OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 (c) (6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103-15AT

Abstract: The regulations will provide rules relating to arbitrage on nonpurpose investments with respect to industrial development bonds. Rules will be the limitation on nonpurpose investments and the rebate requirement.

Timetable:

Action	Date	FR Cite
NPRM	A TO THE REAL PROPERTY.	
	01/07/85	50 FR 00837
NPRM Comment Period Begin	01/07/85	50 FR 00837
NPRM Comment Period End	03/08/85	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-192-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Joseph Krolikowski.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AH07

165. TO PROVIDE REGULATIONS UNDER SECTION 103 (N) RELATING TO CARRYFORWARD ELECTIONS AND ELECTION TO ALLOCATE STATE CEILING TO FACILITIES FOR LOCAL FURNISHING OF ELECTRICITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 (n) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103 (n)-6; 26 CFR 1.103 (n)-7

Abstract: The regulations will clarify the rules relating to carryforward of unused private activity bond limit and extend the deadline for making such elections. The regulations will also provide rules relating to the election to allocate state ceiling to certain facilities for local furnishing of electricity.

Timetable:

Action	Date	F	R	Cite
NPRM	12/28/84	49 FI	R	50405
NPRM Comment Period Begin	12/28/84	49 FI	R	50405
Final Action	12/00/85			

Small Entity: Not Applicable

Additional Information: LR-304-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Jim Lokey (202) 566-5453.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AG91

166. ● TO PROVIDE REGULATIONS RELATING TO THE STATE VOLUME CAP ON PRIVATE ACTIVITY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code 1954; 26 USC 103 (n) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103-1T; 26 CFR 1.103-2T; 26 CFR 1.103-3T; 26 CFR 1.103-4T; 26 CFR 1.103-5T; 26 CFR 1.103-6T

Abstract: These regulations will provide rules relating to the limitation on the aggregate amount of private activity bonds. The regulations will define the terms private activity bond and state ceiling. The regulations will also provide rules for carrying forward any unused private activity bond limit.

Timetable:

Action	Date	TO	FR	Cite
NPRM	10/05/84	49	FR	39344
NPRM Comment Period Begin	10/05/84	49	FR	39344
NPRM Comment Period End	12/04/84			
Final Action	12/00/85			

Small Entity: Not Applicable

Additional Information: LR-144-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter (202) 566-4473.

Treasury attorney: Jim Lokey (202) 566-5453.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AH62

167. TO REVISE DEFINITION OF AREAS OF CHRONIC ECONOMIC DISTRESS FOR PURPOSES OF MORTGAGE SUBSIDY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103A-2

Abstract: The regulations will clarify the rules under section 103A relating to designations of areas of chronic economic distress. The regulations would provide objective tests to be used in analyzing requests for such designations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	A PROPERTY OF

Small Entity: Not Applicable

Additional Information: LR-307-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Suzanne R. McDowell (202) 566-8277.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AG88

168. TO PROVIDE REGULATIONS RELATING TO EXTENSION OF MORTGAGE SUBSIDY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103A Internal Revenue Code of 1954

CFR Citation: 26 CFR 6a.103A-2

Abstract: These regulations will provide rules relating to the extension of authority to issue mortgage subsidy bonds. The regulations will explain the form and manner in which information is to be reported to the Internal Revenue Service. The regulations will also provide rules relating to the requirement that an annual policy statement be filed and the requirement that a state certification be executed for each issue.

Timetable:

Action	Date		FR	Cite
NPRM	12/12/84	49	FR	48323
NPRM Comment Period Begin	12/12/84	49	FR	48323
NPRM Comment Period End	02/12/85			
Final Action	12/00/85			

Small Entity: Not Applicable

Additional Information: LR-240-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter (202) 566-4473.

Treasury attorney: Suzanne McDowell (202) 566-8277.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C, 20224, 202 566-3294

RIN: 1545-AH66

169. INCOME TAX-CHANGES IN EXCLUSION FOR SICK PAY & CERTAIN MILITARY, ETCETERA, DISABILITY PENSIONS; CERTAIN DISABILITY INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 104(a) Internal Revenue Code of 1954; 26 USC 104(b) Internal Revenue Code of 1954; 26 USC 105(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would relate to annuities, unemployment compensation, compensation for injuries or sickness, amount received under accident or health plans, and contributions by employees to accident and health plans. Exclusions from income would be clarified.

Timetable:

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Action	Date		FR	Cite
NPRM	07/09/80	45	FR	46082
NPRM Comment Period Begin	07/09/80	45	FR	46082
NPRM Comment Period End	09/08/80			
Final Action	12/01/85			

Small Entity: Not Applicable

Additional Information: LR-159-76.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John M. Fischer (202) 566-3394.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., NW,
Washington DC 20224, 202 566-3297

RIN: 1545-AA66

170. INCOME TAX REGULATIONS UNDER THE REVENUE ACT OF 1978, RELATING TO SELF-INSURED MEDICAL EXPENSES REIMBURSEMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 105(h) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to self-insured medical reimbursement plans. The regulations will explain whether policies issued by captive insurance companies are considered self-insured.

Timetable:

Action	Date	FR	Cite	
NDRM	05/00/85			

Small Entity: Not Applicable

Additional Information: EE-28-84.

Drafting attorney: Richard J. Wickersham (202) 566-3250.

Treasury attorney: Harry Conaway.

Agency Contact: Roberto E. Rivera, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AG34

171. INCOME TAX-DISCHARGE OF INDEBTEDNESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 108 Internal Revenue Code of 1954; 26 USC 1017 Internal Revenue Code of 1954; PL 96-589, Sec 2 Bankruptcy Tax Act 1980

CFR Citation: 26 CFR 1

Abstract: This proposal would provide rules relating to certain income from the discharge of indebtedness, including rules relating to the election to reduce the basis of assets in lieu of recognizing income.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	and a world

Small Entity: Not Applicable

Additional Information: LR-91-81.

Drafting attorney: Duane Pellervo (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel reviewing attorney: Lokey.

Agency Contact: Charles M. Whedbee, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3474

RIN: 1545-AA67

172. ● INCOME TAX-PART 1-INCOME TAX REGULATIONS UNDER SECTION 111 RELATING TO INCLUSION OF TAX BENEFIT ITEMS

Legal Authority: 26 USC 111 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation will revise the rules for determining whether the recovery of an amount deducted in a prior taxable year must be included in income, to reflect changes in section 111 made by section 170 of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	*03/00/86	I GINDER

Small Entity: Not Applicable

Additional Information: LR-303-84.

Drafting attorney: John Broadbent (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Treasury attorney: James Bridgeman (202) 566-4902.

Agency Contact: John Broadbent. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AH17

173. INCOME TAX-PARTIAL EXCLUSION OF DIVIDENDS AND INTEREST RECEIVED BY INDIVIDUALS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 116 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules relating to the partial exclusion of dividends and interest for 1981.

Timetable:

Action	Date		FH	Cite	
NPRM	02/09/81	47	FR	5902	
NPRM Comment Period Begin	02/09/81	47	FR	5902	
NPRM Comment Period End	04/12/81				
Hearing	06/22/82	47	FR	20802	
Final Action	00/00/00				

Small Entity: Not Applicable

Additional Information: LR-83-80.

Drafting attorney: Phoebe A. Mix (202) 566-3238.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorneys: not assigned.

Agency Contact: Phoebe A. Mix, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA69

174. INCOME TAX-RELATING TO FEDERAL GRANT NOT INCLUDABLE IN GROSS INCOME IN CERTAIN CASES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 117(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will revise existing regulations in order to allow an exclusion for a grant received under a Federal program, which would have been excludable from gross income under the general rules of section 117 but for the requirement under the grant that the recipient perform future services as a federal employee.

Timetable:

Action	Date	-	FR	Cite
NPRM	08/22/84	49	FR	33281
NPRM Comment Period Begin	08/22/84	49	FR	33281
NPRM Comment Period End	10/22/84			
Final Action	02/00/86			

Small Entity: Not Applicable

Additional Information: LR-72-81.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert Waltuch (202) 566-3287.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AA70

175. INCOME TAX-CONTRIBUTIONS IN AID OF CONSTRUCTION FOR CERTAIN UTILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 118(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Notice would define and interpret when a utility has received a contribution in aid of construction. Changes to the applicable law were made by section 2120 of the Tax

Reform Act of 1976 and section 364 of the Tax Reform Act of 1978.

Timetable:

Action	Date	FR Cite
Previous NPRM	09/27/78	
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-136-76.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Rocap.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA71

176. INCOME TAX--PREPAID LEGAL EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 120 Internal Revenue Code of 1954; 26 USC 501(c)(20) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the establishment and operation of a qualified group legal services plan. Employer contributions to, and benefits provided under, a qualified plan are excluded from an employee's gross income.

Timetable:

Action	Date	FR	Cite
NPRM	04/29/80	45 FR	28360
NPRM Comment Period Begin	04/29/80	45 FR	28360
NPRM Comment Period End	06/30/80		
Hearing 09/04/80	07/25/80	45 FR	49596
Final Action	00/00/00		

Small Entity: Not Applicable

Additional Information: EE-5-78.

Drafting attorney: Monice Rosenbaum (202) 566-3422.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney:

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AD62

177. INCOME TAX--TAX TREATMENT OF CAFETERIA PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 125 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations establish rules for the tax treatment of cafeteria plans meeting certain nondiscrimination standards. A cafeteria plan permits participating employees to select the particular fringe benefits desired from a package of employer-provided benefits, some of which are taxable and some of which are nontaxable.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	49 FR 50733
NPRM Comment Period Begin	12/31/84	
NPRM Comment Period End	01/30/85	The same of
Hearing	04/11/85	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: EE-16-79.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD63

178. INCOME TAX-EXCLUSION FROM INCOME OF CERTAIN COST-SHARING PAYMENTS UNDER GOVERNMENT PROGRAMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 126 Internal Revenue Code of 1954; 26 USC 1255 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules on the exclusion from income of certain cost sharing payments and on the amount recaptured when the property improved with government payments is sold within a certain specified period of time.

Timetable:

Action	Date	FR Cite
NPRM	05/21/81	46 FR 27723
NPRM Comment Period Begin	05/21/81	46 FR 27723
NPRM Comment Period End	07/20/81	
Hearing	12/01/81	46 FR 50808
Final Action	00/00/00	a programme or the

Small Entity: Not Applicable

Additional Information: LR-222-78.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Linda M. Kroening (202) 566-3288.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA73

179. INCOME TAX-DEPENDENT CARE ASSISTANCE PROGRAMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 129 Internal Revenue Code of 1954; 26 USC 3121(a)(18) Internal Revenue Code of 1954; 26 USC 3306(b)(13) Internal Revenue Code of 1954; 26 USC 3401(a)(18) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: Internal Revenue Code section 129 excludes from an employee's gross income amounts paid or expenses incurred by an employer for dependent care assistance provided to an employee pursuant to a qualified program. Payments or benefits excluded under this section are not wages and consequently are not subject to tax under the Federal Insurance Contributions Act and the Federal Unemployment Act and are not subject to withholding. The regulation sets forth plan requirements and related rules.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	and lands
Small Entity	: Not Applicable	

Additional Information: EE-147-81.

Drafting attorney: Monice L. Rosenbaum (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AD65

180. INCOME TAX-PART 1 PERSONAL INJURY LIABILITY ASSIGNMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 130 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation project will provide rules on the exclusion from gross income for amounts received for agreeing to the assignment of a liability to make periodic payments as damages on account of personal injury or sickness.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00	Lila	

Small Entity: No

Additional Information: LR-82-83.

Docket attorney: Cynthia L. Clark (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3336.

Tax Legislative Counsel attorney:

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF39

181. INCOME TAX-PART I EXCLUSION FROM GROSS INCOME FOR CERTAIN FOSTER CARE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 131

CFR Citation: 26 CFR 1

Abstract: This regulation project will explain what foster child care payments

may be excluded from the gross income of a foster parent.

Timetable:

Action	Date		FR	Cite
NPRM	02/01/85	50	FR	4702
NPRM Comment Period Begin	02/01/85	50	FR	4702
NPRM Comment Period End	04/02/85			
Final Action	12/00/85			

Small Entity: No

Additional Information: LR-83-83.

Docket attorney: Cynthia L. Clark (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Tax Legislative Counsel attorney:

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF52

182. ● INCOME TAXES, EMPLOYMENT TAXES, EXCISE TAXES—TAXATION OF FRINGE BENSFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 132 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31; 26 CFR 54

Abstract: The regulations propose rules concerning the treatment of taxable and nontaxable fringe benefits, including the valuation of taxable fringe benefits for purposes of income and employment tax withholding. The regulations also include proposed special rules for valuing certain fringe benefits.

Timetable:

Action	Date	FR Cite
NPRM	01/07/85	50 FR 836
NPRM Comment Period Begin	01/07/85	50 FR 836
NPRM Comment Period End	03/08/85	
Final Action	12/00/85	

Small Entity: Undetermined

Additional Information: LR-216-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Philip R. Bosco (202) 566-3430.

Treasury attorney: Kent A. Mason (202) 535-6964.

Current and Projected Rulemakings

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AH52

183. ● INCOME TAX--NOTICE OF PROPOSED RULEMAKING RELATING TO THE EXCLUSION FROM GROSS INCOME OF CERTAIN FRINGE BENEFITS

Legal Authority: 26 USC 132 CFR Citation: 26 CFR 1

Abstract: The regulations will propose rules concerning the exclusion from gross income of certain fringe benefits.

Timetable:

Action	Date	FR Cite
NPRM	10/01/85	

Small Entity: Undetermined Additional Information:

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Philip R. Bosco (202) 566-3430.

Treasury attorney: Kent A. Mason (202) 535-6964.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AH56

184. INTEREST ON ESOP SECURITIES ACQUISITION LOANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 133 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance concerning the treatment of interest on ESOP securities acquisition loans.

Timetable:

Action	Date	FR C	ite
NODA	06/20/95	Service Service	

Small Entity: Not Applicable

Additional Information: EE-73-84.

Drafting Attorney: John T. Ricotta (202)

566-3544.

Reviewing Attorney: Michael A. Thrasher (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AG46

185. INCOME TAX--EMPL. TAX--DEDUCTIBILITY OF CERTAIN TRANSPORTATION EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 162 Internal Revenue Code of 1954; 26 USC 62 Internal Revenue Code of 1954; 26 USC 262 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954; 26 USC 3306 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: The regulations would provide guidelines for determining when a taxpayer may deduct some transportation expenses incurred in traveling between his home and some places of work.

Timetable:

Action	Date	FR Cite
NPRM -	12/01/85	

Small Entity: Not Applicable

Additional Information: LR-173-77.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA76

186. INCOME TAX-TO ADD PROVISIONS RELATING TO STATE LEGISLATORS' TRAVEL EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 162 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to state legislators who elect to deduct a set per diem in lieu of having to substantiate their actual travel expenses arising from their trade or business as a state legislator.

Timetable:

Action	Date	FR Cite
NPRM	08/09/83	48 FR 36137
Final Action Effective	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-5-82.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA78

187. INCOME TAX--TO PROVIDE BETTER DEFINITIONS IN THE AREA OF POLITICAL ADVERTISING & GRASSROOTS LOBBYING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 162 Internal Revenue Code of 1954; 26 USC 4945 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide better definitions in the area of political advertising and grassroots lobbying.

Timetable:

Date		FR	Cite
11/25/80	45	FR	78167
11/25/80	45	FR	78167
01/26/81			
00/00/00			
	11/25/80 11/25/80 01/26/81	11/25/80 45 11/25/80 45 01/26/81	11/25/80 45 FR 11/25/80 45 FR

Small Entity: Not Applicable

Additional Information: LR-190-77.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: McDowell.

Current and Projected Rulemakings

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA79

188. INCOME TAX-LIMITATION ON INTEREST DEDUCTION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 163(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the deductibility of interest on indebtedness incurred to purchase or carry investment property.

Timetable:

Action	Date	FR	Cite
NPRM	05/00/85		Mary IS
Small Entit	y: Not Applicable		

Additional Information: LR-1639.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AA80

189. SANCTIONS ON ISSUERS AND HOLDERS OF REGISTRATION-REQUIRED OBLIGATIONS NOT IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 165 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The temporary regulations provide rules for determining whether an issuer may claim an interest deduction for interest paid on an obligation in bearer form, which is otherwise a registration required obligation because the issuer satisfies the conditions set forth in section 163 (f) (2) (B). In addition, the temporary regulations provide rules which define the circumstances under which a United States person may hold a registration-required obligation in bearer form.

Timetable:

Action	Date	100	FR	Cite
NPRM	08/22/84	49	FR	33276
NPRM Comment Period Begin	08/22/84	49	FR	33276
Interim Final Rule	08/22/84			
NPRM Comment Period End	10/22/84			
Final Action	12/31/85			

Small Entity: No

Additional Information: LR-151-83.

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Agency Contact: P. Ann Fisher or Carol T. Doran, Attorney, Office of Chief Counsel, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF63

190. INCOME TAX REGULATIONS--TAX STRADDLES RELATING TO SECTION 108 OF THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 165 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules under section 108 of the Tax Reform Act of 1984, relating to the treatment of certain losses on straddles entered into before the effective date of the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date		FR	Cite
NPRM	08/23/84	49	FR	33458
NPRM Comment Period Begin	08/23/84	49	FR	33458
NPRM Comment Period End	10/22/84			
Final Action	09/00/85			

Small Entity: Not Applicable

Additional Information: LR-147-84.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Linda Carlisle (202) 566-4519.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AG57

191. INCOME TAX-DEDUCTIONS FOR ADDITION TO A RESERVE FOR CERTAIN GUARANTEED DEBT OBLIGATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 166(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for establishing a suspense account for certain guaranteed debt obligations.

Timetable:

Action	Date	FR Cite
NPRM	07/11/80	45 FR 46815
NPRM Comment Period Begin	07/11/80	45 FR 46815
NPRM Comment Period End	09/09/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1173.

Drafting attorney: Phoebe A. Mix (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Tax Legislative reviewing attorney: Mary Hutton.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA81

192. INCOME TAX--ACCELERATED COST RECOVERY SYSTEM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168 Internal Revenue Code of 1954; 26 USC 179 Internal Revenue Code of 1954; 26 USC 1245 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954; 26 USC 1250 Internal Revenue Code of 1954; 26 USC 1250 Internal Revenue Code of 1954; 26 USC 57(a)(12) Internal Revenue Code of 1954; 26 USC 312(k) Internal Revenue Code of 1954; 26 USC 312(k) Internal Revenue Code of 1954; 26 USC 812(b) Internal Revenue Code of 1954; 26 USC 46(b) Internal Revenue Code of 1954; 26 USC 381(c) Inter

CFR Citation: 26 CFR 1

Abstract: To provide regulations under section 168 and accompanying provisions clarifying the operation of the new accelerated cost recovery scheme. This new cost recovery system generally applies to property placed in service after December 31, 1980. Generally, section 168 applies to "recovery property" which is defined as tangible property of a character subject to the allowance for depreciation which is used in a trade or business, or held for the production of income.

Timetable:

Action	Date		FR	Cite
NPRM	02/16/84	49	FR	5940
NPRM Comment Period Begin	02/16/84	49	FR	5940
NPRM Comment Period End	05/16/84			
Hearing held	05/21/84			
Final Action	06/00/85			

Small Entity: Not Applicable

Additional Information: LR-185-81.

Drafting attorney: Ada S. Rousso (202) 566-3297.

Reviewing attorney: George T. Magnatta (202) 566-3294.

Treasury attorney: Neil Kimmelfield (202) 566-8527.

Agency Contact: Ada S. Rousso. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA87

193. INCOME TAX-NORMALIZATION REQUIREMENT FOR PUBLIC UTILITY PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168(e)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The temporary regulations would provide guidance to public utilities relating to the transitional rules for the public utility normalization requirements of ACRS under section 168 (e) (3). Prior to ACRS some public utilities did not have to normalize in order to use accelerated depreciation. Under the transitional rule these utilities are given until January 1, 1983 to meet the normalization requirements of section 168 (e) (3).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-244-81.

Drafting attorney: Paulette Chernyshev (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Paulette Chernyshev. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AA88

194. INCOME TAX-RELATING TO TERMINAL RENTAL ADJUSTMENT **CLAUSES IN CERTAIN MOTOR VEHICLE LEASES**

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168(f)(8) Internal Revenue Code of 1954; Tax Equity and Fiscal Responsibility Act of 1982, Section 210

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for determining whether certain motor vehicle agreements which contain terminal rental adjustment clauses are conditional sales agreements or lease agreements.

Timetable:

Action	Date	FR Cite
NPRM	11/23/82	47 FR 52729
NPRM Comment Period Begin	11/23/82	
NPRM Comment Period End	01/24/83	
Hearing	02/10/83	
Final Action	00/00/00	
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Small Entity: Not Applicable

Additional Information: LR-187-82.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John M. Fischer (202) 566-3394.

Agency Contact: Linda M. Kroening. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF32

195. FINANCE LEASES--DEFINITION AND SPECIAL RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168

CFR Citation: 26 CFR 1

Abstract: This regulations project would provide rules regarding what transaction would qualify as a finance lease, a new tax law concept enacted by the Tax Equity and Fiscal Responsibility Act of 1982. This project would also provide guidelines for determining whether a transaction characterized as a lease is really a lease for Federal tax purposes as opposed to a conditional sale or a financing arrangement.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-90-83.

Drafting attorney: Robert Beatson (202) 566-3590.

Reviewing attorney: John A. Tolleris (202) 566-3590.

Office of Tax Legislative Counsel reviewing attorney: Rubin (202) 535-

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AF54

196. TO PROVIDE REGULATIONS **UNDER SECTION 168 RELATING TO** INTANGIBLE PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The project will clarify what type of property is "tangible" property subject to the allowance for depreciation under the accelerated cost recovery system.

Timotoblo

Time table.		
Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: Not Applicable

Additional Information: LR-17-84.

Drafting attorney: Ada S. Rousso (202)

566-3297.

Reviewing attorney: George T. Magnatta (202) 566-3294.

Agency Contact: Ada S. Rousso, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF78

197. TEMPORARY REGULATIONS UNDER THE TAX REFORM ACT OF 1984, RELATING TO TAX-EXEMPT ENTITY LEASING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to tax-exempt entity leasing. The regulations will explain a number of basic issues concerning tax-exempt use property, tax-exempt entities, depreciation, partnerships, high technology equipment, service contracts, lease terms, and transitional rules.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/01/85	100

Small Entity: Not Applicable

Additional Information: LR-124-84.

Drafting attorney: Robert Beatson (202) 566-3590.

Reviewing attorney: John A. Tolleris (202) 566-3590.

Treasury attorney: Blake Rubin (202) 535-6968.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AG26

198. INCOME TAX-AMORTIZATION OF CERTAIN POLLUTION CONTROL FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 169 Internal Revenue Code of 1954; Tax Reform Act of 1976 sec 2112

CFR Citation: 26 CFR 1

Abstract: The regulations would provide a definition of "Pollution Control Facility" for purposes of amortization. An eligible taxpayer would be permitted to amortize the basis of the pollution control facility over a period of five years.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	to the second

Small Entity: Not Applicable

Additional Information: LR-193-76.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

TLC reviewing attorney: Joe Krolikowski (202) 566-2927.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA89

199. INCOME TAX-CHARITABLE CONTRIBUTIONS OF SCIENTIFIC PROPERTY USED FOR RESEARCH

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to corporations making a qualified research contribution of scientific equipment or apparatus to an institution of higher education.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Small Entity:	Not Applicable	

Additional Information:

LR-219-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA90

200. INCOME TAX-ESTATE & GIFT TAXES-TRANSFERS OF PARTIAL INTERESTS IN PROPERTY FOR CONSERVATION PURPOSES-TO EXTEND CERTAIN TEMPORARY TAX PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170(f)(3) Internal Revenue Code of 1954; 26 USC 170(h) Internal Revenue Code of 1954; 26 USC 2055(e)(2) Internal Revenue Code of 1954; 26 USC 2522(c)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 25

Abstract: These regulations will provide to what extent a taxpayer can obtain a charitable deduction for a charitable contribution of a partial interest in real property.

Timetable:

Action	Date		FR	Cite
NPRM	05/23/83	48	FR	22940
NPRM Comment Period Begin	05/23/83	48	FR	22940
NPRM Comment Period End	07/22/83			
Hearing	09/15/83			
Final Action	08/00/85			

Small Entity: Not Applicable

Additional Information: LR-200-76.

Drafting attorney: Ada S. Rousso (202) 566-3297.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton. Levinson.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3297

RIN: 1545-AA91

201. • DEDUCTIONS IN EXCESS OF \$5,000 CLAIMED FOR CERTAIN CHARITABLE CONTRIBUTIONS OF PROPERTY AND INFORMATION REPORTING BY DONEES WHO MAKE CERTAIN DISPOSITIONS OF DONATED PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170 (a) (1) Internal Revenue Code of 1954; 26 USC 6050L Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to deductions for charitable contributions. The regulations provide that deductions for certain charitable contributions made by an individual, closely held corporations, personal service corporation, partnership, or S corporation shall not be allowed unless the donor obtains a qualified appraisal and attaches an appraisal summary to the donor's return on which the deduction is first claimed. Additionally. the regulations require the donee of certain charitable deduction property to make an information return.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	49 FR 50740
NPRM Comment Period Begin	12/31/84	49 FR 50740
NPRM Comment Period End	03/01/85	
Final Action	09/01/85	

Small Entity: Not Applicable

Additional Information: LR-200-84.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Richard D'Avino [202] 566-4979.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG86

202. INCOME TAX--NET OPERATING LOSSES ATTRIBUTABLE TO PRODUCT LIABILITY LOSSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 172 Internal Revenue Code of 1954; 26 USC 537(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide the necessary guidance with respect to product liability losses and accumulations for the payment of reasonably anticipated product liability losses. Product liability losses may be carried back ten years instead of three years

Timetable:

Action	Date	FR	Cite
Final Action Effective	09/30/79		
NPRM	03/25/83	48 FR	12557
NPRM Comment Period Begin	03/25/83	48 FR	12557
NPRM Comment Period End	05/24/83		
Final Action	12/15/85		
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Small Entity: Not Applicable

Additional Information: LR-218-78.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Furer.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA93

203. INCOME TAX-NET OPERATING LOSSES FOR CERTAIN REAL ESTATE INVESTMENT TRUSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 172(b)(1)(E) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: To provide guidance to Real Estate Investment Trusts with net operating loss carryovers. A net operating loss for a year in which the taxpayer was a REIT shall not be a net operating loss carryback to any taxable year preceding the taxable year of such loss, and shall be a net operating loss carryover to each of the 15 taxable years following the taxable year of such loss. In the case of any net operating loss for a taxable year which is not a REIT year, such loss shall not be carried back to any taxable year which is a REIT year.

Timetable:

Action	Date		FR	Cite
NPRM	06/26/84	84	FR	16876
NPRM Comment Period Begin	06/26/84			
NPRM Comment Period End	08/26/84			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-26-81. .

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

In Office of Chief Counsel (Legislation and Regulations Division) for revision of notice.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA94

204. INCOME TAX-ELECTION TO EXPENSE CERTAIN DEPRECIABLE ASSETS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 179 Internal Revenue Code of 1954; 26 USC 263 Internal Revenue Code of 1954; 26 USC 1033 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules relating to the election to expense certain depreciable business assets. The regulations determine the type of property to which section 179 applies. In addition, the regulations set forth the maximum amount of section 179 expense allowed and the procedures that must be followed in claiming the expense.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	market and

Small Entity: Not Applicable

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Additional Information: LR-233-81.

Reviewing attorney: Robert B. Coplan (202) '566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Thuronyi, Rollyson.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3287

RIN: 1545-AA95

Current and Projected Rulemakings

205. ELECTION TO POSTPONE DETERMINATION WITH RESPECT TO THE PRESUMPTION THAT AN ACTIVITY IS ENGAGED IN FOR PROFIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 183 (e) (3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the election to postpone the determination whether the section 183 (d) presumption applies until the activity has been conducted for five (or seven) years. The regulations will specify who can make the election and the time and manner of making the election.

Timetable:

Action	Date	FR Cite
NIDDM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-73-84.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG27

206. INCOME TAX--AMORTIZATION OF REAL PROPERTY CONSTRUCTION PERIOD INTEREST & TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 189 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide that only a portion of the real property construction period interest and taxes are deductible for the taxable year they are paid or accrued. The remaining amounts are amortized over varying periods of time depending on the category of real property to which such amounts are attributable and the taxable year the interest and taxes are paid or accrued.

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-145-76.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AA97

207. INCOME TAX--TO ADD PROVISIONS RELATING TO START-

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 195 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers electing to amortize start-up expenditures relating to the creation or acquisition of an active trade or business.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00		

Additional Information: LR-36-81.

Small Entity: Not Applicable

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB02

208. ● MEDICAL DEDUCTION FOR LODGING AWAY FROM HOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 213 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the deduction for medical expenses incurred for lodging away from home.

		le:

Action	Date	FR Cite	
NIDDM	02/15/86		

Small Entity: Not Applicable

Additional Information: LR-302-84.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH21

209. INCOME TAX--ESTATE TAX--GIFT TAX--PROCEDURE AND ADMINISTRATION--RETIREMENT SAVINGS

Priority: Task Force

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 219 Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954; 26 USC 405 Internal Revenue Code of 1954; 26 USC 2039 Internal Revenue Code of 1954; 26 USC 2517 Internal Revenue Code of 1954; 26 USC 6652 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 25; 26 CFR 301

Abstract: These regulations set forth rules for individual retirement plans, simplified employee pensions, and qualified voluntary employee contributions after amendment of the Internal Revenue Code of 1954 by the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	01/23/84	49 FR 2794
NPRM Comment Period Begin	01/23/84	49 FR 2794
NPRM Comment Period End	03/23/84	
Final Action	09/00/85	

Small Entity: No

Additional Information: EE-148-81.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD66

210. INCOME TAX--VARIOUS PENSION, ETC. PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 219(f)(3) Internal Revenue Code of 1954; 26 USC 405 Internal Revenue Code of 1954; 26 USC 408(i) Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954; 26 USC 6693 Internal Revenue Code of 1954; 26 USC 6693 Internal Revenue Code of 1954; 26 USC 6693 Internal Revenue Code of 1954; PL 98-369, Sec 523; PL 98-369, Sec 491; PL 98-369, Sec 524; PL 98-369, Sec 525; PL 98-369, Sec 526; PL 98-369, Sec 529; PL 98-369, Sec 713(d)(2), (f),(j)

Abstract: This regulations project contains various miscellaneous pensionrelated matters including amendments relating to IRA contributions, reporting requirements and non-filing penalties; termination of rules relating to qualified bond purchase plans and retirement bonds; treatment of distributions where substantially all contributions are employee contributions; provisions relating to top-heavy plans; repeal of estate tax exclusion for qualified pension plan benefits; affiliated service groups, employee leasing arrangements and collective bargaining agreements; certain alimony treated as compensation; and technical corrections related to sections 238, 240, and 249.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	inti Lety on

Small Entity: Not Applicable

Additional Information: EE-77-84.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AG62

211. INCOME TAX--GIFT TAX--EMPLOYMENT TAXES--RETIREMENT INCOME PLAN EXCISE TAXES--PROCEDURE AND ADMINISTRATION--SPOUSAL INDIVIDUAL RETIREMENT ACCOUNTS SIMPLIFIED EMPLOYEE ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 62 Internal Revenue Code of 1954; 26 USC 219 Internal Revenue Code of 1954; 26 USC 220 Internal Revenue Code of 1954; 26 USC 404(h) Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954; 26 USC 2503 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954; 26 USC 3306 Internal Revenue Code of 1954; 26 USC 4973 Internal Revenue Code of 1954; 26 USC 4974 Internal Revenue Code of 1954; 26 USC 4974 Internal Revenue Code of 1954; 26 USC 6693 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 25; 26 CFR 31; 26 CFR 54; 26 CFR 301

Abstract: The regulations set forth rules for sponsors of and participants in individual retirement plans, spousal individual retirement plans, and simplified employee pensions.

Timetable:

07/14/81	46	FR	36198
07/14/81	46	FR	36198
09/14/81			
06/00/85			
	07/14/81 07/14/81 09/14/81 06/00/85	07/14/81 46	07/14/81 46 FR 09/14/81

Additional Information: EE-7-78.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD59

212. ● INCOME TAX-NOTICE OF PROPOSED RULEMAKING-HOLDINGS PERIODS FOR DIVIDENDS RECEIVED DEDUCTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 246 (c) Internal Revenue Code of 1954; 26 USC 1059 Internal Revenue Code of 1954; 26 USC 854 Internal Revenue Code of 1954; 26 USC 7701 (f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Amendment of the regulations under section 246 (c) and related sections of the Internal Revenue Code of 1954 to interpret the limitations on qualification for a dividends received deduction imposed by the holding period. The regulations will explain how that holding period is effected when a taxpayer has diminished his risk of loss.

Timetable:

Action	Date	FR Cite
NPRM	10/01/85	

Small Entity: Not Applicable

Additional Information: LR-8-85.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AH40

213. O INCOME TAX-DEBT-FINANCED PORTFOLIO STOCK

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 246A Internal Revenue Code of 1954; 26 USC 7701(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Amendment of the regulations to interpret the rule contained in section 246A of the Internal Revenue Code of 1954 relating to the dividends received deduction where portfolio stock is debt financed.

Timetable:

Action	Date	FR Cite
NPRM	01/30/86	

Small Entity: Not Applicable

Additional Information: LR-261-84.

Drafting attorney: Patricia Wendlandt (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Current and Projected Rulemakings

Agency Contact: Patricia Wendlandt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AH39

214. INCOME TAX--PREPUBLICATION EXPENDITURES OF PUBLISHERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 263 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers relating to the capitalization of pre-publication expenses of publishers and authors.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
- "		

Small Entity: Not Applicable

Additional Information: LR-253-76.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Annette J. Guarisco, Attorney. Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA36

215. INCOME TAX - NOTICE OF PROPOSED RULEMAKING - PAYMENTS IN LIEU OF DIVIDENDS IN CONNECTION WITH SHORT SALES, SECTION 263 (H) OF THE INTERNAL REVENUE CODE AND SECTION 56 (A) OF THE TRA 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 263 (h) Internal Revenue Code of 1954; 26 USC 265 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the disallowance of deductions for payments made in lieu of dividends in connection with short sales as required by section 263 (h) of the Internal Revenue Code of 1954.

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Timetable.				
Action	Date	FR C	ite	
NPRM	04/15/86			

Small Entity: Not Applicable

Additional Information: LR-9-85.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AH37

216. INCOME TAX-TO CLARIFY TREATMENT OF TAXES MEASURED BY COMPENSATION PAID EMPLOYEES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 266 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for electing to capitalize certain taxes and carrying charges that are otherwise expressly deductible under subtitle A of the Code.

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	To the last

Small Entity: Not Applicable

Additional Information: LR-22-82.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AB03

217. REGULATIONS UNDER SECTION
267 IRC TO REFLECT SECTION 174
OF THE TAX REFORM ACT OF 1984
RELATING TO LOSSES, EXPENSES,
AND INTEREST IN TRANSACTIONS
BETWEEN RELATED TAXPAYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 267 Internal Revenue Code of 1954; 26 USC 706 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation deals with changes in section 267 arising from section 174 of the Tax Reform Act of 1984. It deals with the matching of payor deductions and payee income items in the case of expenses and interest where the accrual method payor and the cash method payee are related persons. The regulation also deals with the deferral and restoration of loss on the sale or exchange of property from one member of a controlled group of corporations to another member.

Timetable:

Action	Date		FR	Cite
NPRM Comment Period Begin	11/29/84	49	FR	47048
NPRM	11/30/84	49	FR	47048
NPRM Comment Period End	01/29/85			
Final Action	05/01/85			

Small Entity: No

Additional Information: LR-183-84.

Drafting attorneys: Keith E. Stanley [202] 566-3458, John G. Schmalz and Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Mark B. Blumkin (202) 566-3463.

Treasury attorneys: Jim Lokey (202) 566-5453, Eric Elfman (202) 566-8527, Jane Sarosdy (202) 566-8275.

Agency Contact: Keith E. Stanley, John G. Schmalz, Attorneys, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AG11

218. INCOME TAX-PERSONAL SERVICE CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 269A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for determining when the Internal Revenue Service may reallocate income or tax benefits between a personal service corporation and its employee-owners.

Current and Projected Rulemakings

Timetable:			
Date		FR	Cite
03/31/83	48	FR	13438
03/31/83	48	FR	13438
05/31/83			
07/19/83			
12/31/85			
	03/31/83 03/31/83 05/31/83 07/19/83	03/31/83 48 03/31/83 48 05/31/83 07/19/83	03/31/83 48 FR 03/31/83 48 FR 05/31/83 07/19/83

Small Entity: Not Applicable

Additional Information: LR-188-82.

Drafting attorney: Phoebe A. Mix (202) 566-3238.

Reviewing attorney: John M. Fischer (202) 566-3394.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3828

RIN: 1545-AF11

219. INCOME TAX--TO ADD PROVISIONS RELATING TO FOREIGN CONVENTIONS (AS AMENDED BY SECTION 4 OF PUBLIC LAW 96-608)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 274(h) Internal Revenue Code of 1954; PL 96-608, Sec 4; PL 97-424, Sec 543; PL 98-67, Sec 222

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules to assist taxpayers in determining whether it is as reasonable to hold a convention, seminar, or similar meeting outside North America as within it, and thus whether expenses relating to attendance at the convention are deductible.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: Not Applicable

Additional Information: LR-114-81.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: John M. Fischer (202) 566-3394.

Draft of notice to Treasury for review 11/08/82.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB04

220. INCOME TAX--DISALLOWANCE OF CERTAIN ENTERTAINMENT EXPENSES--TO CONFORM TO SECTION 361, REVENUE ACT OF 1978

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 274(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would conform section 274 (a) (l) (B) to changes made by section 361 of the Revenue Act of 1978. The regulations disallow expenditures paid or incurred with respect to a facility used in connection with entertainment.

Timetable:

Action	Date	200	FR	Cite
NPRM	09/26/83	48	FR	43698
NPRM Comment Period Begin	09/26/83	48	FR	43698
NPRM Comment Period End	11/22/83			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-203-78.

Draffing attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Scott.

Office of Tax Legislative Counsel reviewing attorney: Reinhold.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB05

221. INCOME TAX-DEDUCTIBILITY OF GIFTS BY EMPLOYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 274(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would reflect the modification by the Economic Recovery Tax Act of 1981 of the third exception to the term "gift" (i.e., the exception within certain dollar limitations for awards of tangible personal property). The regulations would define the term "qualified plan award." The regulations would clarify the existing regulations under section 274 (b) of the Internal Revenue Code of 1954 by excluding from the term "tangible personal property" any award of cash, or of a gift certificate, or of a right to choose among 5 or more different items.

Timetable:

Action	Date		FR	Cite
NPRM	12/16/82	47	FR	56367
NPRM Comment Period Begin	12/16/82	47	FR	56367
NPRM Comment Period End	02/14/83			
Final Action	12/30/85			

Small Entity: Not Applicable

Additional Information: LR-252-81.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB06

222. INCOME TAX-TAXATION OF NONEXEMPT MEMBERSHIP ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 277 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would relate to the taxation of nonexempt membership organizations. The regulations would clarify the deductibility to the organization for furnishing services, facilities, et cetera, to its members.

Timetable:

Action	Date	FR Cite
NPRM	05/06/72	BRIDGE I
Hearing	08/08/72	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1721.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington DC 20224, 202 566-3238

RIN: 1545-AB07

223. INCOME TAX--AMORTIZATION OF PRODUCTION COST OF MOTION PICTURES, BOOKS, RECORDS, AND OTHER SIMILAR PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280 Internal Revenue Code of 1954; Section 210 Tax Reform Act of 1976

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers relating to the amortization of certain production costs that are otherwise not capitalized. The regulations relate to production costs for motion pictures, books, records, and similar property.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	Sept France

Small Entity: Not Applicable

Additional Information: LR-220-76.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB08

224. INCOME TAX-DEDUCTIONS FOR EXPENSES ATTRIBUTABLE TO BUSINESS USE OF HOMES, RENTAL OF VACATION HOMES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining the deductibility of expenses incurred in connection with the business use, or rental to others, of a dwelling unit. The regulations provide rules for determining when the taxpayer uses a dwelling unit for personal use or when use by another person of the unit is

treated as personal use of the unit by the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	07/21/83	48 FR 33326
NPRM Comment Period Begin	07/21/83	
NPRM Comment Period End	09/21/83	
Hearing	10/04/83	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-261-76.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Yecies.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB09

225. LIMITATIONS ON AMOUNT OF DEPRECIATION AND INVESTMENT TAX CREDIT FOR LUXURY AUTOMOBILES AND CERTAIN OTHER PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280F Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will clarify the rules limiting the investment tax credit and cost recovery deductions allowable with respect to passenger automobiles and certain other "listed property." The regulations will also provide rules relating to the substantiation requirements for "listed property" under section 274 (d) [4].

Timetable:

Action	Date	FR Cite
NPRM	10/24/84	49 FR 42743
NPRM Comment Period Begin	10/24/84	49 FR 42743
NPRM Comment Period End	12/24/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-145-84.

Drafting attorneys: George T. Magnatta (202) 566-6456 and Michel A. Daze (202) 566-3829.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Jeff Quinn (202) 566-2175.

Agency Contact: Michel Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AG99

226. ● NOTICE OF PROPOSED RULEMAKING RELATING TO RESTRICTIONS ON GOLDEN PARACHUTE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280G Internal Revenue Code of 1954

CFR Citation: 26 CFR 280G

Abstract: These regulations will provide rules relating to restrictions on golden parachute payments. The regulations will provide guidance to taxpayers, who must comply with section 280G, by delineating the circumstances under which payments may be considered excess parachute payments.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	to Ting

Small Entity: Not Applicable

Additional Information: LR-217-84.

Drafting attorney: Annie R. Alexander

(202) 566-3297.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Don Rocap (202) 566-2926.

Agency Contact: Annie R. Alexander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH49

227. INCOME TAX-SPECIAL RULES RELATING TO CORPORATE PREFERENCE ITEMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 291 Internal Revenue Code of 1954; 26 USC 57(b) Internal Revenue Code of 1954

Current and Projected Rulemakings

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the determination of the reduction for certain corporate preference items.

Timetable:

Action Date FR Cite

Small Entity: Not Applicable

Additional Information: LR-234-82.

Drafting attorney: Timothy J. McKenna (202) 566-4336.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AE78

228. WAIVER OF FAMILY ATTRIBUTION BY ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 302(c)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret the definitions and special rule for waiver of family attribution by entities contained in section 302 (c) (2) of the Internal Revenue Code of 1954, which relates to the tax treatment of certain redemptions of corporate stock.

Timetable:

Action	-	Date	FR Cite
NPRM		12/31/85	The state of the

Small Entity: Not Applicable

Additional Information: LR-189-82.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: Charles M. Whedbee (202) 566-3487.

Treasury attorney: Rick D'Avino.

Draft of notice to Treasury 12/23/83.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AF13

229. INCOME TAX-DISTRIBUTION IN REDEMPTION OF STOCK TO PAY DEATH TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 303 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules for treating distributions in redemption of stock to pay death taxes to be treated as a distribution in full payment in exchange for the stock. The regulations provide rules with respect to stock that is redeemed from a shareholder whose interest in the estate is reduced by any payment of the death taxes or funeral and administrative expenses of the estate.

Timetable:

Action	Date		FR	Cite
NPRM	08/22/84	49	FR	33277
NPRM Comment Period Begin	08/22/84	49	FR	33277
NPRM Comment Period End	10/22/84			
Final Action	12/00/85			

Small Entity: Not Applicable

Additional Information: LR-124-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Treasury attorney: Victor Thuronyi (202) 566-2566.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3287

RIN: 1545-AB13

230. INCOME TAX-TO CLARIFY MEANING OF TERM "REASONABLE REDEMPTION PREMIUM"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 305 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules to determine when the difference between redemption price and issue price of preferred stock will be treated as a stock distribution.

Timetable:

* - 41		
Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Not Applicable

Additional Information: LR-91-74.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Notice to Department of Treasury for review 01/16/84.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB15

231. INCOME TAX-DIVIDEND REINVESTMENT IN STOCK OF PUBLIC UTILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 305 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Notice would define and interpret when a qualified public utility may set up a qualified dividend reinvestment plan so that its shareholders may elect to receive qualified common stock and exclude a certain portion from income. Changes to the applicable law were made by the Economic Tax Recovery Act of 1981.

Timetable:

Action	Date		FR	Cite
NPRM	06/30/83	48	FR	30146
NPRM Comment Period Begin	06/30/83	48	FR	30146
NPRM Comment Period End	08/29/83			
Hearing	10/05/83			
Final Action	12/31/85			

Small Entity: Not Applicable

Additional Information: LR-241-81.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, 202 566-3829

RIN: 1545-AB14

232. INCOME TAX - AMENDMENTS TO STATUTORY PROVISIONS RELATING TO EARNINGS AND PROFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 312 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for the calculation of earnings and profits to reflect changes in the law made by section 61 of the Deficit Reduction Act of 1984.

Timetable:

Action	Date	FR Cite
NIDDAA	00/15/05	

Small Entity: Not Applicable

Additional Information: LR-154-84.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, D.C. 20224, 202 566-3458

RIN: 1545-AG30

233. INCOME TAX-MISCELLANEOUS CORPORATE AMENDMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 302 Internal Revenue Code of 1954; 26 USC 337 Internal Revenue Code of 1954; 26 USC 1371 Internal Revenue Code of 1954; 26 USC 351 Internal Revenue Code of 1954; 26 USC 312 Internal Revenue Code of 1954; 26 USC 542(c) Internal Revenue Code of 1954; PL 96-589, Sec 5

CFR Citation: 26 CFR 1

Abstract: The regulation would amend the Income Tax Regulations to conform them to miscellaneous corporate amendments made by the Bankruptcy Tax Act of 1980.

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Action	Date	FR	Cite	
NDDM	12/21/95	100	1500	

Small Entity: Not Applicable

Additional Information: LR-71-81.

Drafting attorney: Patricia Wendlandt (202) 566-3458.

Reviewing attorney: Duane H. Pellervo (202) 566-3458.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Patricia Wendlandt, Attorney. Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB12

234. INCOME TAX-SIMULTANEOUS LIQUIDATION OF A PARENT AND SUBSIDIARY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 337 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the nonrecognition treatment following the sale of assets of a subsidiary corporation provided that the subsidiary and certain other corporations in its affiliated group liquidate within a 12-month period.

Timetable:

Action	Date	FR Cite
NPRM	01/10/84	49 FR 1225
NPRM Comment Period Begin	01/10/84	
NPRM Comment Period End	03/10/84	
Final Action	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-130-76.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AB18

235. INCOME TAX-ELECTIONS UNDER SECTION 338, AS ADDED BY SECTION 224 OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 AS AMENDED BY THE TECHNICAL CORRECTIONS ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954; PL 97-248, Sec 224; PL 97-448, Sec 306

CFR Citation: 26 CFR 1

Abstract: This regulation will provide rules for making elections under section 338, which permits certain stock purchases to be treated as asset acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	09/06/84	49 FR 35144
NPRM Comment	09/06/84	45 FR 33144
Period Begin NPRM Comment	11/05/84	
Period End		
Final Action	11/15/85	

Small Entity: Not Applicable

Additional Information: LR-26-83.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Mark Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman.

At Treasury for signature 01/09/84.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF38

236. REGULATIONS UNDER SECTION
338 (H) (10) AS ADDED TO THE CODE
BY SECTION 306 OF THE TECHNICAL
CORRECTIONS ACT OF 1982,
RELATING TO SPECIAL ELECTIVE
RECOGNITION OF GAIN OR LOSS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Current and Projected Rulemakings

Abstract: Proposal would interpret the rules of section 338 (h) (10) under which a special election can be made so that target recognizes gain or loss on the deemed sale of its assets. The proposal is necessary so that affected taxpayers can make election under the provision.

Timetable:

Action Date FR Cite
NPRM 06/06/85

Small Entity: Not Applicable
Additional Information: LR-218-83.

Drafting attorney: Bennett Steinhauer

(202) 566-4336.

Reviewing attorney: Duane H. Pellervo (202) 566-3458.

Agency Contact: Bennett Steinhauer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AF93

237. INCOME TAX-APPLICATION OF SECTION 338 TO STOCK AND ASSET ACQUISITIONS IN THE INTERNATIONAL CONTEXT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 338

Abstract: These regulations will provide rules relating to section 338 as it applies to stock and asset acquisitions in the International Context.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/15/85

Small Entity: Not Applicable

Additional Information: LR-35-84.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Steve Shay (202) 566-5992.

Agency Contact: Mary Frances
Pearson, Attorney, Department of the
Treasury, Internal Revenue Service, 202
566-3289

RIN: 1545-AG13

238. TEMPORARY REGULATIONS--QUESTIONS AND ANSWERS ON MISCELLANEOUS MATTERS UNDER SECTION 338 OF THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 338 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance on a broad range of issues arising under section 338.

Timetable:

Action Date FR Cite
Final Action 03/25/85

Small Entity: Not Applicable

Additional Information: LR-6-84.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AG25

239. DEEMED SALE PRICE WHEN CERTAIN STOCK PURCHASES ARE TREATED AS ASSET ACQUISITIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will prescribe rules for computing the basis of stock purchased in certain stock acquisitions and for allocating this basis among the assets of the corporation whose stock was thus acquired.

Timetable:

 Action
 Date
 FR Cite

 NRRM
 11/00/85

Small Entity: Not Applicable

Additional Information: LR-191-82.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Charles Whedbee (202) 566-3487.

Office of Tax Legislative Counsel reviewing attorney: Eric Elfman.

Agency Contact: Bennett C.

Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AF29

240. INCOME TAX-REGULATIONS UNDER SECTION 338 (A)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954; PL 97-248, Sec 224; PL 97-448, Sec 306

CFR Citation: 26 CFR 1

Abstract: This regulation would establish general rules relating to the effect of an election under section 338 (g), which permits certain stock purchases to be treated as asset acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	12/30/85	

Small Entity: Not Applicable

Additional Information: LR-212-82.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Eric Elfman.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AE60

241. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 341, RELATING TO COLLAPSIBLE CORPORATIONS, TO REFLECT THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 341 (d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These changes to the regulations will amend the definition of a collapsible corporation and will provide rules for the aggregation of certain types of property for purposes of limiting the application of section 341 to certain corporations.

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	08/31/84	49 FR 34523
NPRM Comment Period Begin	08/31/84	49 FR 34523
NPRM Comment Period End	10/30/84	
Final Action	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-107-84.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Neil Kimmelfield (202) 535-6968.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AG33

242. INCOME TAX-CORPORATE DISTRIBUTIONS OF APPRECIATED PROPERTY AND PARTIAL LIQUIDATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 346(b) Internal Revenue Code of 1954; 26 USC 302(b) Internal Revenue Code of 1954; 26 USC 302(e) Internal Revenue Code of 1954; 26 USC 311(d) Internal Revenue Code of 1954; 26 USC 311(e) Internal Revenue Code of 1954; 26 USC 311(e) Internal Revenue Code of 1954; 26 USC 311(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret and prevent the circumvention of the repeal of the special tax treatment for partial corporate liquidations as effected by section 222 of the Tax Equity and Fiscal Responsibility Act of 1982. Proposal would also interpret the definitions and special rules relating to appreciated property used to redeem stock contained in section 311 of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: Not Applicable

Additional Information: LR-218-82.

Drafting attorney: Charles W. Culmer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: David C. Garlock (202) 566-2566.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AF16

243. INCOME TAX-DISTRIBUTION OF STOCK AND SECURITIES OF A CONTROLLED CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 355 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal relates to the income tax treatment of the distribution of stock and securities of a controlled corporation.

Timetable:

Action	Date		FR	Cite
NPRM	01/21/77	42	FR	3866
NPRM Comment Period Begin	01/21/77	42	FR	3866
NPRM Comment Period End	03/22/77			
Final Action	06/00/85			

Small Entity: Not Applicable

Additional Information: LR-936.

Drafting attorney: Charles W. Culmer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AB20

244. INCOME TAX-TRIANGULAR REORGANIZATIONS, BASIS AND OTHER CONSEQUENCES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to basis of stock of a corporation acquiring property in exchange for stock of a corporation in control of the acquiring corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/02/81	46 FR 112
NPRM Comment Period Begin	01/02/81	46 FR 112
NPRM Comment Period End	03/03/81	
Final Action	01/03/86	

Small Entity: Not Applicable

Additional Information: LR-1993.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Carolyn Swift (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB21

245. • AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 367 OF THE CODE (TRANSFERS TO FOREIGN CORPORATIONS) TO REFLECT SECTION 131 OF THE TAX REFORM ACT OF 1984 (P.L. 98-369)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 367 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: The Income Tax Regulations under section 367 will be amended to reflect the changes made to that section by the Tax Reform Act of 1984. Section 367 now provides generally that a foreign corporation will not be considered to be a corporation, for purposes of certain nonrecognitions provisions of the Code, upon the transfer of property to such corporation by a U.S. person. The statute provides certain exceptions to that rule. exemptions to those exceptions, and special rules applicable to certain specified transfers. The regulations will provide guidance concerning the applicability of the general rule and its exceptions and special rules, including guidance concerning transfers of assets for use in the section conduct of a trade or business, stock transfers, transfers of intangible assets, and transfers of

Current and Projected Rulemakings

branch operations that have operated at a loss.

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	

Small Entity: Not Applicable

Additional Information: LR-150-84.

Drafting attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Joseph L. Andrus (202) 566-2964.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG68

246. INCOME TAX--TREATMENT OF EXCHANGES DESCRIBED IN SECTION 367 (B)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 367(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide the conditions necessary to prevent the avoidance of Federal income taxes on transfers described in section 367 (b).

Timetable:

Action	Date	FR Cite
NPRM	12/30/77	42 FR 65152
NPRM Comment Period Begin	12/30/77	42 FR 65152
NPRM Comment Period End	03/01/78	
Notice amended	10/02/79	44 FR 57390
Notice amended	12/27/82	47 FR 57502
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-2-78.

Drafting attorney: Yerachmiel E. Weinstein (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold; Granwell.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of Treasury decision.

Agency Contact: Yerachmiel E.

Weinstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB26

247. INCOME TAX-ACQUISITION OF A CORPORATION BY MERGER OF A CORPORATION CONTROLLED BY THE ACQUIRING CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368(a)(2)(E) Internal Revenue Code of 1954; 26 USC 368(b)(2) Internal Revenue Code of 1954; PL 91-693

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the statutory merger of a controlled corporation into an acquiring corporation using the voting stock of the corporation controlling the merged corporation (reverse triangular merger).

Timetable:

Action	Date	FR Cite
NPRM	01/02/81	46 FR 114
NPRM Comment Period Begin	01/02/81	46 FR 114
NPRM Comment Period End	03/03/81	
Final Action	01/01/86	

Small Entity: Not Applicable

Additional Information: LR-1994.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Carolyn Swift (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Yecies, McKee.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB30

248. INCOME TAX--EXCHANGE FUNDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368(a)(2)(F) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to reorganizations of undiversified investment companies.

Timetable:

Action	Date	FR Cite
NPRM	01/07/81	46 FR 1744
NPRM Comment Period Begin	01/07/81	46 FR 1744
NPRM Comment Period End	03/08/81	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-135-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AB31

249. INCOME TAX--CORPORATE REORGANIZATION AMENDMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368 Internal Revenue Code of 1954; 26 USC 354 Internal Revenue Code of 1954; 26 USC 358 Internal Revenue Code of 1954; 26 USC 361 Internal Revenue Code of 1954; 26 USC 362 Internal Revenue Code of 1954; 26 USC 381 Internal Revenue Code of 1954; 26 USC 381 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would provide regulations with respect to amendments to the provisions of the Internal Revenue Code of 1954 dealing with bankruptcy and other insolvency reorganizations, thereby giving the public needed guidance on how the Internal Revenue Service intends to interpret those amendments.

Timetable:

Action	Date	FR Cite
NPRM	01/01/86	The party lay

Small Entity: Not Applicable

Additional Information: LR-63-81.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Current and Projected Rulemakings

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Partial revised draft of notice of proposed rulemaking returned with comments to Legislation and Regulations Division. 12/29/82.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB29

250. INCOME TAX-TEMPORARY REGULATIONS-REORGANIZATIONS INVOLVING FINANCIALLY TROUBLED THRIFT INSTITUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368 Internal Revenue Code of 1954; 26 USC 382 Internal Revenue Code of 1954; 26 USC 381 Internal Revenue Code of 1954; 26 USC 597 Internal Revenue Code of 1954

CFR Citation: 26 CFR 5c

Abstract: Provision would provide temporary regulations dealing with reorganizations of financially troubled thrift institutions and with the tax consequences of financial assistance payments made to such an institution by a supervisory governmental agency, thereby giving the public needed guidance on how the Internal Revenue Service intends to interpret these issues.

Timetable:

Action	Date	FR Cite
Interim Final	01/00/86	

Small Entity: Not Applicable

Additional Information: LR-230-81.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Quinn.

Draft of Treasury Decision returned with comments to Legislation and Regulations Division. 12/29/82.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3458

RIN: 1545-AB28

251. DEFINED BENEFIT PLAN TERMINATIONS AND THE REVERSION OF ASSETS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations describe when, in fact, a defined benefit pension plan has been terminated so as to permit reversion to the employer of excess assets.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	
Small Entit	v. Not Applicable	

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Additional Information: EE-106-83.

Drafting attorney: Suzanne K. Tank (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Treasury attorney: Conaway.

Agency Contact: Suzanne K. Tank, Attorney. Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AF81

252. • TEMPORARY REGULATIONS ON EFFECTIVE DATES AND OTHER ISSUES ARISING UNDER THE RETIREMENT EQUITY ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; PL 98-397, Sec 303(e)(4) Retirement Equity Act of 1984; 26 USC 417 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.401(a)-11T; 26 CFR 1.402(f)-1T; 26 CFR 1.410(a)-5T; 26 CFR 1.410(a)-7T

Abstract: The regulations will provide rules relating to participation and vesting, qualified joint and survivor annuities, and notices required to be provided to recipients of certain distributions from qualified plans.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/85	

Small Entity: Not Applicable

Additional Information: EE-110-84.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Harry J. Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AH04

253. INCOME TAX--REFUND OF MISTAKEN CONTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(a)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations describe those circumstances under which an employer contribution or withdrawal liability payment to a multiemployer pension plan may be refunded due to a mistake of law or fact.

Timetable:

Action	Date	FR	Cite
NPRM .	03/11/83	48 FR	10374
NPRM Comment Period Begin	03/11/83	48 FR	10374
NPRM Comment Period End	05/10/83		
Final Action	06/00/85		

Small Entity: Not Applicable

Additional Information: EE-133-80. Drafting attorney: John T. Ricotta (202)

566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD68

254. INCOME TAX--COMPARABILITY OF PLANS FOR VESTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(a)(5) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the comparability of contributions and

Current and Projected Rulemakings

benefits provided under two or more pension, profit-sharing, or stock bonus plans of an employer that are considered as a single plan for purposes of satisfying the nondiscrimination requirements of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-8-78.

Drafting attorney: Roberto E. Rivera (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Revised preliminary draft of notice to Actuarial Division, 02/07/80.

Agency Contact: Roberto E. Rivera, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD69

255. INCOME TAX-REQUIRED DISTRIBUTIONS FROM QUALIFIED PLANS AND INDIVIDUAL RETIREMENT ACCOUNTS AND PARTIAL ROLLOVERS OF INDIVIDUAL RETIREMENT ACCOUNTS

Legal Authority: 26 USC 408(a)(6) Internal Revenue Code of 1954; 26 USC 401(a)(9) Internal Revenue Code of 1954; 26 USC 408(b)(3) Internal Revenue Code of 1954; 26 USC 408(d)(3)(C) Internal Revenue Code of 1954; 26 USC 408(j) Internal Revenue Code of 1954; 26 USC 408(j) Internal Revenue Code of 1954; 26 USC 409(b)(3)(C) Internal Revenue Code of 1954; 26 USC 219(d)(4) Internal Revenue Code of 1954; 26 USC 219(d)(4) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will revise the Income Tax Regulations to incorporate the changes made in the law by the Tax Equity and Fiscal Responsibility Act of 1982 and the Tax Reform Act of 1984 concerning required distributions from qualified plans and individual retirement accounts and partial rollovers of individual retirement accounts.

Timetable:

Illinetable.		
Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: EE-113-82.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE95

256. VARIOUS PENSION PARITY, ETC. PROVISIONS UNDER THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 AND THE ECONOMIC RECOVERY TAX ACT OF 1981

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954; 26 USC 101 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954; 26 USC 404 Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; 26 USC 457 Internal Revenue Code of 1954; 26 USC 1379 Internal Revenue Code of 1954; 26 USC 2039 Internal Revenue Code of 1954; 26 USC 2039 Internal Revenue Code of 1954; 26 USC 4972 Internal Revenue Code of 1954; 26 USC 4972 Internal Revenue Code of 1954; PL 97-600, Sec 131 Revenue Act of 1978; PL 97-248, Sec 237; PL 97-248, Sec 238; PL 97-248, Sec 245; PL 97-248, Sec 252; ...

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 54

Abstract: Regulations will interpret changes in sections 72, 101, 401, 404, 408, 457, 1379, 2039, and 4972 of the Internal Revenue Code relating to the elimination of distinctions between corporate pension plans and plans covering self-employed individuals.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	THE REAL PROPERTY.

Small Entity: Not Applicable

Additional Information: EE-108-82.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE84

257. INCOME TAX-CERTAIN CASH OR DEFERRED ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Act of 1954; 26 USC 401(k) Internal Revenue Act of 1954; 26 USC 402(a)(8) Internal Revenue Act of 1954; PL 95-600, Sec 135 Revenue Act of 1978

CFR Citation: 26 CFR 1

Abstract: Regulation will provide definitions and interpretations governing qualified cash or deferred arrangements described in section 401(k) of the Internal Revenue Code of 1954.

Timetable:

Action	Date		FR	Cite
NPRM	11/10/81	46	FR	55544
NPRM Comment Period Begin	11/10/81	47	FR	00988
NPRM Comment Period End	02/15/82			
Notice of Hearing	02/24/82	47	FR	08028
Hearing	04/20/82			
Final Action	06/00/85			

Small Entity: Not Applicable

Additional Information: EE-169-78.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD72

258. NONDISCRIMINATORY * COORDINATION OF DEFINED CONTRIBUTION PLANS WITH OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(I) Inter-

Current and Projected Rulemakings

nal Revenue Code of 1954; PL 97-248, Sec 249

CFR Citation: 26 CFR 1

Abstract: Regulations will define and interpret rules governing the integration of qualified defined contribution pension, profit sharing, and stock bonus plans with benefits paid under Social Security.

Timetable:

Action	Date	FR Cite
NPBM	12/00/85	

Small Entity: Not Applicable

Additional Information: EE-112-82.

Drafting attorney: Suzanne K. Tank (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Treasury attorney: Conaway.

Agency Contact: Suzanne K. Tank, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE93

259. INCOME TAX-TREATMENT OF CERTAIN LUMP SUM DISTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 402(a)(2) Internal Revenue Code of 1954; 26 USC 402(e) Internal Revenue Code of 1954; 26 USC 403(a)(2)(A)(iii) Internal Revenue Code of 1954; 26 USC 411(d)(1) Internal Revenue Code of 1954; PL 93-406, Sec 2005 Employee Retirement Income Security Act; PL 94-455, Sec 1512 Tax Reform Act of 1976

CFR Citation: 26 CFR 1

Abstract: Regulations will provide definitions and other guidance relating to income tax treatment of certain distributions from qualified employee plans.

Timetable:

Action	Date		FR	Cite
NPRM	04/30/75	40	FR	18798
NPRM Comment Period Begin	04/30/75	40	FR	18798
Corrected Notice of Proposed Rule	05/23/75	40	FR	22548
NPRM Comment Period End	06/16/75			
Notice of Hearing	07/03/75	40	FR	28102
Hearing	08/12/75			
Additional Notice of Proposed Rule	05/31/79	44	FR	31228

Action	Date	FR Cite
Comment Period	07/30/79	44 FR 31228
Final Action	05/00/85	

Small Entity: Not Applicable

Additional Information: EE-14-78.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Treasury decision to Assistant Secretary (Tax Policy) for signature, 09/16/82.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD73

260. INCOME TAX-TAX-FREE ROLLOVERS OF LUMP SUM DISTRIBUTIONS AND PLAN TERMINATION PAYMENTS. LUMP SUM DISTRIBUTIONS MADE WITH RESPECT TO A DECEDENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 402(a)(5) Internal Revenue Code of 1954; 26 USC 402(a)(6) Internal Revenue Code of 1954; 26 USC 402(a)(7) Internal Revenue Code of 1954; 26 USC 401(a)(20) Internal Revenue Code of 1954; 26 USC 403(a)(4) Internal Revenue Code of 1954; 26 USC 403(a)(5) Internal Revenue Code of 1954; 26 USC 403(b)(1) Internal Revenue Code of 1954; 26 USC 403(b)(8) Internal Revenue Code of 1954; 26 USC 404(a)(2) Internal Revenue Code of 1954; 26 USC 404(a)(2) Internal Revenue Code of 1954; 26 USC 404(a)(2) Internal Revenue Code of 1954; 26 USC 691(c)(5) Internal Revenue Code of 1954; 26 USC 691(c)(6) Internal Revenue Code of 1954; 26 USC 691(c)(6)

CFR Citation: 26 CFR 1

Abstract: This regulation provides rules governing the tax-free rollover of lump sum distributions and plan termination payments under a qualified employee plan.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	HE STATE OF THE STATE OF

Small Entity: Not Applicable

Additional Information: EE-15-78.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD74

261. RETIREMENT ARRANGEMENTS OF CHURCHES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954.; 26 USC 403; 26 USC 415

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance on the application of amendments to sections 403 and 415 of the Internal Revenue Code of 1954. The amendments revise the present law rules relating to tax-sheltered annuity programs maintained by churches for their employees. The new rules generally increase the ability of churches to provide retirement income for their employees and clarify the status of such programs.

Timetable:

1	Action	Date	FR Cite
	NPRM	00/00/00	ENTRE

Small Entity: Not Applicable

Additional Information: EE-114-82.

Drafting attorney: Calder L. Robertson, Jr., (202) 566-3544.

Reviewing attorney: James L. Brokaw (202) 566-4173.

In Employee Plans and Exempt Organizations Division for preparation of Notice.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AE25

262. INCOME TAX-TAXABILITY OF BENEFICIARY UNDER ANNUITY PURCHASE BY SEC. 501(C) ORGANIZATION OR PUBLIC SCHOOL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 403(b)(7) Internal Revenue Code of 1954 CFR Citation: 26 CFR 1

Abstract: The regulations provide guidance on employer contributions of funds, on behalf of employees, to regulated investment company stock (mutual funds). Employer contributions and the earnings on those contributions are exempt from income tax.

Timetable:

Action	Date		FR	Cite
NPRM	02/10/78	43	FR	5852
NPRM Comment Period Begin	02/10/78	43	FR	5852
NPRM Comment Period End	04/04/78			
Partial Revised Notice	12/30/80	45	FR	85786
Hearing	06/04/81	46	FR	17229
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: EE-17-78.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD75

263. PROCEDURE AND
ADMINISTRATION REGULATIONS
UNDER THE TAX REFORM ACT OF
1984 RELATING TO DIVIDENDS FROM
ESOP'S

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(k); 26 USC 116(e); 26 USC 3405(d); 26 USC 3405(l)

CFR Citation: 26 CFR 4; 26 CFR 301

Abstract: The regulations would provide guidance relating to the deduction rules when a corporation pays a dividend with respect to stock held by a tax credit employee stock ownership plan or by an employee stock ownership plan.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Cmall Frate		

Small Entity: Not Applicable

Additional Information: EE-72-84.

Drafting attorney: Calder L. Robertson. Jr. (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AG65

264. INCOME TAX--DEDUCTION LIMITATIONS AND FUNDING RULES FOR VALUING CERTAIN AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(a)(1) Internal Revenue Code of 1954; 26 USC 404(a)(6) Internal Revenue Code of 1954; 26 USC 404(a)(7) Internal Revenue Code of 1954; 26 USC 404(a)(3)(A) Internal Revenue Code of 1954; 26 USC 404(g) Internal Revenue Code of 1954; 26 USC 412(c)(2)(A) Internal Revenue Code of 1954; 26 USC 413(b)(7) Internal Revenue Code of 1954; 26 USC 413(b)(7) Internal Revenue Code of 1954; 26 USC 413(c)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules for taking into account the fair market value of certain insurance products in the valuation of assets for pension plans. In addition, the regulations amend the regulations to reflect changes made by the Employee Retirement Income Security Act of 1974 to sections 404 and 413 of the Internal Revenue Code.

Timetable:

Action	Date	FR	Cite	
NPRM	00/00/00	Pie	- Louis Vision	

Small Entity: Not Applicable

Additional Information: EE-141-79.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD76

265. INCOME TAX-EMPLOYEE STOCK OWNERSHIP PLAN LOAN PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(a)(9) Internal Revenue Code of 1954; 26 USC 415(c)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the deduction limitations when employer contributions to an employee stock ownership plan are used to repay the principal and interest of an exempt loan that was made to the employee stock ownership plan.

Timetable:

Action	Date	FR Cite
NPRM -	00/00/00	7

Small Entity: Not Applicable

Additional Information: EE-152-81.

Drafting attorney: Calder L. Robertson, Jr. (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD77

266. INCOME TAX--DEDUCTIBILITY OF PAYMENTS OF DEFERRED COMPENSATION TO INDEPENDENT CONTRACTORS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(d) Internal Revenue Code of 1954; 26 USC 404(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules for taking a deduction under section 404(d) of the Internal Revenue Code for deferred compensation paid to independent contractors. A deduction is permitted only when there is a corresponding income inclusion by the plan participant. In addition, the regulations provide guidance with regard to the amendment of section 404(b) of the Internal Revenue Code by section 133 of the Revenue Act of 1978, which clarified that a method of compensation or contributions having the effect of a plan deferring the receipt of compensation does not have to be similar to a stock bonus, pension, profit-sharing, or annuity plan to be

subject to 404(a) of the Internal
Revenue Code. The regulations describe
methods of compensation or
contributions subject to the section
404(a) rules. The regulations also reflect
the amendment of section 404(b) of the
Internal Revenue Code by the Tax
Reform Act of 1984. That amendment
provides that certain deferred benefits
shall be treated as deferred
compensation for purposes of section
404(a).

Timetable:

Action Date FR Cite
NPRM 12/00/85

Small Entity: Not Applicable

Additional Information: EE-44-79.

Drafting attorney: John C. Khil (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of revised preliminary draft of notice.

Agency Contact: John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C 20224, 202 566-6212

RIN: 1545-AD78

267. INCOME TAX-DEDUCTION OF EMPLOYER LIABILITY PAYMENTS, NOTICE OF REORGANIZATION AND FUNDING REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(g) Internal Revenue Code of 1954; 26 USC 418A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will provide guidance to employers on when they may deduct employer liability payments paid under section 4062, 4063, or 4064, or part 1 of subtitle E of title IV of the Employee Retirement Income Security Act of 1974.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 12/00/85

Small Entity: Not Applicable

Additional Information: EE-130-80.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD80

268. INCOME TAX-DEDUCTION FOR CERTAIN FOREIGN DEFERRED COMPENSATION PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the limitations on deductions and adjustments to earnings and profits (or accumulated profits) with respect to certain foreign deferred compensation plans.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 05/00/85

Small Entity: Not Applicable

Additional Information: EE-14-81.

Drafting attorney: Calder L. Robertson, Jr. (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD81

269. ANNUAL INFORMATION REPORTS BY TRUSTEES AND ISSUERS OF INDIVIDUAL RETIREMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; PL 98-369, Sec 147

CFR Citation: 26 CFR 1

Abstract: On June 28, 1983, the Internal Revenue Service issued news release IR-83-88 requiring new information reporting by trustees of individual retirement accounts and issuers of individual retirement annuities (including accounts and annuities that are simplified employee pensions). Form 5498, Individual Retirement Arrangement Information, was prescribed in the news release as the information return to be used for this purpose. This regulation project will amend the regulations under section 408 to conform them to the reporting requirements announced in the news release. In addition, section 147 of the Tax Reform Act of 1984 amended section 408 (i) of the Code to require that contributions be identified as to the taxable year to which they apply. This amendment will be included in this regulation period.

Timetable:

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Action	Date	FR Cite
NPRM	11/16/84	49 FR 45450
NPRM Comment Period Begin	11/16/84	49 FR 45450
NPRM Comment Period End	01/15/85	
Final Action	05/00/85	

Small Entity: Not Applicable

Additional Information: EE-65-83.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AF83

270. INCOME TAX-REQUIREMENTS FOR TAX CREDIT EMPLOYEE STOCK OWNERSHIP PLANS, EMPLOYEE PLAN CREDIT, AND DEFINED CONTRIBUTION PLAN VOTING RIGHTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954; 26 USC 6699 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules for electing the employee plan credit under section 48 of the Internal Revenue Code, establishing a tax credit employee stock ownership plan under section 409 of the Internal Revenue Code and providing voting rights to participants of certain defined contribution plans under section 401(a)(22) of the Internal Revenue Code. Further, the regulations provide guidance for determining the applicability of and calculating the assessable penalties relating to tax credit employee stock ownership plans under section 6699 of the Internal Revenue Code. The regulations reorganize and modify the current regulations which are based on section 301(d), (e), and (f) of the Tax Reduction Act of 1975, and provide a single set of rules that would apply to tax credit employee stock ownership plans established under the provisions of the Tax Reduction Act of 1975 and the 1978 Revenue Act.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: Not Applicable

Additional Information: EE-49-80.

Drafting attorney: John C. Khil (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Revised preliminary draft notice to Office of Tax Legislative Counsel (Treasury), 08/31/83.

Agency Contact: John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD82

271. • RETIREMENT EQUITY ACT CHANGES TO PARTICIPATION, VESTING, ETC. RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; PL 98-297, Sec 301 Retirement Equity Act of 1984

CFR Citation: 26 CFR 1.410(a)-3; 26 CFR 1.410(a)-7; 26 CFR 1.411(a)-5; 26 CFR 1.411(b)-1

Abstract: These regulations provide rules relating to amendments to section 401(a)(25), 402(f), 410, 411, 6057(e), and 6652(j) of the Code, enacted by the Retirement Equity Act of 1984. The regulations will apply changes in the participation and vesting rules to plans that use the elapsed time method of service counting, and to class-year plans. In addition, the rules provide a sample notice that may be used to satisfy section 402(f). Rules governing reductions in accrued benefits will also be provided.

Timetable:

Action	Date	FR	Cite	
VPRM -	00/00/00	NT PO	CEPS.	

Small Entity: Not Applicable

Additional Information: EE-95-84.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry J. Conaway (202) 566-4902.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AH03

272. • RESTRICTIONS ON CASH-OUTS UNDER THE RETIREMENT EQUITY ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.411(a) (11)-1T; 26 CFR 1.417(e)-1T

Abstract: The regulations will provide rules governing cash-outs of accrued benefits in excess of \$3,500.

Timetable:

imietable.		
Action	Date	FR Cite
NPRM	05/00/85	100000

Small Entity: Not Applicable

Additional Information: EE-3-85

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Harry J. Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AH01

273. TEMPORARY REGULATIONS ON RESTRICTIONS ON CASH-OUTS UNDER THE RETIREMENT EQUITY ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.411(a) (11)-1T; 26 CFR 1.417(e)-1T

Abstract: The regulations will provide rules governing cash-outs of accrued benefits in excess of \$3,500 under sections 411(a) (11) and 417 of the Code, as amended by sections 203 and 205 of the Retirement Equity Act of 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/85	STATE

Small Entity: Not Applicable

Additional Information: EE-2-85.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Harry J. Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AH02

274. INCOME TAX-COORDINATION OF VESTING AND NONDISCRIMINATION REQUIREMENTS FOR QUALIFIED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 411(d)(1) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project was developed to prescribe rules for determining if the vesting schedule of a qualified plan discriminates in favor of employees who are officers, shareholders, or highly compensated.

Current and Projected Rulemakings

Timetable:				
Action	Date	FR	Cite	
NPRM	04/09/80	45 FR	24201	
Partial Revised Notice	06/12/80	45 FR	39869	
Hearing	07/10/80	45 FR	29308	
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: EE-164-78.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD83

275. RULES CLARIFYING THE INCOME TAX REGULATIONS, PART 1, WITH RESPECT TO SERVICE COMPUTATION UNDER PENSION, ETC. PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 410 Internal Revenue Code of 1954; 26 USC 411 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project was undertaken in order to clarify permissible methods of crediting service by qualified plans for purposes of vesting and participation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	a Comment
Small Entit	y: Not Applicable	

Additional Information: EE-65-82.

Drafting attorney: Nancy J. Marks (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty. Agency Contact: Nancy J. Marks, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE39

276. INCOME TAX-EXCISE TAX REGULATIONS-FUNDING FOR QUALIFIED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 412 Internal Revenue Code of 1954; 26 USC 413(b) Internal Revenue Code of 1954; PL 93-406, Sec 1013

CFR Citation: 26 CFR 1; 26 CFR 54

Abstract: The regulations would provide guidance relating to the minimum funding requirements for employee pension benefit plans, and to excise taxes for failure to meet the minimum funding standards.

Timetable:

Action	Date		FR	Cite
NPRM	12/01/82	47	FR	54093
NPRM Comment Period Begin	12/01/82	47	FR	54093
NPRM Comment Period End	01/31/83			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: EE-99-78.

Reviewing attorney: George B. Baker (202) 566-3422.

Reviewing Attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: George B. Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AD84

277. INCOME TAX-PENSION EXCISE TAXES-MISCELLANEOUS FUNDING PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 412(b) Internal Revenue Code of 1954; 26 USC 412(j) Internal Revenue Code of 1954; 26 USC 412(k) Internal Revenue Code of 1954; 26 USC 4971(d) Internal Revenue Code of 1954; 26 USC 414(l) Internal Revenue Code of 1954; 26 USC 412(a) Internal Revenue Code of 1954; 26 USC 413(b)(6) Internal Revenue Code of 1954; 26 USC 413(b)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 54

Abstract: The regulations would provide guidance relating to the minimum funding requirements for multiemployer pension plans.

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	HARLING THE PARTY OF THE PARTY

Small Entity: Not Applicable

Additional Information: EE-129-80.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: George B. Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AD85

278. INCOME TAX-TERM, ETC. FUNDING FOR ANCILLARY BENEFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 412(c)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the cost range within which an ancillary cost must fall in order to utilize 1-year term funding.

Timetable:

Action	Date	FR CH
NPRM	00/00/00	TO A ST
Small Entity	: Not Applicable	

Additional Information: EE-151-80.

Drafting attorney: Calder L. Robertson, Jr. (202) 566-3544.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD86

279. INCOME TAX-DEFINITIONS & SPECIAL RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(b) Internal Revenue Code of 1954; 26 USC 414(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations relate to the definition of controlled groups of corporations and businesses under common control for purposes of certain provisions of the Employee Retirement Income Security Act of 1974 and pension related provisions of the Internal Revenue Code.

Timetable:

Action	Date		FR	Cite
NPRM	11/05/75	40	FR	51467
NPRM Comment Period Begin	11/05/75	40	FR	51467
NPRM Comment Period End	01/04/76			
Final Action	12/31/85			

Small Entity: Not Applicable

Additional Information: LR-209-74.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Conaway.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AB35

280. INCOME TAX-DEFINITIONS AND SPECIAL RULES; SERVICE FOR PREDECESSOR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Regulation will provide guidance to employers maintaining plans on when service with a predecessor employer must or may be treated as service under their plan.

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Action	Date	FR Cite
NPRM	12/00/85	5-01.04 0.00

Small Entity: Not Applicable

Additional Information: EE-22-78.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD87

281. INCOME TAX-CHURCH PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(e) Internal Revenue Code of 1954; PL 96-364, Sec 407

CFR Citation: 26 CFR 1

Abstract: This regulation project relates to the determination of whether a retirement plan is a church plan. Changes to the applicable tax law were made by the Multiemployer Pension Plan Amendments Act of 1980. The regulations would provide persons responsible for the administration of retirement plans with the guidance needed to determine whether their plan is entitled to the special benefits afforded church plans.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	The state of the s

Small Entity: Not Applicable

Additional Information: EE-123-80.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD88

282. INCOME TAX-DEFINITION OF MULTIEMPLOYER PLAN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the definition of a "multiemployer plan" which was changed by Public Law 96-364.

Timetable:

Action	3	Date	FR	Cite
NPRM	V 0.0	00/00/00	A PARTY	

Small Entity: Not Applicable

Additional Information: EE-131-80.

Drafting attorney: Calder L. Robertson, Jr. (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney:

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD89

283. INCOME TAX-EMPLOYEES OF AN AFFILIATED SERVICE GROUP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(m) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules with regard to the aggregation of employees of certain organizations for purposes of certain pension requirements.

Timetable

Innetable.				
Action	Date	Rilly	FR	Cite
NPRM	02/28/83	48	FR	8293
NPRM Comment Period Begin	02/28/83			
NPRM Comment Period End	04/29/83			
Final Action	05/00/85			

Current and Projected Rulemakings

Small Entity: Not Applicable

Additional Information: EE-3-81.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD90

284. INCOME TAX REGULATIONS— AFFILIATED SERVICE GROUPS AND EMPLOYEE LEASING

Legal Authority: 26 USC 7805; 26 USC 414(n)

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules regarding the treatment of certain leased employees. In addition, the regulations will provide guidance regarding the aggregation of certain management companies as affiliated service groups.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: EE-111-82.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Conaway.

In Employee Plans and Exempt Organizations Division for preparation of Notice.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE91

285. LIMITATIONS ON BENEFITS AND CONTRIBUTIONS UNDER QUALIFIED PLANS

Legal Authority: 26 USC 7805; 26 USC 415; 26 USC 404(a)(3)(B); 26 USC 404(j)

CFR Citation: 26 CFR 1

Abstract: The regulations deal with the amendments to Internal Revenue Code section 415, which lower the limitations on benefits and contributions under qualified plans and the amendments to Internal Revenue Code section 404 which deal with the corresponding deduction for employer payments made to a qualified plan. The regulation also provides special rules for contributions made on behalf of disabled participants and special rules for church plans.

Timetable:

Timetable:	THE STATE OF	
Action	Date	FR Cite
NPRM	00/00/00	A PROPERTY OF THE PARTY OF THE
Small Entity	: Not Applicable	

Additional Information: EE-107-82.

Drafting attorney: Monice Rosenbaum (202) 566-3422.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE75

286. ● JOINT AND SURVIVOR ANNUITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 417 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules on how plans which intend to qualify under section 401 can comply with the qualified joint and survivor annuity rules added to the Code by the Retirement Equity Act of 1984. The regulations will deal with which plans must provide survivor annuities, in what forms the survivor annuities may be paid, the notice and election procedures for survivor annuities and restrictions on a plan's ability to cash out a participant and spouse.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Small Entity	y: Not Applicable	

Additional Information: EE-94-84.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Treasury attorney: Harry J. Conaway (202) 566-4902.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AG72

287. INCOME TAX-REORGANIZATION STATUS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for the determination of whether a multiemployer pension plan is in reorganization as described in section 418 of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	Maria de la

Small Entity: Not Applicable

Additional Information: EE-124-80.

Drafting attorney: Paul G. Accettura (202) 566-3544.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Paul G. Accettura, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD91

288. INCOME TAX-MINIMUM CONTRIBUTION REQUIREMENT, IN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418B Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation project will focus on a special rule to compute the minimum contribution that employers

Current and Projected Rulemakings

must make to a multiemployer plan when the plan is in reorganization in order for the special funding requirements for multiemployer plans in reorganization to be met.

Timetable:

Action Date FR Cite
NPRM 12/00/85

Small Entity: Not Applicable

Additional Information: EE-125-80.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hevener, Levinson.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD92

289. INCOME TAX-OVERBURDEN CREDIT AGAINST MINIMUM CONTRIBUTION REQUIREMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418C Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide that a multiemployer plan that is in reorganization and is overburdened with retirees is eligible for a special overburden credit which will reduce the otherwise required minimum contribution requirement.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Y DAY I

Small Entity: Not Applicable

Additional Information: EE-127-80.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel Treasury) reviewing attorney: Conaway. Agency Contact: Harry Beker, Attorney, Department of the Treasury,

Internal Revenue Service, 1111
Constitution Ave., N.W., Washington,
D.C. 20224, 202 566-6212

RIN: 1545-AD94

290. INCOME TAX-ADJUSTMENTS IN ACCRUED BENEFITS; INSOLVENT PLANS; RELATED VESTING PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418D Internal Revenue Code of 1954; 26 USC 418E Internal Revenue Code of 1954; 26 USC 411(a)(3) Internal Revenue Code of 1954; 26 USC 411(a)(4) Internal Revenue Code of 1954; 26 USC 411(d)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules under 26 USC 418D and 418E concerning adjustment of accrued benefits by a multiemployer plan in reorganization and suspension of benefit payments by an insolvent multiemployer plan. Conforming changes will be made to regulations under section 411 concerning permitted forfeitures and concerning the computation of the period of service in determining an employee's nonforfeitable percentage.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Small Entity	: Not Applicable	
Additional L	- f Al TITI	400 00

Additional Information: EE-128-80.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Agency Contact: George B. Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AD95

291. TREATMENT OF FUNDED WELFARE BENEFIT PLANS

Legal Authority: 26 USC 419 Internal Revenue Code of 1954; 26 USC 419A Internal Revenue Code of 1954; 26 USC 1239(d) Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance concerning the treatment of

contributions made by an employer to a welfare benefit plan.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: EE-66-84.

Drafting attorneys: John T. Ricotta/John C. Khil (202) 566-3544 or 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta/John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, 202 566-3544

RIN: 1545-AG14

292. INCOME TAX--CREATION & TREATMENT OF INCENTIVE STOCK OPTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 422A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance for taxpayers who either grant or receive incentive stock options. The grant of an incentive stock option to an employee by, generally, the employer, will not be a taxable event. At the time such an option is exercised by the employee, no amount of the spread will be included in the employee's gross income. When the stock acquired subject in the option is sold, the entire gain will be treated as capital gain and not ordinary income.

Timetable:

Action	Date	FR Cite
NPRM	02/07/84	49 FR 4504
NPRM Comment Period Begin	02/07/84	49 FR 4504
NPRM Comment Period End	04/09/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-279-81.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Treasury attorney: Fairlea Sheehy (202) 566-2565.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB36

293. INCOME TAX--REQUESTS FOR CHANGE OF METHOD OF ACCOUNTING FROM AN ERRONEOUS METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 446(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

method of accounting.

Abstract: The regulations would clarify the procedures for changing from an erroneous method of accounting to a proper method of accounting. Generally, taxpayers must obtain the Commissioner's consent to change their

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	2 Strate

Small Entity: Not Applicable

Additional Information: LR-188-79.

Drafting attorney: (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB37

294. INCOME TAX-CLARIFICATION OF RELATIONSHIP BETWEEN SECTIONS 446(E) AND 481

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 446(e) Internal Revenue Code of 1954; 26 USC 481 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify that in order to secure the Commissioner's permission to adopt a new accounting method the taxpayer must take any adjustment required by section 481 into income over the period prescribed by the Commissioner.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Small Entity:	Not Applicable	

Additional Information: LR-47-80.

Drofting attorney: Joseph Rosenths

Drafting attorney: Joseph Rosenthal (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Joseph Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB38

295. INCOME TAX--METHOD OF ACCOUNTING FOR CORPORATIONS ENGAGED IN FARMING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 447 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules and definitions needed to determine which corporations and partnerships with a corporate partner are subject to the requirement that income from farming be reported on the accrual method of accounting with the capitalization of preproductive expenses.

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	
Small E	ntity: Not Applicable	

Additional Information: LR-143-76.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3238.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: assigned.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB39

296. INCOME TAX-TO CLARIFY TREATMENT OF CERTAIN COSTS INCURRED WITH RESPECT TO LONG TERM CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 451 Internal Revenue Code of 1954; Tax Equity and Fiscal Responsibility Act of 1982, Section 229

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify when contracts are completed and when contracts are to be severed or aggregated. The regulations would also provide rules for determining the costs properly allocable to extended period long-term contracts.

Timetable:

Action	Date	FR Cite
NPRM	03/14/83	48 FR 1070
NPRM Comment Period Begin	03/14/83	48 FR 1070
NPRM Comment Period End	05/13/83	
Hearing	06/29/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-274-81.

Drafting attorney: Paulette Chernyshev (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton; Elfman.

Agency Contact: Paulette Chernyshev. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N. W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AB40

297. INCOME TAX-GENERAL RULES RELATING TO INSTALLMENT SALES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Treasury decision will provide general rules and rules for reporting contingent installment obligations.

Timetable:

Action	Date		FR	Cite
NPRM	02/04/81	46	FR	10749
NPRM Comment Period Begin	02/04/81	46	FR	10749

Current and Projected Rulemakings

Action	Date	FR Cite
NPRM Comment Period End	04/06/81	
Hearing	10/01/81	46 FR 40774
Final Action	00/00/00	

Small Entity: Yes

Additional Information: LR-173-80.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB42

298. INCOME TAX REGULATIONS-PART I. INSTALLMENT SALES BY NONTAXABLE ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will provide rules relating to installment sales by nontaxable entities and the election provision by foreign personal holding companies.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Additional Information: LR-143-83.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Suzanne McDowell [202] 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF73

299. INCOME TAX REGULATIONS--PART 1-SPECIAL RULES RELATING TO INSTALLMENT OBLIGATIONS THAT ARE READILY TRADABLE OR PAYABLE ON DEMAND

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to installment obligations that are readily tradable or payable on demand.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	- Mary Contra

Small Entity: Undetermined

Additional Information: LR-54-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Suzanne-McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG37

300. INCOME TAX-INSTALLMENT OBLIGATIONS RECEIVED FROM A LIQUIDATING CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for reporting gain in respect of installment obligations received as liquidating distributions from corporations under a plan of complete liquidation.

Timetable:

Action	Date	FR Cite
NPRM	01/13/84	49 FR 1742
NPRM Comment Period Begin	01/13/84	49 FR 1742
NPRM Comment Period End	03/16/84	
Final Action	09/00/85	

Small Entity: Not Applicable

Additional Information: LR-184-80.

Drafting attorney: Linda Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB43

301. INCOME TAX-INSTALLMENT OBLIGATIONS RECEIVED IN TRANSACTIONS IN WHICH GAIN OR LOSS IS GENERALLY NOT RECOGNIZED

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for reporting installment obligations that are received as boot in certain exchanges in which gain is not generally recognized.

Timetable:

Action	Date	FR	Cite
NPRM	05/03/84	49 FR	18866
Final Action	00/00/00		

Small Entity: Not Applicable

Additional Information: LR-186-80.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB44

302. INCOME TAX-INSTALLMENT SALES BETWEEN RELATED PARTIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Current and Projected Rulemakings

Abstract: Proposal would provide rules for reporting installment sales between related parties.

Timetable:

Action Date FR Cite

NPRM 09/00/85

Small Entity: Not Applicable

Additional Information: LR-2-81.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB45

303. INCOME TAX-INSTALLMENT METHOD REPORTING BY DEALERS IN PERSONAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for installment method reporting by dealers in personal property.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: Not Applicable

Additional Information: LR-146-81.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB47

304. INCOME TAX - GAIN OR LOSS ON THE DISPOSITION OF AN INSTALLMENT OBLIGATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453B Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for reporting gain or loss upon the disposition of an installment obligation.

Timetable:

Action Date FR Cite
NPRM 09/00/85

Small Entity: Not Applicable

Additional Information: LR-103-81.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB41

305. INCOME TAX--INSTALLMENT SALES REVISION ACT OF 1980, REGULATIONS RELATING TO WRAP-AROUND MORTGAGES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide regulations for reporting sales of property under a wrap-around mortgage arrangement.

Timetable:

Action Date FR Cite
NPRM 00/00/00

Small Entity: Not Applicable

Additional Information: LR-147-82.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB46

306. INCOME TAX REGULATIONS— PART 1. INSTALLMENT SALE BY DEALERS IN PERSONAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will provide rules relating to sales by dealers of personal property on the installment plan.

Timetable:

Action Date FR Cite

Small Entity: No

Additional Information: LR-141-83.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening. Attorney. Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF71

307. INCOME TAX-EXCLUSION FROM GROSS INCOME WITH RESPECT TO MAGAZINES, PAPERBACKS, AND RECORD RETURNS AFTER CLOSE OF TAXABLE YEAR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 458 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules on the exclusion from gross income of income attributable to the sale of magazines, paperbacks, or records that are returned.

Timetable:

Action	Date		FR	Cite
NPRM	08/31/84	49	FR	34520
Final Action	08/31/85			

Small Entity: Not Applicable

Additional Information: LR-195-78.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB48

308. INCOME TAX--TREATMENT OF PREPAID INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 461 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to cash basis taxpayers regarding the deductibility of interest allocable to periods beyond the close of the taxable year.

Timetable:

Action	Date	FR	Cite •
NPRM	00/00/00		

Small Entity: Not Applicable

Additional Information: LR-190-76.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB49

309. TEMPORARY INCOME TAX REGULATIONS--EFFECTIVE DATES RELATING TO THE ECONOMIC PERFORMANCE REQUIREMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 461(h) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance relating to the general effective date of section 461 (h), the effect of electing alternative effective dates, the manner of making the elections, the scope of the elections and the section 481 (a) adjustment required by the elections.

Timetable:

Action	Date	FR Cite
Interim Final	03/15/85	

Small Entity: Not Applicable

Additional Information: LR-170-84.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Mark Perlis (202) 566-8278.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH28

310. ● INCOME TAX REGULATIONS— THE ECONOMIC PERFORMANCE REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 461(h) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance relating to when economic performance occurs with respect to a liability and how the recurring item exception applies.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	San Parket

Small Entity: Not Applicable

Additional Information: LR-258-84.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH32

311. ● TEMPORARY INCOME TAX REGULATIONS--THE ECONOMIC PERFORMANCE REQUIREMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 461 (h) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance relating to when economic performance occurs with respect to a liability and how the recurring item exception applies.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/85	S THE OWNER OF

Small Entity: Not Applicable

Additional Information: LR-257-84.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH33

312. TEMPORARY INCOME TAX REGULATIONS-TAXABLE YEAR OF DEDUCTION FOR AMOUNTS PAID BY CASH METHOD TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 461(i) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the taxable year of deduction for amounts paid by cash method tax shelters. The regulations will provide guidance with respect to the definition of a tax shelter, the time when economic performance occurs and the calculation of cash basis.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/85	Page 1

Small Entity: Not Applicable

Additional Information: LR-161-84.

Drafting attorneys: C. Scott McLeod/Sharon L. Hall (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH31

313. ● INCOME TAX REGULATIONS--TAXABLE YEAR OF DEDUCTION FOR AMOUNTS PAID BY CASH METHOD TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 461 (i) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the taxable year of deduction for amounts paid by cash method tax shelters. The regulations will provide guidance with respect to the definition of a tax shelter, the time when economic performance occurs and the calculation of cash basis.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-259-84.

Drafting attorneys: C. Scott McLeod/Sharon L. Hall (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH35

314. INCOME TAX--ACCRUAL OF VACATION PAY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 463 Internal Revenue Code of 1954; 26 USC 81 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules which require a taxpayer to include in its gross income for the taxable year the amount of the increase, if any, in the suspense account created under section 463. The regulation will also provide rules under section 463 which allow a taxpayer who computes income on the accrual method of accounting to deduct its accrued liabilities for vacation pay in the year the vacation pay is earned by the employee so long as such pay is payable or expected to be paid during the tax year or twelve month period following the close of the year.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-6-75.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Mark Perlis.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB50

315. ● INCOME TAXES--ELECTION FOR ACCRUED VACATION PAY UNDER TRANSITIONAL RULE PROVIDED IN SECTION 91(I) OF THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 463

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules relating to the election for accrued vacation pay under the transitional rule provided in section 91 (i) of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/01/85	

Small Entity: Not Applicable

Additional Information: LR-255-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3828.

Treasury attorney: Mark Perlis (202) 566-8278.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AH16

316. INCOME TAX--LIMITATION ON DEDUCTIONS IN CASE OF FARMING SYNDICATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 464 Internal Revenue Code of 1954; 26 USC 278(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that enterprises which qualify as farming syndicates must deduct expenses for feed, seed fertilizer, etcetera, only when used or consumed and to capitalize certain cost of poultry. Furthermore, farming syndicates are to capitalize certain expenses of groves, orchards and vineyard to the extent such expenses are incurred before the grove, orchard or vineyard becomes productive.

Timetable:

Action	Date	FR Cite
ACTION	Date	PR CITE
NPRM	11/15/83	48 FR 519
NPRM Comment Period Begin	11/15/83	48 FR 519
NPRM Comment Period End	01/16/84	
Hearing	03/08/84	
Final Action	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-144-76.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia C. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thuronyi.

Agency Contact: Howard A. Balikov. Attorney, Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington. D.C. 20224, 202 566-3288

RIN: 1545-AB51

317. INCOME TAX--DETERMINATION OF AMOUNTS AT RISK WITH RESPECT TO CERTAIN ACTIVITIES

Legal Authority: 26 USC 7805 Intend Revenue Code of 1954; 26 USC 465 Intend Revenue Code of 1954; Section 204 Tal Reform Act of 1976

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers for purposes of determining the amount the taxpayer is at risk in certain activities. This guidance is necessary because a taxpayer's deductions are limited to the amount the taxpayer is at risk in the activity. This at risk limit applies to most activities except the holding of real property and certain equipment leasing by closely-held corporations.

Timetable:

Action	Date		FR	Cite
NPRM	06/05/79	44	FR	32235
NPRM Comment Period Begin	06/05/79	44	FR	32235
NPRM Comment Period End	08/06/79			
Hearing	09/27/79	44	FR	49701
Final Action	12/15/85			

Small Entity: Not Applicable

Additional Information: LR-168-76.

Drafting attorneys: Alice Bennett and Ewan Purkiss (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Alice Bennett or Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB52

318. EXTENSION OF THE AT-RISK RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 465 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers with respect to the extension of the at-risk rules to all activities other than the holding of real property. The regulations would also provide guidance with respect to the exception to the at-risk rules for closely-held corporations actively engaged in equipment leasing, and the recapture provision.

Timetable:

Action	Date	FR	Cite
NPRM	12/15/85		

Small Entity: Not Applicable

Additional Information: LR-192-78.

Drafting attorneys: Alice Bennett and Ewan Purkiss (202) 566-3238.

Reviewing attorney: John H. Parcell [202] 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Alice Bennett or Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF86

319. INCOME TAX-QUALIFIED DISCOUNT COUPONS RETURNED AFTER CLOSE OF TAXABLE YEAR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 466 Internal Revenue Code of 1954; Section 373(c), Revenue Act of 1978

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers relating to the election to deduct redemption costs of qualified discount coupons returned after the close of the taxable year.

Timetable:

Action	Date	FR Cite
NPRM	08/03/84	49 FR 31080
NPRM Comment Period Begin	08/03/84	49 FR 31080
NPRM Comment Period End	10/02/84	
Final Action	06/15/85	

Small Entity: Not Applicable

Additional Information: LR-217-78.

Drafting attorney: Alice Bennett (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hutton.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB53

320. ● INCOME TAX REGULATIONS-DEFERRED PAYMENTS FOR USE OF PROPERTY OR SERVICES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 467 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the accrued of rent for the use of tangible property (and interest on rent that accrued but is not paid) under a section 467 rental agreement. A section 467 rental agreement will be deferred. Certain tax avoidance transactions will be deferred. Rules will be provided for the recapture of prior understated inclusions. Comparable rules for services will be provided.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-293-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Jeffrey Quinn (202) 566-2175.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG80

321. TEMPORARY INCOME TAX REGULATIONS-DEFERRED PAYMENTS FOR USE OF PROPERTY OR SERVICES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 467 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: The regulations will provide rules to the accrual of rents for the use of tangible property (and interest on rent that accrues but is not paid) under a section 467 rental agreement. A section 467 rental agreement will be deferred. Certain tax avoidance transactions will be deferred. Rules will be provided for the recapture of prior understated inclusions. Comparable rules for services will be provided.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-292-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Jeffrey Quinn (202) 566-2175.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG81

322. • TEMPORARY INCOME TAX REGULATION--SPECIAL RULES RELATING TO NUCLEAR DECOMMISSIONING COSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 468A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the treatment of nuclear power plant decommissioning costs. The regulations will provide guidance with respect to the manner of making the election, the determination of the amount to be deducted and the qualification requirements for the nuclear decommissioning fund.

Timetable:

Action	Date	FR	Cite
NPRM	05/00/85		

Small Entity: Not Applicable

Additional Information: LR-228-84.

Drafting attorney: C. Scott McLeod (202)

566-3288. Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH08

323. INCOME TAX-INVENTORIES AT COST OR MARKET, WHICHEVER IS LOWER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 471 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would revise and clarify the computation of ending inventory at cost or market whichever is lower.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	PARE

Small Entity: Not Applicable

Additional Information: LR-2158.

Drafting attorney: Joseph Rosenthal (202) 566-3289.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Joseph Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB54

324. INCOME TAX-THREE-YEAR AVERAGING FOR INCREASES IN INVENTORY VALUE WHEN ELECTING LIFO METHOD OF ACCOUNTING; VALUE WHEN ELECTING LIFO METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 472(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide for three-year averaging for increases in inventory value when electing the LIFO method of accounting.

Timetable:

Action	Date		FR	Cite	
NPRM Final Action	02/10/83	48	FR	6134	
Final Action	00/00/00				

Small Entity: Not Applicable

Additional Information: LR-254-81.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB55

325. INVENTORY COMPUTED BY USE OF CONSUMER OR PRODUCER PRICE INDEXES

Legal Authority: 26 USC 472 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide examples and further clarification of the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	to have

Small Entity: No

Additional Information: LR-57-83.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Philip R. Bosco (202) 566-3238.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF65

326. INCOME TAX-QUALIFIED LIQUIDATIONS OF LIFO INVENTORIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 473 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide interpretative and procedural rules relating to qualified liquidations of certain inventories accounted for under the LIFO method.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00	Wine.	

Small Entity: Not Applicable

Additional Information: LR-82-80.

Drafting attorney: Sharon Hall (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel [Treasury] reviewing attorney: Elfman.

Agency Contact: Sharon Hall, Attorney, Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AB56

327. USE OF ONE INVENTORY POOL BY SMALL BUSINESS ELECTING LIFO METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 474 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project provides regulations pertaining to an election by a small business, which employs the dollar value LIFO method of pricing inventories, to use a single inventory pool. The regulations define "small business," thereby giving the rules of eligibility under this provision. Further, the regulations set forth the procedures of making a proper election and give transitional rules to govern pricing in the year of election.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-185-83.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, ATTN: CC:LR:T. 202 566-3238

RIN: 1545-AF92

328. INCOME TAX--ALLOCATION OF INCOME & DEDUCTIONS AMONG TAXPAYERS TO REVISE PERCENTAGE APPLIED IN DETERMINING RENTAL CHARGE FOR USE OF TANGIBLE PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 482 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would amend the current Income Tax Regulations under Internal Revenue Code section 482, relating to allocations made by the Internal Revenue Service between persons that are owned or controlled by the same interests. The amendments would adjust the deemed arm's length rental charge for the use of tangible property to reflect current market rates.

Timetable:	CINCOLS I	
Action	Date	FR Cite
NPRM	06/00/85	HARTES

Small Entity: Not Applicable

Additional Information: LR-307-76.

Drafting attorney: Robert E. Culbertson jr. (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Reinhold.

Office of International Tax Counsel (Treasury) reviewing attorneys: Sarosdy; Lainoff.

Agency Contact: Robert E. Culbertson Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB57

329. INCOME TAX-MAXIMUM RATE OF IMPUTED INTEREST FOR SALE OF LAND BETWEEN RELATED PERSONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 483(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance for determining if sales of land between related persons qualify for a lower imputed rate of interest. More specifically, the regulations would provide for a definition of land and for rules to compute the maximum dollar limitation on which the lower imputed rate of interest is to apply.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-246-81.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB58

330. INCOME TAX-SEMIANNUAL COMPOUNDING OF THE TEST RATE UNDER SECTION 483

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 483 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide for the semiannual compounding of the test rate of interest used to determine if a deferred payments contract contains unstated interest. Thus, in the case of a contract for the sale of property that provides for no interest or an unreasonably low rate of interest that does not satisfy the test rate of interest compounded semiannually, interest will be imputed under the contract.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	AND SAND

Small Entity: Not Applicable

Additional Information: LR-12-83.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF59

331. INCOME TAX-CHILD CARE ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Nonprofit organizations which provide care for children are deemed to be tax-exempt if substantially all of the child care provided by the organization is for the purpose of enabling individuals (the parents) to be gainfully employed and the services are available to the general public.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-75-84.

Drafting attorney: Ronald Weinstock (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Agency Contact: Ronald Weinstock, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AG64

332. INCOME TAX-RULES
CLARIFYING THE REGULATIONS
WITH RESPECT TO THE
COMPUTATION OF "GROSS INCOME"
OF AN ELECTRIC COOPERATIVE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(c)(12) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that electric cooperatives would take into account costs of goods sold when determining income under the 85 percent member-income test. In addition, the regulations would solicit comments from the public regarding how to compute costs of goods sold.

Timetable:

Action	Date	FR Cite
NPRM	01/10/84	49 FR 1244
NPRM Comment Period Begin	01/10/84	49 FR 1244
NPRM Comment Period End	03/12/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-17-81.

Drafting attorney: Roberto E. Rivera (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Jewett; McCarty.

Agency Contact: Roberto E. Rivera, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD99

333. INCOME TAX-AMENDMENT OF REGULATIONS TO REFLECT THE GRANT OF TAX EXEMPT STATUS TO CERTAIN HOSPITAL SERVICE ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide the rules for tax exemption for cooperative hospital service organizations. These organizations provide specified services to exempt hospitals on a centralized basis.

Timetable:

Action	Date		FR	Cite
NPRM	01/11/84	49	FR	1384
NPRM Comment Period Begin	01/11/84			
NPRM Comment Period End	03/12/84			
Hearing	05/31/84			
Final Action	12/31/85			

Small Entity: Not Applicable

Additional Information: EE-44-78.

Drafting attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing attorney: Harry Beker (202) 566-6212.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Notice of proposed rulemaking published 1/11/84.

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AE01

334. INCOME TAX-TAX TREATMENT OF CERTAIN SOCIAL CLUBS & PROHIBITION OF DISCRIMINATION BY CERTAIN SOCIAL CLUBS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(c)(7) Internal Revenue Code of 1954; 26 USC 501(i) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations describe the requirements that a club must meet to qualify for tax exemption, explain the social character required of an exempt club, and prescribe the circumstances in which nonmember support is taken into

account in determining whether substantially all of the club's activities are for its exempt purposes. Exemption is denied to clubs which by written policy discriminate on the basis of race, color, or religion.

Timetable:

Action	Date	FR	Cite
NPRM	01/00/86	M. C.	

Small Entity: Not Applicable

Additional Information: EE-43-78.

Drafting attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: McDowell.

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD98

335. NONDISCRIMINATION REQUIREMENTS UNDER SECTIONS 501 (C) (9) AND (20)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 505 (a) Internal Revenue Code of 1954; 26 USC 505 (b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to the nondiscrimination requirements for voluntary employees' beneficiary associations and group legal service plans.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	and the state of

Small Entity: Not Applicable

Additional Information: EE-68-84.

Drafting attorney: Calder L. Robertson, Jr., (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AG23

336. NOTIFICATION REQUIREMENT FOR SECTION 501(C) (9) AND (20) ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 505 (c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Section 505(c) requires that new VEBAs group legal service plans and plans providing for the payment of supplemental unemployment must timely file and advise the Service that it is applying for tax exempt status.

Timetable:

Action	Date	FR Cite
NPRM	08/31/85	
Small Entity	: Not Applicable	

Additional Information: EE-69-84.

Drafting attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing attorney: Harry Beker (202)

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AG44

337. INCOME TAX--SOCIAL CLUBS UNRELATED BUSINESS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 512(a)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for determining the unrelated business taxable income of certain organizations exempt from taxation under sections 501 (c) (7) and (c) (9) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR	Cite
NPRM	05/13/71	36 FR	8808
NPRM Comment Period Begin	05/13/71	36 FR	8808

Action	Date	FR Cite
NPRM Comment Period End	06/14/71	to distribute
Hearing	08/31/71	36 FR 13034
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-105-83.

Drafting attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing attorney: Michael A. Thrasher.

Office of Tax Legislative Counsel (Treasury) reviewing attorney:

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AB59

338. INCOME TAX-HOSPITAL SERVICES NOT TO CONSTITUTE AN UNRELATED TRADE OR BUSINESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 513(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules relating to the circumstances under which services provided by a tax-exempt hospital to other such hospitals will not be treated as an unrelated trade or business.

Timetable:

Innetable.			
Action	Date		FR Cite
NPRM -	12/13/82	47	FR 55696
NPRM Comment Period Begin	12/13/82	47	FR 55696
NPRM Comment Period End	02/08/83		
Final Action	12/00/85		

Small Entity: Not Applicable

Additional Information: EE-46-78.

Drafting attorney: Calder L. Robertson, Ir., (202) 566-3544.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney:

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AE05

339. INCOME TAX--UNRELATED TRADE OR BUSINESS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 512(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will address the issue of what constitutes real property acquired by a qualified trust. The guidance provided on this issue will determine the scope of the exception under 26 USC 514(c)(9) for such acquisitions from the term acquisition indebtedness. Under 26 USC 514, the existence of such indebtedness on income producing property gives rise to unrelated debt-financed taxable income. The regulation will also address the issue of the proper allocation method to determine fixed indirect expenses connected with the unrelated trade or business use of an exempt organization's property.

Timetable:

Action	Date	FR	Cite
NPRM	12/00/85		The se

Small Entity: Not Applicable

Additional Information: EE-27-81.

Drafting attorney: Calder L. Robertson, Jr. (202) 566-3544.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AE00

340. INCOME TAX-RATES OF TAX FOR PRINCIPAL CAMPAIGN COMMITTEES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 527 Internal Revenue Code of 1954; PL 97-34, Sec 128

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the manner of designation of a principal campaign committee by a member of Congress. A candidate for Congress may make such a designation in order to permit a campaign committee to compute its income tax by multiplying its political organization taxable income by the appropriate rates of tax specified in section 11 (b) of the Code.

Timetable:

Action	Date		FR	Cite
NPRM	04/20/83	48	FR	16911
NPRM Comment Period Begin	04/20/83	48	FR	16911
NPRM Comment Period End	06/20/83			
Final Action	09/30/85			

Small Entity: Not Applicable

Additional Information: LR-243-81.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Reinhold.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AB60

341. INCOME TAX-RELATIONSHIP BETWEEN SECTION 527 AND THE FEDERAL ELECTION CAMPAIGN ACT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 527 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance on the interaction of section 527 of the Internal Revenue Code of 1954 with the Federal Election Campaign Act.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	

Small Entity: Not Applicable

Additional Information: EE-6-81.

Drafting attorney: Paul G. Accettura (202) 566-3544.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Agency Contact: Paul G. Accettura, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AE06

342. INCOME TAX--LIMITATION ON ADDITIONS TO BANK LOSS RESERVES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 585 Internal Revenue Code of 1954; PL 97-34, Sec 273

CFR Citation: 26 CFR 1

Abstract: The regulations would impose a requirement of a minimum addition to bad debt reserves of mutual savings banks in order to conform the treatment of these institutions to financial institutions described in section 585.

Timetable:

Action	Date		FR	Cite
NPRM	12/19/83	48	FR	56083
NPRM Comment Period Begin	12/19/83	48	FR	56083
NPRM Comment Period End	02/17/84			
Final Action	06/00/85			

Small Entity: No

Additional Information: LR-152-79.

Drafting attorney: Ada S. Rousso (202) 566-3297.

Reviewing attorney: Susan Thompson Baker (202) 566-3294.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB66

343. TREATMENT OF FORECLOSED PROPERTY BY CERTAIN CREDITORS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 595 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulation would amend the existing regulations relating to the treatment of amounts realized and expended with respect to property securing loans which have been foreclosed on by certain banks.

Timetable:

imetable.		
Action	Date	FR Cite
NPRM	12/31/85	AND DESCRIPTION

Small Entity: Not Applicable

Additional Information: LR-83-82.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter. Jr., (202) 566-3294.

Office of Tax Legislative Counsel reviewing attorney: Andrew E. Furer (202) 566-2927.

Preliminary draft of notice of proposed rulemaking sent to Treasury- 5/19/83.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AF00

344. INCOME TAX--RESTORATION OF DEPLETION DEDUCTIONS ON BONUS AND ADVANCED ROYALTIES IN CERTAIN CASES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 612 Internal Revenue Code of 1954; 26 USC 613 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the restoration of depletion deductions on bonuses and advanced royalties and the deferment of the exclusion of advanced royalties from gross income from the property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	DIE THE
Small En	tity: Not Applicable	

Additional Information: LR-1148.

Drafting attorney: Walter H. Woo (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Walter H. Woo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB69

345. • INCOME TAX--SUPPLEMENTARY RULES ON LIMITATIONS ON PERCENTAGE DEPLETION FOR OIL & GAS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 613(A) Internal Revenue Code of 1954; 26 USC 703(a) Internal Revenue Code of 1954; 26 USC 705(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify the circumstances under which percentage depletion will be available in the case of oil and gas wells.

Timetable:

Action	Date	FR Cite
NPRM	05/13/77	
Hearing	08/31/78	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-105-75.

Drafting attorney: Walter H. Woo (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Walter H. Woo. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB73

346. INCOME TAX-TO CONFORM TO SEC 3 OF THE ACT OF 12/28/80

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 613A(c)(10) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance to taxpayers using the section 613A(c)(10) exception to the transfer rules under section 613A(c)(9). In general section 613A(c)(9) disellows percentage depletion to the transferee of proven oil or gas property. Section 613A(c)(10) relates to the transfer of qualified property by an individual to a qualified transferee corporation solely in exchange for stock.

Timetable:

Action	Date		FR	Cite	
NPRM	10/03/84	49	FR	39076	
NPRM Comment Period Begin	10/03/84	49	FR	39076	
NPRM Comment Period End	12/03/84				
Final Action	07/00/85				

Small Entity: Not Applicable

Additional Information: LR-35-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB74

347. INCOME TAX-DISALLOWANCE OF CERTAIN ITEMS AS DEDUCTIONS FOR ESTATE AND INCOME TAX PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 642(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide that section 2053 and 2054 deductions are not allowed in computing the taxable income of the estate or any other person or as an offset against sales of property unless a waiver is filed stating that on the estate tax return these deductions were not claimed.

Timetable:

Action	Date		FR	Cite	
NPRM	02/08/83	48	FR	5762	
NPRM Comment Period Begin	02/08/83	48	FR	5762	
NPRM Comment Period End	04/11/83				
Final Action	09/00/85				

Small Entity: Not Applicable

Additional Information: LR-183-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AB75

348. INCOME TAX--SPECIAL RULE FOR PROPERTY TRANSFERRED AT LESS THAN FAIR MARKET VALUE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 644 Internal Revenue Code of 1954; 26 USC 641(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will explain how to compute the tax imposed by section 644 on the includible gain recognized on the sale or exchange within two years after transfer to a trust of certain property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	The last of the

Small Entity: Not Applicable

Additional Information: LR-188-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel reviewing attorney: Garlock.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AB76

349. INCOME TAX--PROCEDURE & ADMINISTRATION--ACCUMULATION TRUSTS

Legal Authority: 26 USC 7605 Internal Revenue Code of 1954; 26 USC 667 Internal Revenue Code of 1954; 26 USC 666(e) Internal Revenue Code of 1954; 26 USC 668 Internal Revenue Code of 1954; 26 USC 665(b) Internal Revenue Code of 1954; 26 USC 665(e) to 665(g) Internal Revenue Code of 1954; 26 USC 669 Internal Revenue Code of 1954; 26 USC 669 Internal Revenue Code of 1954; 26 USC 1302(a)(2)(B) Internal Revenue Code of 1954; 26 USC 6401(b) Internal Revenue Code of 1954; 26 USC 6401(b) Internal Revenue Code of 1954; 26 USC 6401(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 301

Abstract: These regulations will clarify the amount of tax imposed on a beneficiary for distributions from a trust of income accumulated by the trust in prior tax years.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 05/00/85

Small Entity: Not Applicable

Additional Information: LR-184-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver; Lainoff.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AB78

350. INCOME TAX-PROCEDURE & ADMINISTRATION-FOREIGN TRUSTS HAVING U.S. BENEFICIARIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 679 Internal Revenue Code of 1954; 26 USC 678(b) Internal Revenue Code of 1954; 26 USC 643(a) Internal Revenue Code of 1954; 26 USC 643(c)(6)(C) Internal Revenue Code of 1954; 26 USC 643(c)(6)(D) Internal Revenue Code of 1954; 26 USC 643(d) Internal Revenue Code of 1954; 26 USC 643(d) Internal Revenue Code of 1954; 26 USC 6048 Internal Revenue Code of 1954; 26 USC 6677 Internal Revenue Code of 1954; 26 USC 6677 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 301

Abstract: These regulations will provide to what extent a grantor of a foreign trust with United States beneficiaries will be treated as an owner of that trust, and thus taxed currently on the trust's income.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	General Description

Small Entity: Not Applicable

Additional Information: LR-187-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AB79

351. INCOME TAX-DETERMINATION OF PARTNER'S DISTRIBUTIVE SHARE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 704(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules and examples relating to the substantial economic effect test and the determination of a partner's interest in the partnership.

Timetable:

Action	Date		FR	Cite
NPRM	03/09/83	48	FR	9871
NPRM Comment Period Begin	03/09/83	48	FR	9871
NPRM Comment Period End	04/27/83			
Final Action	06/30/85			

Small Entity: Not Applicable

Additional Information: LR-262-76.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB80

352. AMENDMENT OF SECTION 1.704-1 TO PROVIDE RULES ON PARTNER'S DISTRIBUTIVE SHARES OF ITEMS ATTRIB. TO NONRECOURSE DEBT AND THE INTERRELATIONSHIP OF SUBSECTIONS (B) AND (C) OF SECTION 704

Legal Authority: 26 USC 7805 CFR Citation: 26 CFR 1

Abstract: This project will provide proposed regulations under section 704 (b) relating to a partner's distributive share of losses and deductions attributable to nonrecourse debt. Rules concerning the interrelationship between section 704 (b) and (c) will also be provided.

Timetable:

Action	Date	FR Cite
NIDDIA	06/20/05	ALC: UNITED IN

Small Entity: Not Applicable

Additional Information: LR-191-83.

Drafting attorney: John G. Schmalz (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: James Lokey (202) 566-4518.

Agency Contact: John G. Schmalz. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG00

353. ● ALLOCATIONS OF INCOME GAIN, LOSS, AND DEDUCTION WITH RESPECT TO PROPERTY CONTRIBUTED TO A PARTNERSHIP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 704(c)

Abstract: The regulations will provide rules and examples relating to the requirement to allocate income, gain, loss, and deduction so as to take into account the variation between the basis of the property and its fair market value at the time of contribution.

Timetable:

Action	Date	FR Cite
NPRM	10/31/85	THE PLEASE

Small Entity: No

Additional Information: LR-164-83.

Drafting attorney: John G. Schmalz (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Jim Lokey (202) 566-8278.

Agency Contact: John G. Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG98

Current and Projected Rulemakings

354. INCOME TAX-ITEMS ALLOCATED TO PORTION OF YEAR PARTNER HELD INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 706(c)(2)(B) Internal Revenue Code of 1954; 26 USC 704 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide the methods to be used for allocating partnership items to partners whenever a partner's interest varies during the partnership taxable year.

Timetable:

Action	Date	FR Cite
NPRM	12/30/85	and Time

Small Entity: Not Applicable

Additional Information: LR-265-76.

Drafting attorney: Robert Ginsburgh (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB81

355. INCOME TAX--TREATMENT OF PAYMENTS TO PARTNERS NOT ACTING IN THEIR CAPACITY AS PARTNERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 707 Internal Revenue Code of 1954

Abstract: These regulations will provide guidance to taxpayers relating to the treatment of certain allocations and distributions to partners for services and transfers of property where the partner is not acting in his capacity as a partner.

Timetable:

The state of the s			
Action	Date	FR Cite	
NPRM	02/00/86		

Small Entity: Not Applicable

Additional Information: LR-234-84.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Neil Kimmelfield (202) 566-8527.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG83

356. AMENDMENT OF INCOME TAX REGULATIONS WITH RESPECT TO TREATMENT OF DISGUISED SALES BY PARTNERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 707 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules for determining when partnership transactions are to be treated as disguised sales.

Timetable:

Action	Date	FR	Cite
NPRM	12/30/85	See See	and the

Small Entity: Not Applicable

Additional Information: LR-163-84.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

Treasury attorney: Neil Kimmelfield (202) 566-8527.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH22

357. • CONTRIBUTIONS TO A PARTNERSHIP OF UNREALIZED RECEIVABLES, INVENTORY ITEMS OR CAPITAL LOSS PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 724 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules for determining the character of gain or loss upon the disposition by a partnership of unrealized receivables, inventory items or capital loss property contributed to the partnership by a partner.

Timetable:

Action	Date	FR	Cite.
NIDOM	10/01/05		

Small Entity: Not Applicable

Additional Information: LR-232-84.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John G. Schmalz (202) 566-3297.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG85

358. INCOME TAX-AMENDMENT OF SEC 1.731-1(C) TO CLARIFY THE TAX TREATMENT OF A DISTRIBUTION OF PROPERTY BY A PARTNERSHIP TO A PARTNER WHO HAD RECENTLY CONTRIBUTED OTHER PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 731 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide that if property is contributed to a partnership and within a short period other property is distributed to the contributing partner, the distribution may fall outside of the nonrecognition provision of section 731. The regulations would provide that the substance of the transaction, rather than its form, determines whether the distribution is tax-free. The regulations would provide examples illustrating contribution/distribution transactions that will be treated as a taxable sale or exchange.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-39-82.

Drafting attorney; Donald W. Stevenson (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB84

359. ● INCOME TAX-TREATMENT OF UNREALIZED RECEIVABLES AND INVENTORY ITEMS HELD BY TIERED PARTNERSHIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 751 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers relating to the treatment of unrealized receivables and inventory items held by tiered partnerships.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Not Applicable

Additional Information: LR-235-84.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Neil Kimmelfield (202) 566-8527.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH67

360. PARTNER'S SHARE OF

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; PL 98-369, Sec 79 Tax Reform Act of 1984

CFR Citation: 26 CFR 1

Abstract: These regulations revise the Income Tax Regulations under section 752 of the Internal Revenue Code of 1954 to conform such regulations to changes in the law with respect to a partner's share of partnership liabilities.

Timetable:

Illietable.		
Action	Date	FR Cite
NDDM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-229-84.

Drafting attorney: Gail H. Morse (202) 566-3297.

Treasury attorneys: James Lokey/Richard D'Avino (202) 566-8278.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH26

361. IMPUTED EARNINGS RATE FOR MUTUAL LIFE INSURANCE COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 809(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance to mutual life insurance companies regarding the computation of the imputed earnings rate.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	politue:

Small Entity: Not Applicable

Additional Information: LR-159-84.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: Alice Bennett (202) 566-3238.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG63

362. ● TEMPORARY INCOME TAX REGULATIONS- DIVERSIFICATION REQUIREMENTS FOR VARIABLE ANNUITY, ENDOWMENT, AND LIFE INSURANCE CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 817 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: The regulations will provide diversification requirements for variable annuity, endowment and life insurance contracts. The requirements will also provide rules relating to the testing of diversification for variable periods, and applicable effective dates.

Timetable:

Action	Date	FR Cite
Interim Final	04/00/85	

Small Entity: Not Applicable

Additional Information: LR-294-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Donald Rocap (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG78

363. ● INCOME TAX REGULATIONS-DIVERSIFICATION REQUIREMENTS FOR VARIABLE ANNUITY, ENDOWMENT, AND LIFE INSURANCE CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 817 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide diversification requirements for variable annuity, endowment, and life insurance contracts. The testing of diversification for various periods and applicable effective dates.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Service .

Small Entity: Not Applicable

Additional Information: LR-295-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Donald Rocap (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG79

364. TREATMENT OF GRADED PREMIUM POLICIES UNDER THE APPROXIMATE REVALUATION METHOD OF RECOMPUTING RESERVES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 818(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the treatment by life insurance companies of graded premium policies for purposes of recomputing life insurance reserves under the approximate revaluation method.

Timetable:

Date		FR	Cite
11/08/83	48	FR	51331
11/08/83	48	FR	51331
01/09/84			
08/15/85			
	11/08/83 11/08/83 01/09/84	11/08/83 48 11/08/83 48 01/09/84	11/08/83 48 FR 11/08/83 48 FR 01/09/84

Small Entity: Not Applicable

Additional Information: LR-276-82.

Drafting attorney: Alice Bennett (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF03

365. INCOME TAX-TO CLARIFY THE TREATMENT OF CERTAIN AMOUNTS REFUNDED IN REINSURANCE TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 809 Internal Revenue Code of 1954; 26 USC 820 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rules will clarify the treatment of certain amounts refunded in reinsurance transaction, and provide rules with respect to the allocation of certain items in modified coinsurance contracts for purposes of an election under section 820. These regulations would affect life insurance companies that enter into coinsurance and modified coinsurance transactions.

Timetable:

Action	Date	FR Cite
NPRM	03/19/82	47 FR 11882
NPRM Comment Period Begin	03/19/82	47 FR 11882
NPRM Comment Period End	05/18/82	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-276-81.

Drafting attorney: Alice Bennett (202)566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB86

366. EXTENSION OF HOLDING PERIOD FOR LOSSES ATTRIBUTABLE TO CAPITAL GAIN DIVIDENDS OF RIC'S AND REIT'S

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 852 Internal Revenue Code of 1954; 26 USC 857 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulations would interpret the rules of sections 852 and 857 dealing with the extension of holding period for losses attributable to capital gain dividends of REIT's and RIC's and also dealing with personal holding companies eligible for RIC status.

Timetable:

00	
	/00

Small Entity: Not Applicable

Additional Information: LR-263-84.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Bennett C.

Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AH64

367. INCOME TAX-SOURCE OF INCOME OF UNDERWRITING INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 861(a)(7) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules for determining whether the source of underwriting income is income from sources within the United States to be included in gross income and for clarifying the meaning of United States risks upon which such income determination is made.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Marine Total

Small Entity: Not Applicable

Additional Information: LR-71-77.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB89

368. SOURCE OF INTEREST AND DIVIDENDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 861 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would treat interest and dividends paid by a domestic corporation having substantial gross income from certain possessions of the United States as income from sources within the United States.

Timetable:

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7972
7972
1465
-

Small Entity: Not Applicable

Additional Information: LR-296-82.

Drafting attorney: Mary Frances Pearson (202) 566-3289. Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Steve Shay.

Notice of Proposed rulemaking published. Hearing held.

In Legislation and Regulations Division for preparation of Treasury decision.

Agency Contact: Mary Frances
Pearson, Attorney - Advisor,
Department of the Treasury, Internal
Revenue Service, 1111 Constitution
Ave., N.W., Washington, D.C. 20224, 202
566-3289

RIN: 1545-AF15

369. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SEC. 1.861-8 TO PROVIDE FOR THE ALLOCATION AND APPORTIONMENT OF PARTNERSHIP EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue of Code 1954; 26 USC 861 Internal Revenue of Code 1954; 26 USC 882 Internal Revenue of Code 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will indicate whether partnership expenses are to be allocated and apportioned under Sec. 1.861-8 of the partnership level or at the partner level.

Timetable:

Action	Date	FR Cite
NPRM	05/29/84	49 FR 22344
NPRM Comment Period Begin	05/29/84	
NPRM Comment Period End	07/30/84	
Final Action	07/31/85	

Small Entity: No

Additional Information: LR-101-83.

Drafting attorney: Marnie J. Carro (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

To Commissioner for signature 01/14/84.

Agency Contact: Marnie J. Carro, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF57

370. INCOME TAX--ORIGINAL ISSUE DISCOUNT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 871 Internal Revenue Code of 1954; 26 USC 881 Internal Revenue Code of 1954; 26 USC 1441 Internal Revenue Code of 1954; 26 USC 1442 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: The regulations would provide rules with respect to the taxation of original issue discount on bonds and obligations held by nonresident alien individuals and foreign corporations. The regulations would also provide guidance to withholding agents for withholding tax on original issue discount on such bonds and obligations.

Timetable:

Action	Date		FR	Cite
NPRM	07/12/76	41	FR	28517
NPRM Comment Period Begin	07/12/76	41	FR	28517
NPRM Comment Period End	09/09/76			
Hearing	11/18/76			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-2043.

Drafting attorney: David J. Dean (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Agency Contact: Unassigned, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, 202 566-3289

RIN: 1545-AB93

371. ● REPEAL OF 30 PERCENT WITHHOLDING BY THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 871 Internal Revenue Code of 1954; 26 USC 881 Internal Revenue Code of 1954; 26 USC 1441 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the definition of portfolio interest, the certifications required in the case of obligations that are issued in registered form, and related matters.

Timetable:

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Action	Date	FR Cite
NPRM	12/31/85	BEE

Small Entity: Not Applicable

Additional Information: LR-168-84

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Peter Daub (202) 566-5791.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG66

372. • EMPLOYMENT TAXES: APPLICATION OF THE REPEAL OF 30% WITHHOLDING BY THE TAX REFORM ACT OF 1984 AND OF INFORMATION REPORTING AND BACKUP WITHHOLDING IN LIGHT OF SUCH REPEAL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 871 Internal Revenue Code of 1954; 26 USC 881 Internal Revenue Code of 1954; 26 USC 1441 Internal Revenue Code of 1954; 26 USC 1442 Internal Revenue Code of 1954; 26 USC 3406 Internal Revenue Code of 1954; 26 USC 6041 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954; 26 USC 6049 Internal Revenue Code of 1954; 26 USC 6049 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations provide rules relating to the repeal of 30 percent withholding by the Tax Reform Act of 1984 and to the application of information reporting and backup withholding in light of such repeal.

Timetable:

	Action	Date		FR	Cite
	NPRM	08/22/84	49	FR	33275
	NPRM Comment Period Begin	08/22/84	49	FR	33275
	NPRM Comment Period End	10/22/84			
	Final Action	00/00/00			

Small Entity: No

Additional Information: LR-179-84.

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Peter Daub (202) 566-5791.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 4109, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH15

373. INCOME TAX--RULES FOR DETERMINING WHETHER LOANS OR NET LEASES ARE COMMERCIAL ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 892 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would establish the activities with respect to loans or the ownership of real property that will be considered investment activities of foreign sovereigns. Income from such investments by foreign sovereigns would be exempt from U.S. tax.

Timetable:

Action	Date	FR Cite
NPRM	07/22/80	CO / SU LINE
NPRM Comment Period Begin	07/22/80	
NPRM Comment Period End	09/22/80	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-110-80.

Drafting attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Andrus, Lainoff.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB94

374. INCOME TAX-PARTNERSHIP, TRUST, AND ESTATE RULES REGARDING TAXATION OF FOREIGN INVESTMENT IN U.S. REAL PROPERTY INTERESTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 897(e)(2) Internal Revenue Code of 1954; 26 USC 897(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide rules for foreign partners to compute gain or loss on the sale or disposition of United States real property interests upon the sale of a partnership interest or a distribution in liquidation of a partnership interest.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: Not Applicable

Additional Information: LR-37-82.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

In Office of International Tax Counsel for comment, May 27, 1983.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB98

375. INCOME TAX-TAXATION OF FOREIGN INVESTMENT IN U.S. REAL PROPERTY AND INFORMATION RETURNS CONCERNING FOREIGN OWNERSHIP OF U.S. REAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 897 Internal Revenue Code of 1954; 26 USC 6039C Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These proposed regulations concern the information returns which must be filed with respect to foreign investment in United States real , property interests by certain corporations, partnerships, trusts, estates and nonresident alien individuals. They also concern procedures for establishing that a

corporation is not a United States real property holding corporation, and for foreign corporations to elect to be treated as domestic corporations. The proposed regulations also contain provisions defining relevant terms.

Timetable:

Action	Date	FR Cite
NPRM	09/21/82	47 FR 41581
NPRM Comment Period Begin	09/21/82	
NPRM Comment Period End	11/22/82	
Second NPRM	11/03/83	48 FR 50751
Second Hearing	12/13/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-154-82.

Drafting attorney: Robert Culbertson (202) 566-3289.

Reviewing attorney: Charles C. Saverude.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB99

376. NOTICE OF PROPOSED
RULEMAKING--NONRECOGNITION
CORPORATE DISTRIBUTIONS AND
REORGANIZATIONS UNDER THE
FOREIGN INVESTMENT IN REAL
PROPERTY TAX ACT

Legal Authority: 26 USC 897 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules concerning the effect of certain distributions, including dividends, redemptions, distributions pursuant to reorganizations, and liquidations on corporations and their shareholders under the Foreign Investment in Real Property Tax Act. Proposal would also provide rules for determining the extent to which nonrecognition would apply to certain transfers of real property interests and the extent to which certain reorganizations will be treated as sales of property at fair market value.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	NAME OF THE OWN
Small Entity: Not Applicable		

Additional Information: LR-297-82.

Drafting attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Wold/Granwell.

Notice to Treasury for comment 01/10/84 for review.

Agency Contact: Robert E. Culbertson, Ir., Attorney, Department of the Treasury, Internal Revenue Service. 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF17

377. INCOME TAX--TO CLARIFY **RULES FOR DETERMINING EARNINGS** & PROFITS OF A FOREIGN CORPORATION & AMOUNT OF CREDITABLE FOREIGN TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 902 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide one consistent method for determining the earnings and profits of a foreign corporation for all purposes. "The regulation will also" provide new rules concerning the determination of an entity's functional currency and the recognition of currency gain or loss on transactions that are denominated in a foreign currency.

Timetable

Action	Date	FR Cite
NPRM	01/31/86	

Small Entity: Not Applicable

Additional Information: LR-196-75.

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorneys: Carol T. Doran (202) 566-3289, Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorney: Shay.

Draft of notice to Office of International Tax Counsel (Treasury), 07/09/82.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 4109, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC02

378. INCOME TAX--RECAPTURE OF **OVERALL FOREIGN LOSSES**

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 904(f) Internal Revenue Code of 1954; PL 97-248, Sec 211

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining the amount of and recapturing overall foreign losses. An overall foreign loss under any one of the separate limitations on the foreign tax credit may offset the taxpayer's United States tax on United States source income in the year of the loss. The recapture rules provide that a portion of the taxpayer's foreign taxable income under the same limitation in subsequent years is to be recharacterized as United States source income, thereby reducing the taxpayer's foreign tax credit and preventing a double tax benefit from the loss.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	No. of Contract of

Small Entity: Not Applicable

Additional Information: LR-3-77.

Drafting attorney: Nerman D. Hubbard (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver.

Agency Contact: Nerman D. Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC05

379. INCOME TAX--PROCEDURE & ADMINISTRATION--TAXPAYER'S **OBLIGATION TO FILE A NOTICE OF** REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 905(c) Internal Revenue Code of 1954; 26 USC 6689 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 301

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax

credit. The regulations provide special rules for redetermining the taxpayer's United States tax liability when the dollar value of the foreign currency fluctuates between the time for which the foreign tax credit is originally claimed and the time for which the foreign tax credit is redetermined. In addition, the regulations set forth deadlines for compliance with the notification requirements.

Timetable:		
Action	Date	FR Cite
NPRM	12/31/85	I I I STORY
Small Entity:	Not Applicable	
Additional In	formation: LR	-34-81.

Drafting attorney: Carol T. Doran (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorney: Shay.

Draft of the notice to International Tax Counsel of October 19, 1982.

Agency Contact: Carol T. Doran. Assistant Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W. Room 4109, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC06

380. INCOME TAX--TEMPORARY REGULATIONS-TAXPAYER'S **OBLIGATION TO FILE A NOTICE OF** REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 905(c) Internal Revenue Code of 1954; 26 USC 6689 Internal Revenue Code of 1954

CFR Citation: 26 CFR 4

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. The regulations provide special rules for redetermining the taxpayer's United States tax liability when the dollar value of the foreign currency fluctuates between the time for which the foreign tax credit is originally claimed and the time for which the foreign tax credit is redetermined. In addition, the regulations set forth

Current and Projected Rulemakings

deadlines for compliance with the notification requirements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/31/85	and the later
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-118-82.

Drafting attorney: Carol T. Doran (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorney: Shay

Draft of the Treasury decision to International Tax Counsel, on October 19. 1982.

Agency Contact: Carol T. Doran, Assistant Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 4109, Washington, D.C. 20224, 202 568-3289

RIN: 1545-AC09

381. AMENDMENT OF REGULATIONS
UNDER SECTION 907 OF THE
INTERNAL REVENUE CODE OF 1954
TO CONFORM THEM TO SECTION 211
OF THE TAX EQUITY AND FISCAL
RESPONSIBILITY ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 907 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would amend the regulations under section 907 of the Internal Revenue Code of 1954, relating to the foreign tax credit for taxes on oil and gas income, to conform them to section 211 of the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	

Small Entity: Not Applicable

Additional Information: LR-193-82.

Drafting attorney: Richard Chewning (202) 566-4336.

Reviewing attorney: Mary Frances Pearson (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Richard Chewning, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AE34

382. FSC GENERAL RULES, REQUIREMENTS, DEFINITIONS, AND SPECIAL RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 921 Internal Revenue Code of 1954; 26 USC 922 Internal Revenue Code of 1954; 26 USC 927 Internal Revenue Code of 1954; 26 USC 367 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations provide general rules regarding the requirements that a corporation must meet to be a foreign sales corporation (FSC) (or small FSC) and tax treatment of a FSC (or a small FSC) and specific rules regarding the requirements for FSC or small FSC status, the methods of elections and terminating FSC status, and the definition of and computation of carrying charges on sales of property by an FSC.

Timetable:

Action	Date	FR Cite
NPRM	12/12/84	49 FR 48322
NPRM Comment Period Begin	12/12/84	49 FR 48322
NPRM Comment Period End	02/11/85	
Final Action	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-167-84.

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorney: Jack Feldman (202) 566-3289.

Treasury attorney: J. Sarosdy (202) 566-3289.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH14

383. INCOME TAX REGULATIONS
RELATING TO FOREIGN
MANAGEMENT AND FOREIGN
ECONOMIC PROCESSES
REQUIREMENTS OF A FOREIGN
SALES CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 984 (d) (4) Internal Revenue Code of 1954; 26 USC 925(b) Internal Revenue Code of 1954; 26 USC 927(d) (2) (B) Internal Revenue Code of 1954

CFR Citation: 26 CFR 924; 26 CFR 925; 26 CFR 927

Abstract: These regulations provide rules for determining whether a FSC shall be treated as having foreign trading gross receipts by complying with the requirement that certain management activities of the FSC take place outside the United States, and rules for determining whether a transaction is treated as producing foreign trading gross receipts because certain sales activities and activities relating to the disposition of export property are performed by the FSC outside the United States.

Timetable:

Action	Date	FR Cite
NPRM	12/12/84	49 FR 48321
NPRM Comment Period Begin	12/12/84	49 FR 48321
NPRM Comment Period End	02/11/85	
Final Action	02/00/86	

Small Entity: Not Applicable

Additional Information: LR-134-84.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: Jack Feldman (202) 566-3289.

Treasury attorney:

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH10

384. AMENDMENT OF REGULATIONS
UNDER SECTIONS 934 AND 936 TO
CONFORM TO CHANGES MADE BY
SECTION 213 OF THE TAX EQUITY
AND FISCAL RESPONSIBILITY ACT
OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 936 Internal Revenue Code of 1954; 26 USC 934 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would amend sections 936 and 934 of the Internal Revenue Code of 1954 to conform to changes made by section 213 of the Tax Equity and Responsibility Act of 1982. These changes relate to the Puerto Rico and possession tax credit and the income tax liability incurred to the Virgin Island general rules.

Timetable:

Action	Date		FR	Cite
ANPRM	11/29/82	47	FR	53746
ANPRM Comment Period Begin	11/29/82	47	FR	53746
ANPRM Comment Period End	12/29/82		TE.	
NPRM	01/10/84	49	FR	1227
NPRM Comment Period Begin	01/10/84	49	FR	1227
NPRM Comment Period End	03/12/84			
Hearing	04/03/84	49	FR	1243
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-194-82.

Drafting attorneys: Carol T. Doran, Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Steven Lainoff.

Agency Contact: Carol T. Deran and Jacob Feldman, Attorneys, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF21

385. INCOME TAX-DEFINITION OF QUALIFIED POSSESSION SOURCE INVESTMENT INCOME FOR PURPOSES OF PUERTO RICO & POSSESSION TAX CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 936(d)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide rules with respect to what constitutes qualified possession source investment income for purposes of the Puerto Rico and possession tax credit.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	THE PARTY

Small Entity: Not Applicable

Additional Information: LR-106-77.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC10

386. CURRENT TAXATION OF FOREIGN OIL RELATED INCOME OF CONTROLLED FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 954 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would define and interpret when foreign oil related income will be subject to current taxation under section 954 of the Internal Revenue Code of 1954. Changes to the applicable law were made by section 212 of the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	THE CHILD
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-197-82.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Steve Lainoff.

In Legislation and Regulations Division for preparation of a Notice of Proposed Rulemaking.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AE38

387. ● TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO INTEREST CHARGE DISCS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 995 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: The Regulations will provide questions and answers relating to the Interest Charge imposed on DISC shareholders for taxable years ending after 1984. The regulations will explain how the Deemed Distribution is computed and how the Interest Charge is computed.

Timetable:

Action	Date	FR Cite
Interim Final	06/00/85	afficial st

Small Entity: Not Applicable

Additional Information: LR-172-84.

Drafting attorney: Joseph M. Rosenthal (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Treasury attorney: Jane Sarosdy (202) 566-8275.

Agency Contact: Joseph M. Rosenthal. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG71

388. INCOME TAX-BASIS OF CERTAIN APPRECIATED PROPERTY TRANSFERRED TO DECEDENT, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1014(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will explain the denial of a stepped-up basis for appreciated property acquired by decedent through gift within one year of death if such property passes, directly or indirectly, from donee-decedent to original donor or the donor's spouse.

Current and Projected Rulemakings

Timetable: Action Date FR Cite NPRM 12/00/85

Small Entity: Not Applicable

Additional Information: LR-235-81.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC18

389. ● RULES RELATING TO THE INAPPLICABILITY OF SECTION 1031 TO PARTNERSHIP INTERESTS AND THE LIMITATION ON THE PERIOD DURING WHICH LIKE KIND EXCHANGES MAY BE MADE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation will provide guidance with respect to changes made to section 1031 by the Tax Reform Act of 1984 including the inapplicability of section 1031 to partnership interests and the limitation on the period during which like kind exchanges may be made.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	THE PROPERTY.

Small Entity: Not Applicable

Additional Information: LR-237-84.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John G. Schmalz (202) 566-3297.

Treasury attorney: Victor Thuronyi (202) 566-2566.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH43

390. STOCK SALES, ETC, TO AND BY ESOP'S, ETC

Legal Authority: 26 USC 1042 Internal Revenue Code of 1954; 26 USC 4978 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance concerning the tax treatment of gain on certain sales of stock to and by ESOP's, etc.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: EE-71-84.

Drafting attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AG21

391. INCOME TAX-BASIS LIMITATION & RECAPTURE OF DEPRECIATION ON PLAYER CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1056 Internal Revenue Code of 1954; 26 USC 1245 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining the basis of player contracts acquired by a purchaser upon the sale or exchange of a sports franchise. Generally, the purchaser's basis with respect to player contracts is to be determined by reference to the seller's adjusted basis and the gain the seller recognizes from the transfer of the player contracts. Exceptions are provided in the cases of certain corporate one-year liquidations, certain like-kind exchanges and for certain transfers relating to decedents. Furthermore, a presumption is provided that in the sale or exchange of a sports franchise, not more than 50-percent of the consideration will be allocable to player contracts unless the taxpayer can satisfy the Secretary it is proper to

allocate an amount in excess of 50percent.

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	Sales and N

Small Entity: Not Applicable

Additional Information: LR-222-76.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Sheehy.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AC19

392. INCOME TAX-TRANSFERS OF SECURITIES UNDER CERTAIN AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1058 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that so long as the provisions of section 1058 and these regulations are met, the lender will neither recognize gain or loss on the transfer of securities nor upon the return of identical securities.

Timetable:

Action	Date	FR Cite
NPRM	07/26/83	48 FR 33912
NPRM Comment Period Begin	07/26/83	48 FR 33912
NPRM Comment Period End	09/26/83	
Final Action	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-182-78.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Kuller, Levinson.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AC20

393. INCOME TAX-NOTICE OF PROPOSED RULEMAKING - AMENDMENT OF REGULATIONS RELATING TO BASIS REDUCTIONS FOR NON-TAXED PORTION OF EXTRAORDINARY DIVIDENDS TO REFLECT TRA 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1059 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Amendment of the regulations to interpret the rule contained in section 1059 of the Internal Revenue Code of 1954 relating to the non-taxed portion of extraordinary dividends. The regulations will explain what dividends are extraordinary, the operations of the required basis reduction, the application of the holding period rule in section 246 (c), etc.

Timetable:

Action	Date	FR Cite
NPRM	10/15/85	The same

Small Entity: Not Applicable

Additional Information: LR-260-84.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AH41

394. INCOME TAX-TAX STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092 Internal Revenue Code of 1954; 26 USC 6653 Internal Revenue Code of 1954; 26 USC 263(g) Internal Revenue Code of 1954; 26 USC 1256 Internal Revenue Code of 1954; 26 USC 1212 Internal Revenue Code of 1954; 26 USC 1236 Internal Revenue Code of 1954; 26 USC 1234 Internal Revenue Code of 1954; 26 USC 1232 Internal Revenue Code of 1954; 26 USC 1232 Internal Revenue Code of 1954; 26 USC 1221 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide the rules under Title 5 of the Economic Recovery Tax Act of 1981 for tax straddles. These regulations will affect the tax treatment of regulated futures contracts, forward contracts, and positions in commodities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	CONTRACTOR OF THE

Small Entity: Not Applicable

Additional Information: LR-187-81.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC21

395. ● INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO MIXED STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092 (b) (1) Internal Revenue Code of 1954; 26 USC 1092 (b) (2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to mixed straddles. The regulations will explain the application of the straddle-by-straddle identification rules of mixed straddles and the establishment of mixed straddle accounts.

Timetable:

Action	Date	FR Cite
NPRM	01/24/85	50 FR 3351
NPRM Comment Period Begin	01/24/85	50 FR 3351
NPRM Comment Period End	03/25/85	4
Final Action	09/00/85	
Small Entity: No	at Annlinable	

Small Entity: Not Applicable

Additional Information: LR-299-84.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Susan McDowell (202) 566-8278.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AH59

396. ● INCOME TAX REGULATIONS UNDER THE ECONOMIC RECOVERY TAX ACT OF 1981 AND THE TAX REFORM ACT OF 1984, RELATING TO STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092 (b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to tax straddles. The regulations will explain the general loss deferral rule under section 1092, the application of rules similar to section 1091 and 1233 to straddles.

Timetable:

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Action	Date	FR Cite
NPRM	01/24/85	50 FR 3352
NPRM Comment Period Begin	01/24/85	50 FR 3352
NPRM Comment Period End	03/25/85	
Final Action	09/00/85	

Small Entity: Not Applicable

Additional Information: LR-297-84.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3294.

Treasury attorney: Linda Carlisle (202) 566-4519.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AH60

397. INCOME TAX—TIME FOR DETERMINING RELATEDNESS UNDER SECTION 1239—RELATING TO TRANSFER OF DEPRECIABLE PROPERTY BETWEEN RELATED PERSONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1239 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rule will provide that 80 percent relatedness determination under section 1239 is determined immediately before or after the sale or exchange of depreciable assets. A determination of relatedness under section 1239 converts what would otherwise be capital gain into ordinary gain.

Timetable:

Action	Date		FR	Cite
NPRM	01/05/83	48	FR	00667
NPRM Comment Period Begin	01/05/83	48	FR	00667
NPRM Comment Period End	03/07/83		TA.	
Final Action	12/15/85			

Small Entity: Not Applicable

Additional Information: LR-104-81.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AC29

398. INCOME TAX-GAIN FROM SALE OR EXCHANGE OF STOCK IN FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1248 Internal Revenue Code of 1954; 26 USC 751 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would amend existing regulations with respect to the section 1248 amount attributable to stock of lower tier subsidiaries and stock in less developed country corporations. The regulations would also provide rules for determining the section 1248 amount due to certain dispositions on which gain is not recognized. The regulations would also expand the foreign tax credit available with respect to the section 1248 amount attributable to third-tier subsidiaries.

Timetable:

Action	Date	FR	Cite
NPRM	01/00/86	-	
Small Entity:	Not Applicable		

Additional Information: LR-232-76.

Drafting attorney: Carol T. Doran (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

In Legislation and Regulations Division for revision of notice of proposed rulemaking.

Agency Contact: Carol T. Doran, Assistant Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC31

399. INCOME TAX-TO CLARIFY TAX TREATMENT OF TRANSFERS OF FRANCHISES, TRADEMARKS, & TRADE NAMES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1253 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would clarify the tax treatment of the transfer of a franchise trademark, or trade name under section 1253 of the Internal Revenue Code of 1954. It would also provide guidance regarding how to allocate the basis among the portions of the sale proceeds which are treated as arising from the sale of a capital asset and other portions which are ordinary income.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-183-81.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel attorney: Fairlea Sheehy.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AC34

400. INCOME TAX-GAIN FROM DISPOSITION OF INTEREST IN OIL OR GAS PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1254 Internal Revenue Code of 1954; 26 USC 751 Internal Revenue Code of 1954; Tax Reform Act of 1976, Section 705; Tax Reform Act of 1976, Section 1901; Energy Tax Act of 1978, Section 402

CFR Citation: 26 CFR 1

Abstract: The regulations will determine the tax treatment of gain from the disposition of certain oil, gas, or geothermal property to determine how much of the gain from the disposition is subject to recapture under section 1254 and accorded ordinary income treatment. The regulations also will define intangible drilling and development costs, disposition, and oil, gas and geothermal property for purposes of section 1254.

Timetable:

Action	Date	FR Cite
Final Action Effective	12/31/75	
NPRM	06/11/80	45 FR 39512
NPRM Comment Period Begin	06/11/80	45 FR 39512
NPRM Comment Period End	08/11/80	
Hearing	09/09/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-276-76.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Michel A. Daze. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AC35

401. INCOME TAX-TEMPORARY REGULATIONS UNDER SECTION 1274 AND 483 RELATING TO DEFERRED PAYMENTS UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 1274 Internal Revenue Code; 26 USC 483 Internal Revenue Code; 26 USC 7805 Internal Revenue Code

CFR Citation: 26 CFR 1

Current and Projected Rulemakings

Abstract: The regulations would provide guidance under section 1274 with respect to the determination of the issue price (for the purposes of the original issue discount rules) of a debt instrument issued for property when neither the debt instrument nor the property is publicly traded. The regulations would also provide guidance under code section 483 relating to the manner in which unstated interest accrues in the case of a contract for the sale or exchange of property where there is inadequate stated interest.

Timetable:

Action	Date	FR Cite
Interim Final	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-158-84.

Drafting Attorney: Ewan Purkiss (202) 566-3238.

Reviewing Attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel reviewing attorneys: David Garlock/Jeff Ouinn.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG59

402. ORIGINAL ISSUE DISCOUNT REPORTING REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code 1954; 26 USC 1275 Internal Revenue Code 1954

CFR Citation: 26 CFR 1

Abstract: Section 1275 (c) (2) of the Internal Revenue Code of 1954 as amended by section 41 of the Deficit Reduction Act of 1984 requires the issuer of a publicly offered debt instrument having original issue discount to furnish the Secretary certain information with respect to such an issue. These temporary regulations require that an issuer of a publicly offered debt instrument issued at a discount furnish the Secretary with his or her name, address, and taxpayer identification number, the issue date, maturity date, and CUSIP number of the issue, the amount of original issue discount for the entire issue, the issue price (expressed as a percentage of the

stated redemption price at maturity), the stated redemption price at maturity, the stated interest rate and dates of interest payments, and a description of the issue. The information will be used to update Publication 1212, a list of publicly offered original issue discount obligations to enable brokers and other middlemen to identify publicly traded OID obligations.

Timetable:

Action	Date	FR Cite
Final Action Effective	08/17/84	
Final Action	03/31/85	

Small Entity: Not Applicable

Additional Information: LR-125-84.

Drafting attorney: Theresa E. Bearman (202) 566-3459.

Reviewing attorney: Susan Baker (202) 566-3294.

Treasury attorney: Jeff Quinn (202) 566-2175.

Agency Contact: Theresa E. Bearman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AG50

403. • REGULATIONS UNDER SECTION 1271 THROUGH 1275 RELATING TO TAX TREATMENT OF DEBT INSTRUMENTS HAVING ORIGINAL ISSUE DISCOUNT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1275 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Regulations would provide guidance as to computation of amount to be included in income by holders and amount to be deducted by issuers of certain bonds issued after July 1. 1982. With respect to these bonds, original issue discount is computed on the basis original issue discount in special circumstances where the interest rate is variable, where put and call options are present, and in other circumstances.

Timetable:

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Action	Date	FR Cite
NPRM	03/01/85	
Cmall Entity	. Not Applicable	

Additional Information: I.R-189-84.

Drafting attorney: Theresa E. Bearman (202) 566-3459.

Reviewing attorney: Susan T. Baker (202) 566-3294.

Treasury attorney: Jeff Quinn (202) 566-2175.

Agency Contact: Theresa E. Bearman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AH46

404. INCOME TAX--TREATMENT OF OBLIGATIONS WHICH PURPORT TO REPRESENT DEBT AS A SECOND CLASS OF STOCK

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1361 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to shareholders and debt instrument holders who must comply with the law relating to subchapter S corporations. The regulations will provide rules relating to whether or not a subchapter S corporation has more than one class of stock.

Timetable:

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Action	Date	FR Cite
NPRM	00/00/00	to best of
C	. Mar Analisable	

Small Entity: Not Applicable

Additional Information: LR-4-73.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Sheehy.

Agency Contact: David R. Haglund. Attorney. Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC37

405. INCOME TAX--DEFINITION OF S CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954, 26 USC 1361 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would address the following matters: (1) the number of permitted shareholders of a small business corporation (2) the types of trusts that are permitted to be shareholders of a small business corporation, (3) whether shares are permitted to be owned as a split interest and (4) the rules relating to corporations that are ineligible to be an S corporation.

Timetable:

Action	Date	FR Cite
NIPRM	12/20/85	THE REAL PROPERTY.

Small Entity: Not Applicable

Additional Information: LR-262-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE86

406. AMENDMENT OF INCOME TAX
REGULATIONS UNDER CODE
SECTIONS 1362 AND 1363 RELATING
TO THE ELECTION, REVOCATION,
AND TERMINATION OF AN S
CORPORATION

Legal Authority: 26 USC 7805; 26 USC 1362; 26 USC 1363

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidelines for electing, revoking and terminating S corporation status.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-260-82.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney:

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE26

407. INCOME TAX--PASS-THRU OF S CORPORATION ITEMS TO SHAREHOLDERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1366 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the tax treatment of income and loss items passed through to the shareholders.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	THE REAL PROPERTY.

Small Entity: Not Applicable

Additional Information: LR-261-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Sheehy (202) 566-4902.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE85

408. INCOME TAX-RULES RELATING TO ADJUSTMENT TO BASIS OF STOCK OF SHAREHOLDERS OF S CORPORATION AND TO DETERMINATION OF BASIS OF PROPERTY DISTRIBUTION BY CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1367 Internal Revenue Code of 1954; 26 USC 1368 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide rules for adjusting the basis of stock of a shareholder in an S corporation and rules for determining the treatment of property distributions by an S corporation.

Timetable:

Action	Date	FR Cite	
NPRM	00/00/00	A THE PROPERTY.	

Small Entity: Not Applicable

Additional Information: LR-264-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Sheehy (202) 566-4902.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE88

409. INCOME TAX-CERTAIN RULES RELATING TO SHAREHOLDERS OF SUBCHAPTER'S CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1371 Internal Revenue Code of 1954; 26 USC 1372 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would address the following issues: (1) The number of permitted shareholders of a small business corporation, (2) The rules regarding stock held by a husband and wife, (3) The types of trusts that are permitted to be shareholders of a small business corporation, (4) Whether shares are permitted to be owned as a split interest, (5) The rules relating to the time period for making an election of status as a small business corporation and the manner for making such election, and (6) Rules relating to how a new shareholder may terminate

Timetable:

a subchapter S election.

Action	Date		FR	Cite
NPRM	04/17/80	45	FR	26092
NPRM Comment Period Begin	04/17/80	45	FR	26092
NPRM Comment Period End	06/13/80			
Hearing	10/08/80			
Final Action	00/00/00			
Y2 W 2 50 50				

Small Entity: Not Applicable

Additional Information: LR-277-76.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297. Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Sheehy.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC38

410. INCOME TAX-APPLICATION OF SUBCHAPTER C RULES TO S CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1371 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal would amend the regulations under section 1371 to changes made by the subchapter S Revision Act of 1982 relating to the application of subchapter C rules to S corporations and other technical amendments under sections 2, 5, and 6 of the Act. The regulation would provide the public with guidance to comply with the Act.

Timetable:

Action	Date	FR Cite	
NPRM	00/00/00	The Water	

Small Entity: Not Applicable

Additional Information: LR-265-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Sheehy (202) 566-4902.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE90

411. INCOME TAX-TREATMENT OF S CORPORATION AS A PARTNERSHIP FOR CERTAIN PURPOSES OF THE **INTERNAL REVENUE CODE OF 1954**

Legal Authority: 26 USC 7805; 26 USC 1372; 26 USC 1373; 26 USC 613A; 26 USC 4996; 26 USC 48

CFR Citation: 26 CFR 1

Abstract: The regulation will provide guidance to taxpayers relating to the

treatment of S corporation as partnership for purposes of certain provisions of the Internal Revenue Code of 1954.

Timetable:

Action Date FR Cite 02/28/86 NPRM

Small Entity: Not Applicable

Additional Information: LR-266-83.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney: Fairlea Sheehy.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE28

412. AMENDMENT OF INCOME TAX REGULATIONS UNDER SECTIONS 1374 AND 1375 RELATING TO THE IMPOSITION OF TAX ON CAPITAL GAINS AND PASSIVE INVESTMENT INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1374; 26 USC 1375

CFR Citation: 26 CFR 1

Abstract: The proposed regulations will provide rules relating to a tax on capital gains and excess passive income in the case of certain subchapter S corporations.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	320

Small Entity: Not Applicable

Additional Information: LR-267-82.

Drafting attorney: John G. Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Fairlea Sheehv.

Agency Contact: John G. Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE92

413. INCOME TAX-DEFINITIONS AND SPECIAL RULES PERTAINING TO S CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1377 Internal Revenue Code of 1954; 26 USC 1378 Internal Revenue Code of 1954; 26 USC 1379 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would define and interpret the definitions and special rules contained in section 1377 through 1379 of the Internal Revenue Code of 1954, thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret those sections of the Code.

Timetable:				
Action	Date	FR Cite		
NPRM	05/01/85	SALUE SAL		

Small Entity: Not Applicable

Additional Information: LR-268-82.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AE94

414. INCOME TAX-CERTAIN **ELECTIONS UNDER THE** SUBCHAPTER S REVISION ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1361 Internal Revenue Code of 1954; 26 USC 1362 Internal Revenue Code of 1954; 26 USC 1377 Internal Revenue Code of 1954; 26 USC 1378 Internal Revenue Code of 1954; 26 USC 1379 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations relate to the time and manner of making certain elections, consents, and refusals under the Subchapter S Revision Act of 1982 and to the taxable year which a

corporation may select in order to make the election to be an S corporation.

Timetable:

Action	Date	FR Cite		
NPRM	01/26/83	48 FR 03637		
NPRM Comment Period Begin	01/26/83	48 FR 03637		
NPRM Comment Period End	03/28/83			
Final Action	12/30/85			

Small Entity: Not Applicable

Additional Information: LR-1-83.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney: Sheehy.

Agency Contact: Robert H. Ginsburgh. Attorney, Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington. D.C. 20224, 202 566-3297

RIN: 1545-AF30

415. INCOME TAX--TO CLARIFY SECTION 1.1382-6 WITH REGARD TO INVENTORY POOLS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1382 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations would provide guidance to cooperatives with regard to inventory pools that remain open at the end of the taxable year.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-63-82.

Drafting attorney: Cynthia L. Clark (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Andy Pike.

Agency Contact: Cynthia L. Clark. Altorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AB32

416. INCOME TAX-DISTRIBUTIONS QUALIFYING AS PATRONAGE DIVIDENDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1382 Internal Revenue Code of 1954; 26 USC 1388 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for netting the income and losses of allocation units within the cooperative. In addition the regulations clarify the meaning of preexisting legal obligation.

Timetable:

Action	Date	FR Cite	
NPRM	12/01/85		

Small Entity: Not Applicable

Additional Information: LR-268-79.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Pike.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AC39

417. ● INCOME TAX: WITHHOLDING UPON DISPOSITIONS OF U.S. REAL PROPERTY INTEREST BY FOREIGN PERSONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1445 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations provide rules relating to the withholding tax imposed under section 1445 upon any person that acquired a U.S. real property interest from a foreign person. The regulations explain where withholding is required and how that requirement can be modified pursuant to an agreement with the IRS, and also provide rules relating to the manner in which amounts withheld are to be reported and paid over to the IRS.

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Action	Date	190	FR	Cite
NPRM	12/31/84	49	FR	50739
NPRM Comment Period Begin	12/31/84	49	FR	50739
NPRM Comment Period End	03/01/85			
Final Action	01/01/86			

Small Entity: Not Applicable

Additional Information: LR-151-84.

Drafting attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Joseph L. Andrus (202) 566-2964.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG70

418. 26 CFR PART I--AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 1502 OF THE CODE TO REFLECT SECTION 224 OF TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would make amendments to the Consolidated Return Regulations to conform them to section 338 of the Code, as added by section 224 of the Tax Equity and Fiscal Responsibility Act of 1982, as amended by section 306 of the Technical Corrections Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	12/30/85	St. U. S.

Small Entity: No

Additional Information: LR-80-83.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF41

419. AMENDMENT OF CONSOLIDATED RETURNS REGULATIONS RELATING TO LIFE-LIFE CONSOLIDATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 26 USC 1504 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would deal with issues relating to life-life consolidations which were reserved by Treasury Decision 7877 for further study.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-66-83.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Mark Blumkin (202) 566-3463.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF67

420. AMENDMENT OF SECTION 1.1502-14 TO MODIFY TREATMENT OF STOCK REDEMPTIONS AND NONDIVIDEND DISTRIBUTIONS IN EXCESS OF BASIS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendment will coordinate the consolidated return treatment of stock redemptions and nondividend distributions in excess of basis with changes made by the Tax Equity and Fiscal Responsibility Act of 1982.

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Action	Date	FR Cite
NPRM	08/00/85	LIST CARRES

Small Entity: No

Additional Information: LR-40-84.

Drafting attorney: Charles W. Culmer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AG35

421. INCOME TAX--CONSOLIDATED RETURN/ACCUMULATED EARNINGS TAX-EARNINGS AND PROFITS WHEN A MEMBER IS A PERSONAL HOLDING COMPANY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal would provide rules relating to the application of the accumulated earnings tax to a group of corporations filing a consolidated income tax return when one or more members of the group is a personal holding company.

Timetable:

Action	Date	FR	Cite
NPRM	11/00/85	343	and the

Small Entity: No

Additional Information: LR-256-79.

Drafting attorney: Charles M. Whedbee (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Pending in Chief Counsel (Legislation and Regulations Division).

Agency Contact: Charles M. Whedbee, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AC51

422. INCOME TAX--CREDIT & DEDUCTIONS ETC., FOR CONSOLIDATED RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would amend the consolidated returns regulations to clarify, among other things, the rules relating to net operating loss carrybacks of a member of an affiliated group filing consolidated returns to a year in which the member was not in existence, thereby giving the public needed guidance on what the rule is in that situation.

Timetable:

Action	Date		FR	Cite
NPRM	07/31/84	49	FR	30528
NPRM Comment Period Begin	07/31/84	49	FR	30528
NPRM Comment Period End	10/01/84			
Hearing held	12/10/84			
Final Action	03/00/85			

Small Entity: No

Additional Information: LR-97-79.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Final draft of notice of proposed rulemaking sent to Office of Tax Legislative Counsel, 8/9/82.

Agency Contact: Bennett C.
Steinhauer, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C., 202 566-4336

RIN: 1545-AC48

423. INCOME TAX-TO REFLECT AMENDMENTS OF CONSOLIDATED RETURN REGULATIONS TO REFLECT MERCHANT MARINE ACT OF 1970 CONCERNING MERCHANT MARINE & FISHERIES CAPITAL ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 11 USC 1177 Merchant Marine Act of 1936

CFR Citation: 26 CFR 3

Abstract: The proposal would provide rules for the income tax treatment, by

Current and Projected Rulemakings

corporations filing consolidated returns, with respect to capital construction funds for certain vessels.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-29-76.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Pike.

Notice pending Treasury review.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AC52

424. INCOME TAX-ACCELERATED DEPRECIATION IN INVESTMENT ADJUSTMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would amend the consolidated returns investment adjustment rules to reflect the proper treatment of accelerated depreciation thereby giving the public needed guidance on what that proper treatment is.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-222-81.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: John Broadbent (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Draft of notice to Office of Chief Counsel (Corporation Tax Division) & Office of Tax Legislative Counsel (Treasury), 03/23/82. Agency Contact: Bennett C.

Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AC47

425. INCOME TAX-AT RISK LIMITATIONS OF SECTION 465

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 26 USC 465 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would amend the consolidated returns regulations to provide rules applying the at-risk limitations of section 465 of the Internal Revenue Code of 1954 to affiliated groups filing consolidated returns, thereby giving the public needed guidance as to how these rules apply to such groups.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	HOUSE COMME

Small Entity: No

Additional Information: LR-75-79.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AC55

426. INCOME TAX--INCLUDIBILITY IN AN AFFILIATED GROUP OF SUBSIDIARIES FORMED TO COMPLY WITH FOREIGN LAWS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1504 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to an election to treat a foreign subsidiary of a United States corporation as a domestic corporation if the subsidiary is formed in a contiguous country to comply with foreign law.

Timetable:

Action	Date	FR	Cite
NPRM	09/00/85	NI PICA	600

Small Entity: Not Applicable

Additional Information: LR-189-77.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Notice pending Treasury review.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AC58

427. ● INCOME TAX -- AMENDMENT OF REGULATIONS UNDER SECTION 1504 (A) OF THE CODE, AS AMENDED BY SECTION 60 OF THE TAX REFORM ACT OF 1984, DEFINING "AFFILIATED GROUP"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6695 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules defining "affiliated group" for purposes of subtitle A of the Code.

Timetable:

Action	Date	FR Cite
NPRM	08/01/85	- Charles

Small Entity: Not Applicable

Additional Information: LR-152-84.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AH09

Current and Projected Rulemakings

428. INCOME TAX-TO REFLECT THE U.S. SUPREME COURT IN U.S. V. VOGEL FERTILIZER CO., HOLDING THAT EACH MEMBER OF STOCKGROUP MUST OWN STOCK IN EACH BROTHER-SISTER CORP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1563(a)(2) Internal Revenue Code of 1954; 26 USC 52 Internal Revenue Code of 1954; 26 USC 414(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations relating to the definition of a brother-sister controlled group of corporations are to be amended to conform to the Supreme Court decision in U.S. v. Vogel Fertilizer Company, which held that a person's stock ownership is not taken into account for purposes of the 80% ownership test unless that person owns stock in each brother-sister corporation.

Timetable:

Action	Date		FR	Cite
NPRM	11/16/83	48	FR	52081
NPRM Comment Period Begin	11/16/83	48	FR	52081
NPRM Comment Period End	01/16/84			
Final Action	12/31/85			

Small Entity: Not Applicable

Additional Information: LR-35-82.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Rocap.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AC59

429. ESTATE AND GIFT TAXES,
INCOME TAXES-UNIFIED CREDIT IN
LIEU OF EXEMPTIONS, UNIFIED RATE
SCHEDULE FOR ESTATE AND GIFT
TAXES SITUS OF FOREIGN
PARTNERSHIPS FOR ESTATE
TAXATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2001 Internal Revenue Code of 1954; 26 USC 2010 Internal Revenue Code of 1954; 26 USC 2011 Internal Revenue Code of 1954; 26 USC 2012(a) Internal Revenue Code of 1954; 26 USC 2012(c) Internal Revenue Code of 1954; 26 USC 2013(b) Internal Revenue Code of 1954; 26 USC 2013(b) Internal Revenue Code of 1954; 26

USC 2013(e)(1) Internal Revenue Code of 1954; 26 USC 2014(b)(2) Internal Revenue Code of 1954; 26 USC 2035 Internal Revenue Code of 1954; 26 USC 2038(a) Internal Revenue Code of 1954; 26 USC 2044 Internal Revenue Code of 1954; 26 USC 2052 Internal Revenue Code of 1954; 26 USC 2104 Internal Revenue Code of 1954; 26 USC 2106 Internal Revenue Code of 1954; ...

CFR Citation: 26 CFR 20; 26 CFR 25; 26 CFR 1

Abstract: The unified rate schedule for estate and gift taxes and unified credit in lieu of exemptions will be implemented by the regulation. The regulations also relate to the estate tax consequences of transfers made within three years of death. In addition, the regulations clarify the situs test of foreign partnerships for purposes of the estate taxation of nonresident alien decedents. The regulations also provide rules relating to charitable remainder trusts.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-212-76.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3287

RIN: 1545-AC60

430. ESTATE TAX-VALUATION OF CERTAIN FARM, ETC. REAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2032A Internal Revenue Code of 1954; 26 USC 2013(f) Internal Revenue Code of 1954; 26 USC 1016(c) Internal Revenue Code of 1954; 26 USC 1040 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 1

Abstract: Special use valuation of certain farm and closely held business real property is available to qualifying estates. The regulation will contain definitions and rules relating to the various requirements which an estate must satisfy and will provide rules governing the imposition and payment of the "additional estate tax" should a

qualified heir fail to meet the postdeath requirements.

Timetable:

Action	Date	FR Cite
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Small Entity: Not Applicable

Additional Information: LR-209-81.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of the Tax Legislative Counsel (Treasury) reviewing attorneys: Garlock, Woodward.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3267

RIN: 1545-AC62

431. ESTATE & GIFT TAXES-INCLUSION OF STOCK IN ESTATE WHERE DECEDENT RETAINED VOTING RIGHTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2036(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 20

Abstract: These regulations will provide the extent to which the retention of voting rights by a transferor of stock will require that the value of that stock be included in the transferor's gross estate.

Timetable:

Action	Date	FR Cite
NPRM	08/03/83	48 FR 35143
NPRM Comment Period Begin	08/03/83	48 FR 35143
NPRM Comment Period End	11/03/83	
Final Action	08/00/85	

Small Entity: Not Applicable

Additional Information: LR-181-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Garlock, Woodward. Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC63

432. ESTATE AND GIFT TAXES-INCREASE IN LIMITATIONS ON MARITAL DEDUCTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2012 Internal Revenue Code of 1954; 26 USC 2014 Internal Revenue Code of 1954; 26 USC 2055 Internal Revenue Code of 1954; 26 USC 2056 Internal Revenue Code of 1954; 26 USC 2207A Internal Revenue Code of 1954; 26 USC 2519 Internal Revenue Code of 1954; 26 USC 2523 Internal Revenue Code of 1954; 26 USC 6019 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 25

Abstract: These regulations will clarify the estate and gift tax treatment of transfers of property between spouses. They will provide how an executor may elect to treat certain property as qualified terminable interest property, in which case the imposition of transfer taxes will be delayed until the latter of (1) the surviving spouse's disposition of an interest in the property or (2) the surviving spouse's death.

Timetable:

Action	Date		FR	Cite
NPRM	05/21/84	49	FR	21350
NPRM Comment Period Begin	05/21/84	49	FR	21350
NPRM Comment Period End	07/20/84			
Final Action	08/00/85			

Small Entity: Not Applicable

Additional Information: LR-211-76.

Drafting attorney: Robert B. Coplan (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thuronyi.

Agency Contact: Robert B. Coplan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC67

433. ASSUMPTION OF ESTATE TAX LIABILITY BY ESOP'S

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2210 Internal Revenue Code of 1954; 26 USC 2002 Internal Revenue Code of 1954; 26 USC 6018 (c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Allows estate tax liability for employer securities to be assumed by ESOP's rather than by the executor. To qualify, a qualified amount of employer securities must be acquired by the ESOP from "or on behalf of" the decedent. In addition, the executor must elect, in writing, to assume the attributable estate tax liability on behalf of the ESOP. The ESOP then becomes liable for the estate tax.

Timetable:

Action	Date	FR	Cite
NPRM	08/31/85	31 44	MESTER
Small Entit	y: Not Applicable		

oman Entity: Not Applicable

Additional Information: EE-74-84.

Drafting attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing attorney: Harry Beker (202) 566-6212.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AG38

434. GIFT TAX--CERTAIN TRANSFERS TREATED AS QUALIFIED DISCLAIMERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2518(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 25

Abstract: The regulations will provide that certain transfers will be qualified disclaimers for purposes of section 2518 (a).

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	
Small Entity	y: Not Applicable	

Additional Information: LR-212-81.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AC70

435. ESTATE & GIFT TAXES-DISCLAIMERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2518 Internal Revenue Code of 1954; 26 USC 2045 Internal Revenue Code of 1954; 26 USC 2041(a)(2) Internal Revenue Code of 1954; 26 USC 2055(a) Internal Revenue Code of 1954; 26 USC 2056 Internal Revenue Code of 1954; 26 USC 2504 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 25

Abstract: This project will give guidance on the requirement under section 2518 on how to make a qualified disclaimer of a gift or inheritance. If it is qualified, it will not be treated as a gift.

Timetable:

Action	Date	FR Cite
Hearing	11/18/80	THE MERCHAN
NPRM	07/22/82	45 FR 48922
Final Action	11/00/85	

Small Entity: Not Applicable

Additional Information: LR-213-76.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AC71

436. ESTATE & GIFT TAX— GENERATION-SKIPPING TRANSFERS TAX RETURN REQUIREMENT, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2621 Internal Revenue Code of 1954; 26 USC 2601 to 2614 Internal Revenue Code of 1954

CFR Citation: 26 CFR 26

Abstract: This project will establish the forms to be used in reporting a generation-skipping transfer and also will establish the date on which the return must be filed and the tax paid. It will also interpret the definitions and special rules and illustrate how to compute the tax.

Timetable:

Action	Date		FR	Cite
NPRM	08/05/80	45	FR	51771
Hearing	11/05/80			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-234-79.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Treasury attorney: David Garlock (202) 566-8277.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AC74

437. EMPL. TAX-SOCIAL SECURITY TAX ON EMPLOYERS OF INDIVIDUALS WHO RECEIVE INCOME FROM TIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3121(t) Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: The regulations would provide guidance for determining the amount of wages on which an employer of a tipped employee must pay social security tax if the employer pays the employee less than the minimum wage.

Timetable:

Action	Date	FR Cite
NPRM	12/01/85	Contract of

Small Entity: Not Applicable

Additional Information: LR-35-78.

Drafting attorney: Beverly Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Beverly A.

Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC76

438. EMPLOYMENT TAX-TO REQUIRE WITHHOLDING OF SOCIAL SECURITY AND RAILROAD RETIREMENT TAX FROM CERTAIN PAYMENTS OF SICK PAY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954; 26 USC 3231 Internal Revenue Code of 1954; PL 97-123, Sec 3

CFR Citation: 26 CFR 31

Abstract: The regulations will provide guidance to third parties paying sick pay which is subject to social security or railroad retirement tax, employees receiving the sick pay, and employers of the employees.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/82	
NPRM	07/06/82	47 FR 29266
NPRM Comment Period Begin	07/06/82	
NPRM Comment Period End	09/06/82	
Final Action	08/01/85	

Small Entity: Not Applicable

Additional Information: LR-23-82.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

01/04/83 Final regulations sent to Office of Tax Legislative Counsel for review.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AC77

439. AMENDMENT OF THE EMPLOYMENT TAX REGULATIONS UNDER CODE SECTION 3121 TO CONFORM TO SECTION 321 OF THE SOCIAL SECURITY AMENDMENTS OF 1983

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954

CFR Citation: 26 CFR 36

Abstract: The regulation would provide guidance to taxpayers with respect to agreements entered into under section 3121 of the Internal Revenue Code of 1954 as that Section was amended by section 321 of the Social Security Amendments of 1983.

Timetable:

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Action	Date	FR Cite
NPRM	06/00/85	market !

Small Entity: Not Applicable

Additional Information: LR-192-83.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF91

440. ● ELECTIONS BY CHURCHES AND QUALIFIED CHURCH-CONTROLLED ORGANIZATIONS TO EXCLUDE SERVICE PERFORMED IN THEIR EMPLOY FROM EMPLOYMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3121 (w) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 5h; 26 CFR 31

Abstract: These regulations provide the manner in which churches and qualified church-controlled organizations may elect to exclude service performed in their employ from employment and the subsequent treatment of remuneration from such excluded service with respect to self employment taxes.

Timetable:

THE COUNTY		
Action	Date	FR Cite
NPRM	08/00/85	12 13 15
Small Entity:	Not Applicable	
Additional In	formation: LR-	239-84.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John G. Schmalz (202) 566-3297.

Treasury attorney: Kent Mason (202) 566-6964.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH63

441. AMEND THE REGULATIONS TO CLARIFY THE TRUCKING EXCEPTION TO THE DEFINITION OF "EMPLOYEE" FOR PURPOSE OF THE RRTA

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: These regulations will clarify the scope of the "trucking service" and "casual service" exceptions to the definition of "employer" in section 3231 (a).

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	1700 5400

Small Entity: Not Applicable

Additional Information: LR-212-84.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter (202) 566-4473.

Treasury attorney: Kent Mason (202) 535-6964.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AG74

442. TREATMENT OF CERTAIN DEFERRED COMPENSATION AND SALARY REDUCTION ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6302(c)

CFR Citation: 26 CFR 31

Abstract: Proposal would provide rules concerning the treatment of certain deferred compensation and salary reduction arrangements under section 3121 (v) and section 3306 (r) of the

Internal Revenue Code of 1954, thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret those sections of the code.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	1000

Small Entity: Not Applicable

Additional Information: LR-195-83.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: John B. Bromell (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney:

In Legislation and Regulations Division for preparation of Notice of Proposed Rulemaking.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF97

443. EMPLOYMENT TAX— WITHHOLDING FROM PENSIONS, ANNUITIES, AND OTHER DEFERRED INCOME

Legal Authority: 26 USC 7805; 26 USC 3405; 26 USC 6047(e)

CFR Citation: 26 CFR 35

Abstract: Proposed regulations would clarify and amend the temporary regulations relating to withholding from pensions, annuities, and other deferred income.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: EE-115-82.

Drafting attorney: Roberto E. Rivera (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Agency Contact: Roberto E. Rivera, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE98

444. TO PROVIDE REGULATIONS RELATING TO BACKUP WITHHOLDING UNDER SECTION 3406

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3406 Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: The regulations will provide that a tax equal to 20 percent of any reportable payment is required to be withheld if certain conditions exist. With respect to reportable interest or dividends, backup withholding applies if (1) no number is provided in the manner required, (2) the Service notifies the payor that the payee's taxpayer identification number is not correct, (3) the payee is subject to backup withholding due to a notified pavee underreporting, and (4) the payee fails to certify when required that he or she is not subject to backup withholding due to notified payee underreporting. With respect to other reportable payments (such as rents, royalties, nonemployee compensation, broker transactions, or barter exchanges), backup withholding applies if (1) no taxpayer identification number is provided, or (2) the Service notifies the payor that the payee's taxpayer identification number is not correct.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/84	
NPRM Comment Period Begin	05/01/85	
End Review	00/00/00	
Final Action	00/00/00	
Begin Review	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-224-82.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Richard D'Avino.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AE20

445. TO PROVIDE TEMPORARY
REGULATIONS RELATING TO
BACKUP WITHHOLDING WHERE THE
SERVICE NOTIFIES PAYOR TO
WITHHOLD DUE TO AN INCORRECT
TAXPAYER IDENTIFICATION NUMBER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3406 Internal Revenue Code of 1954

CFR Citation: 26 CFR 35a

Abstract: These regulations will prescribe when withholding is required when the Internal Revenue Service notifies the payor of an incorrect taxpayer identification number. The regulations will also describe that no withholding is required if the payee, within 30 days of the Service's notification, certifies under penalties of perjury that the name and taxpayer identification number are correct. If no certification is received within 30 days, backup withholding applies until such certification is received.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	Harris of the
Final Action	05/01/85	

Small Entity: Not Applicable

Additional Information: LR-7-84.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

TLC attorney: Rick D'Avino.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AF90

446. TREATMENT OF REAL ESTATE
AGENTS AND DIRECT SELLERS AS
NONEMPLOYEES FOR EMPLOYMENT
TAX PURPOSES—REPORTING
REQUIREMENTS WITH RESPECT TO
DIRECT SELLERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3508 Internal Revenue Code of 1954; 26 USC 3509 Internal Revenue Code of 1954; 26 USC 6041A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide rules for the treatment of real estate agents and direct sellers as independent contractors for employment tax purposes. The proposed rules would also provide guidance for the reporting requirements of sales to direct sellers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-214-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297.

Office of Legislative Counsel reviewing attorney: Chris Vaughn.

Draft of notice in Treasury pending review, 1/15/84.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE62

447. EXCISE TAX-APPLICABLE TO ARTICLES SOLD ON AND AFTER 1964

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4041 Internal Revenue Code of 1954; 26 USC 4042 Internal Revenue Code of 1954; 26 USC 4054 Internal Revenue Code of 1954; 26 USC 4058 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations would revise and update the existing regulations regarding manufacturers and retailers excise taxes on special fuels to reflect statutory changes made to section 4041 since 1964. The regulations would provide guidance to the public to comply with the laws.

Timetable:

Action	Date	FR Cite
NPRM	10/22/80	45 FR 69933
NPRM Comment Period Begin	10/22/80	45 FR 69933
NPRM Comment Period End	12/22/80	
Hearing	04/08/81	
Final Action	11/00/85	

Small Entity: Not Applicable

Additional Information: LR-2118.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AC85

448. EXCISE TAX-RETAILERS EXCISE TAXES ON MOTOR VEHICLES

Legal Authority: 26 USC 4052 Internal Revenue Code of 1954; 26 USC 4051 Internal Revenue Code of 1954; 26 USC 4053 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations will provide guidance as to what kinds of vehicles are taxable and how the tax is computed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	o intimate

Small Entity: No

Additional Information: LR-30-83.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Perlis.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AF61

449. TEMPORARY REGULATION EXCISE TAXES ON HEAVY TRUCKS, TRUCK TRAILERS AND SEMITRAILERS, AND TRACTORS SOLD AT RETAIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4051 Internal Revenue Code of 1954; 26 USC 4052 Internal Revenue Code of 1954; 26 USC 4053 Internal Revenue Code of 1954

CFR Citation: 26 CFR 145

Abstract: The regulations will provide guidance to dealers in paying tax on the sale of heavy trucks, trailers, and tractors.

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
Interim Final Rule	09/00/85	

Small Entity: Not Applicable

Additional Information: LR-142-83.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Mark Perlis.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AF79

450. EXCISE TAX--MANUFACTURERS EXCISE TAXES ON MOTOR VEHICLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4061 Internal Revenue Code of 1954; 26 USC 4063 Internal Revenue Code of 1954; 26 USC 4062 Internal Revenue Code of 1954

CFR Citation: 20 CFR 48; 20 CFR 142; 20 CFR 146

Abstract: The regulations will update and revise the existing regulations concerning Manufacturers and Retailers excise taxes on motor vehicles. The regulations substantially complete the task of updating the regulations under sections 4061 through 4063 of the Internal Revenue Code of 1954 to reflect statutory changes made to these sections since 1964.

Timetable:

Action	Date		FR	Cite
NPRM	12/30/82	47	FR	58297
NPRM Comment Period Begin	12/30/82	47	FR	58297
NPRM Comment Period End	02/28/83			
Final Action	12/00/85			

Small Entity: Not Applicable

Additional Information: LR-2119.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

In Legislation and Regulations Division for preparation of Treasury decision.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC86

451. EXCISE TAX--GAS GUZZLER TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4064 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations would define the terms sale, manufacturer, automobile, model year, model type, fuel economy and fuel. The regulations would outline the procedures to be followed by a small manufacturer seeking an alternate rate schedule.

Timetable:

Action	Date		FR	Cite
NPRM	02/08/80	45	FR	08669
NPRM Comment Period Begin	02/08/80			08669
NPRM Comment Period End	04/08/80			
Hearing	06/19/80			
Final Action	12/30/85			

Small Entity: Not Applicable

Additional Information: LR-205-78.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC87

452. MANUFACTURERS & RETAILERS EXCISE TAX-RELATING TO RECAPPED OR RETREADED TIRES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4071 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: This project was opened to possibly amend the regulations so as to eliminate the distinction between shoulder to shoulder retread tires and bead to bead retread tires.

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Action	Date	FR	Cite
NPRM	02/08/84	49 FR	4790
NPRM Comment Period Begin	02/08/84	49 FR	4790
NPRM Comment Period End	03/09/84		
Final Action	05/00/85		

Small Entity: Not Applicable

Additional Information: LR-180-81.

Drafting attorney: Jane Wilson (202) 566-4069.

Reviewing attorney: Neal E. Sheldon (202) 566-3936.

In Office of Chief Counsel (Interpretative Division) for preparation of notice.

Agency Contact: Jane Wilson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4069

RIN: 1545-AC89

453. MANUF. & RET. EXCISE TAX-REFUND FOR CERTAIN USES OF TREAD RUBBER & ADJUSTMENTS PURSUANT TO WARRANTY; MISC. EXCISE TAXES -TAX ON POLICIES OF INSURANCE ISSUED BY FOREIGN INSURERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4071(a)(1) Internal Revenue Code of 1954; 26 USC 4071(a)(2) Internal Revenue Code of 1954; 26 USC 4071(d)(1) Internal Revenue Code of 1954; 26 USC 4071(f) Internal Revenue Code of 1954; 26 USC 4071(f) Internal Revenue Code of 1954; 26 USC 6416(b)(1) Internal Revenue Code of 1954; 26 USC 6416(b)(2)(G) Internal Revenue Code of 1954; 26 USC 6511(i) Internal Revenue Code of 1954; 26 USC 6511(i) Internal Revenue Code of 1954; 26 USC 4374 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48; 26 CFR 46

Abstract: The regulations will provide new regulations concerning excise tax refunds and credits in the case of certain uses of tread rubber and adjustments pursuant to warranty. The regulation will also deal with the excise tax on policies of insurance issued by foreign insurers.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/86	777	391

Small Entity: Not Applicable

Additional Information: LR-28-81.

Current and Projected Rulemakings

Drafting attorney: Timothy J. McKenna (202) 566-4336.

Reviewing attorney: Fredric E. Grundeman (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Pike, Levinson.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AC88

454. MANUFACTURERS AND RETAILERS EXCISE TAXES-TAXES ON FUELS, TIRES AND GASOLINE

Legal Authority: 26 USC 4071 Internal Revenue Code of 1954; 26 USC 4041 Internal Revenue Code of 1954; 26 USC 4081 Internal Revenue Code of 1954; 26 USC 6420 Internal Revenue Code of 1954; 26 USC 6427 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations will provide guidance concerning the rates of tax on certain fuels and gasohol. In addition, the regulations will provide guidance concerning the tax on tires.

Timetable:

Innescione.		
Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-119-83.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing Attorney: Robert Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Rocap.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AF58

455. HEAVY VEHICLE USE TAX AND TAX ON DIESEL FUEL

Legal Authority: 26 USC 4041 Internal Revenue Code of 1954; 26 USC 4481 Internal Revenue Code of 1954; 26 USC 4482 Internal Revenue Code of 1954; 26 USC 4483 Internal

Revenue Code of 1954; 26 USC 6427 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 41; 26 CFR 48

Abstract: These regulations will impose a graduated use tax on heavy vehicles which use public highways. Heavy vehicles which use public highways for less than 5,000 miles (less than 7,500 miles in the case of agricultural vehicles) will be exempt. This tax will be effective July 1, 1984. There will be a one-year reduced rate available for truck fleets of 5 or less. The regulations will also impose an increase in the tax on diesel fuel to 15 cents a gallon and provide a one time credit or refund to original purchasers of lightweight diesel-powered highway vehicles. The increased diesel fuel tax is effective August 1, 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/06/84	49 FR 44300
NPRM Comment Period Begin	11/06/84	49 FR 44300
NPRM Comment Period End	12/06/84	
Hearing held	12/14/84	
Final Action	11/00/85	

Small Entity: Not Applicable

Additional Information: LR-31-83.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Treasury attorney: Mark Perlis (202) 566-4206.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AF62

456. EXCISE TAX--ENVIRONMENTAL TAXES--IMPOSITION OF TAXES ON PETROLEUM AND CERTAIN CHEMICALS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4611 Internal Revenue Code of 1954; 26 USC 4612 Internal Revenue Code of 1954; 26 USC 4661 Internal Revenue Code of 1954; 26 USC 4662 Internal Revenue Code of 1954

CFR Citation: 26 CFR 52

Abstract: The regulations will provide rules for the computation of the

environmental excise taxes on petroleum and certain chemicals. The regulations will also define such terms as entry and taxable chemicals and will explain how to get an exemption from tax for certain chemicals used to make fertilizer.

Timetable:

Action	Date	75	FR	Cite
NPRM	10/21/83	48	FB	48839
NPRM Comment Period Begin	10/21/83	48	FA	50775
NPRM Comment Period End	01/20/84			
Hearing	02/16/84			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-16-81.

Drafting attorney: Cynthia L. Clark (202) 566-4336.

Reviewing attorney: Larry E. Smith (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Yecies, Levinson.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AC91

457. EXCISE TAX-ENVIRONMENTAL TAXES-IMPOSITION OF TAX ON HAZARDOUS WASTES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4681 Internal Revenue Code of 1954; 26 USC 4682 Internal Revenue Code of 1954

CFR Citation: 26 CFR 52

Abstract: The regulations will explain the imposition of the hazardous waste tax on the receipt of hazardous waste at a qualified hazardous waste disposal facility.

Timetable:

Action	Date	FR	Cite
NPRM	05/00/85		

Small Entity: Not Applicable

Additional Information: LR-341-81.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Cynthia L. Clark (202) 566-3286.

Current and Projected Rulemakings

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC92

458. EXCISE TAX--TAX ON ISSUER OF REGISTRATION-REQUIRED OBLIGATION NOT IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4701 Internal Revenue Code of 1954

CFR Citation: 26 CFR 46

Abstract: This regulation will provide that registration-required obligations issued in non-registered form will have an excise tax imposed on the issuer.

Timetable:

Action	Date		FR	Cite
NPRM	08/22/84	49	FR	33285
NPRM Comment Period Begin	08/22/84	49	FR	33285
NPRM Comment Period End	10/22/84			
Final Action	07/00/85			

Small Entity: Not Applicable

Additional Information: LR-9-83.

Drafting attorney: Timothy J. McKenna (202) 566-4336.

Reviewing attorney: Robert B. Coplan [202] 566-3287.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AF31

459. INCOME TAX-LOBBYING BY PUBLIC CHARITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(h) Internal Revenue Code of 1954; 26 USC 504 Internal Revenue Code of 1954; 26 USC 4911 Internal Revenue Code of 1954; 26 USC 170(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 53; 26 CFR 56

Abstract: The regulations will provide rules primarily applicable to tax exempt organizations described in section 501(c)(3) that elect to have the provisions of section 501(h) and 4911 apply to their lobbying expenditures.

			le:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-154-78.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: Paul G. Accettura (202) 566-3544.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: McDowell, Bridgeman.

Agency Contact: George B. Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE02

460. FOUNDATION EXCISE TAX-EXCESS BUSINESS HOLDINGS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4943 Internal Revenue Code of 1954; PL 91-172, Sec 101 Tax Reform Act of 1969; PL 98-369, Sec 307 Tax Reform Act of 1984; PL 98-369, Sec 308; PL 98-369, Sec 309; PL 98-369, Sec 310; PL 98-369, Sec 314

CFR Citation: 26 CFR 53.4943-1

Abstract: Amendments to conform regulations to provisions enacted by the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Cmall Entitu	Mat Applicable	

Small Entity: Not Applicable

Additional Information: EE-65-84.

Drafting attorney: Roberto E. Rivera (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney

Agency Contact: Roberto E. Rivera. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AG49

461. FOUNDATION EXCISE TAX-PROCEDURE AND ADMINISTRATION-REVISION OF SECOND TIER EXCISE TAX PROVISIONS, ETC. UNDER CHAPTERS 42 AND 43

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4941 Internal Revenue Code of 1954; 26 USC 4942 Internal Revenue Code of 1954; 26 USC 4943 Internal Revenue Code of 1954; 26 USC 4944 Internal Revenue Code of 1954; 26 USC 4945 Internal Revenue Code of 1954; 26 USC 4951 Internal Revenue Code of 1954; 26 USC 4952 Internal Revenue Code of 1954; 26 USC 4971 Internal Revenue Code of 1954; 26 USC 4975 Internal Revenue Code of 1954; 26 USC 4961 Internal Revenue Code of 1954; 26 USC 4961 Internal Revenue Code of 1954; 26 USC 4962 Internal Revenue Code Of 1954; 26 USC 4

CFR Citation: 26 CFR 53; 26 CFR 301; 26 CFR 1; 26 CFR 54; 26 CFR 141

Abstract: This regulation provides rules related to second tier excise taxes as defined in section 4963. The regulations provide guidance to private foundations, black lung benefit trusts, pension trusts, and disqualified persons with respect to them, who may become liable for second tier excise taxes.

Timetable:

Action	Date		FR	Cite
NPRM	02/13/84	49	FR	5350
Final Action	12/00/85			

Small Entity: Not Applicable

Additional Information: FE-16-81.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bridgeman.

Agency Contact: George B. Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE09

462. INCOME TAX--EXCISE TAX-PROCEDURE AND ADMINISTRATION-VARIOUS PRIVATE FOUNDATION PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4962 Internal Revenue Code of 1954; 26 USC 507(d)(2)(c) Internal Revenue Code of 1954; 26 USC 4940(d) Internal Revenue Code of 1954; 26 USC 4940(e) Internal Revenue Code of 1954; 26 USC 4942 (a)(2) Internal Revenue Code of 1954; 26 USC 4942(f)(1) Internal Revenue

Current and Projected Rulemakings

Code of 1954; 26 USC 4942(g)(4) Internal Revenue Code of 1954; 26 USC 4945(d)(1) Internal Revenue Code of 1954; 26 USC 4945(d)(4) Internal Revenue Code of 1954; 26 USC 4946(d) Internal Revenue Code of 1954; 26 USC 6104(d) Internal Revenue Code of 1954; 26 USC 6603(n)(3) Internal Revenue Code of 1954; 26 USC 6603(n)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 53; 26 CFR 301

Abstract: These regulations will amend existing rules to reflect changes made by the Tax Reform Act of 1984 relating to the excise taxes on private foundations.

Timetable:

Action Date FR Cite
NPRM 00/00/00

Small Entity: Not Applicable

Additional Information: EE-76-84.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bridgeman.

Agency Contact: George B. Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AG18

463. TAX WITH RESPECT TO CERTAIN FUNDED WELFARE BENEFIT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4976 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the tax imposed upon certain funded welfare benefit plans which provide "disqualified benefits".

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	HURSE CO.

Small Entity: Not Applicable

Additional Information: EE-67-84.

Drafting attorneys: John T. Ricotta/John C. Khil (202) 566-3544 or 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961. Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta/John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AG12

464. EXCISE TAX-DEFINITION OF NEWLY DISCOVERED OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4997 Internal Revenue Code of 1954; 26 USC 4991 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The regulations would provide guidance on the requirements for the qualification of crude oil as newly discovered oil, as well as a definition of production in "commercial quantities" that affects the net income limitation on windfall profit and the exemption for Alaskan oil.

Timetable:

Action	Date		FR	Cite
NPRM	11/05/82	47	FR	50306
NPRM Comment Period Begin	11/05/82	47	FR	50306
NPRM Comment Period End	01/04/83			
Final Action	06/28/85			

Small Entity: Not Applicable

Additional Information: LR-224-81.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC96

465. EXCISE TAX--WITH RESPECT TO THE DEFINITION OF TAXABLE CRUDE OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4991 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These regulations would provide rules relating to the definitions of crude oil, condensate, and tar sand for purposes of the windfall profit tax. These definitions are important because only crude oil is subject to the windfall profit tax.

Timetable:

Action	Date	FR	Cite
NPRM	12/01/85	Circle	
Small Entit	y: Not Applicable		

Additional Information: LR-226-81.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD00

466. EXCISE TAX-ISSUES ARISING WHERE MULTIPLE PARTIES SHARE IN PRODUCTION, INCLUDING UNITIZATIONS, PARTNERSHIPS, TRUSTS AND ESTATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4986 to 4998 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These regulations would provide rules relating to production from a unitized property of imputed stripper well crude oil, imputed heavy crude oil, and imputed newly discovered crude oil for purposes of the windfall profit tax. The regulations would provide rules for determining the amount of imputed oil and rules for allocating the imputed oil among the producers of the unitized property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-225-81.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC94

467. EXCISE TAX--INCREMENTAL TERTIARY OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4993 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The regulations would clarify the rules relating to incremental tertiary oil. The regulations provide procedural rules for requesting approval from the Service of tertiary recovery methods which are not already approved under Department of Energy regulations. The regulations also define "project beginning date" and "tertiary injectant".

Timetable:

Action	Date	1	FR	Cite
NPRM	09/10/84	49 f	R	35517
NPRM Comment Period Begin	09/10/84	49 F	R	35517
NPRM Comment Period End	11/09/84			
Final Action	12/01/85			

Small Entity: Not Applicable

Additional Information: LR-67-80.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD04

468. EXCISE TAX--EXEMPTIONS FOR QUALIFIED GOVERNMENTAL INTERESTS, QUALIFIED CHARITABLE INTERESTS (INCLUDING RESIDENTIAL CHILD CARE AGENCIES), INDIAN OIL, ALASKAN ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4994 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The proposed regulations will provide rules and definitions relating to various exemptions from the windfall profit tax.

Timetable:

Action	Date		FR Cite
NPRM	02/12/85	50	FR 5770
NPRM Comment Period Begin	02/12/85	50	FR 5770
NPRM Comment Period End	04/15/85		
Final Action	02/00/86		

Small Entity: Not Applicable

Additional Information: LR-69-80.

Drafting attorney: John G. Schmalz (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: John G. Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD05

469. EXCISE TAX-EXEMPT FRONT-END OIL UNDER THE CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4994(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These regulations would provide rules relating to the treatment of front-end tertiary oil under the crude oil windfall profit tax. The proposed regulations explain the exemption from the windfall profit tax for domestic crude oil that is removed from the premises before October 1, 1981, and that is treated as front-end oil and used to finance a front-end tertiary project on one or more properties each of which is a qualified property.

Timetable:

Action	Date		FR	Cite
NPRM	12/05/80	45	FR	80551
NPRM Comment Period Begin	12/05/80	45	FR	80551
NPRM Comment Period End	02/04/81			
Hearing	02/24/81	45	FR	80554
Cinal Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-68-80.

Drafting attorney: Douglas W. Charnas (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Douglas W. Charnas, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD06

470. EXCISE TAX-OIL FROM A STRIPPER WELL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4991 Internal Revenue Code of 1954; 26 USC 4992 Internal Revenue Code of 1954; 26 USC 4994 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The proposed regulations provide rules and definitions relating to oil from a stripper well property for purposes of tier 2 oil and exempt stripper well oil.

Timetable:

Action	Date	FR Cite
NPRM	01/20/83	48 FR 2552
NPRM Comment Period Begin	01/20/83	48 FR 2552
NPRM Comment Period End	03/20/83	
Final Action	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-217-81.

Drafting attorney: John G. Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: John G. Schmalz. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD01

471. EXCISE TAX-DEFINITION OF OIL REMOVED FROM THE PREMISES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954; 26 USC 4997 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: This regulation would provide for exceptions to the general rule that crude oil is removed from the premises when it is physically transported off the premises. The exceptions are for certain uses of the crude oil on the premises, transportation to contiguous tracts and to storage tanks.

Timetable:

Action	Date		FR	Cite
NPRM	01/14/83	48	FR	1762
NPRM Comment Period Begin	01/14/83	48	FR	1762
NPRM Comment Period End	03/15/83			
Hearing	06/28/83			
Final Action	09/01/85			

Small Entity: Not Applicable

Additional Information: LR-227-81.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC95

472. EXCISE TAX--DEFINITION OF PROPERTY UNDER THE CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These proposed regulations would provide rules relating to the definition of "property" for purposes of the crude oil windfall profit tax. These regulations are important because the rate of tax depends, in part, on the characteristics of the property from which the crude oil is produced.

Timetable:

Action	Date		FR	Cite
NPRM	11/10/82	47	FR	50924
NPRM Comment Period Begin	11/10/82	47	FR	50924
NPRM Comment Period End	01/09/83			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-34-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD08

473. EXCISE TAX-AMENDMENT OF SEC 51.4996-1(B) WITH RESPECT TO THE TREATMENT OF NET PROFITS INTERESTS FOR WINDFALL PROFITS TAX PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These proposed regulations would provide rules for determining the portion of crude oil removed from the premises attributable to the holder of a net profits interest.

Timetable:

Action	Date	FR Cite
NPRM	08/29/84	49 FR 34242
NPRM Comment Period Begin	08/29/84	49 FR 34243
NPRM Comment Period End	10/29/84	
Final Action	08/00/85	

Small Entity: Not Applicable

Additional Information: LR-38-82.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury,

Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD09

474. RETURNȘ REQUIRED ON MAGNETIC MEDIA

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6011 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would require certain returns to be filed on magnetic media. Prior to enactment of section 319 of the Tax Equity and Fiscal Responsibility Act of 1982, there was no statutory or regulatory requirement that any particular return be filed on magnetic media or in other machine-readable form. The regulations would provide standards for determining which returns would be required to be filed on magnetic medias.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Not Applicable

Additional Information: LR-289-82.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell.

Office of Tax Legislative Counsel reviewing attorney: Mark Perlis.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF12

475. FORM OF INDIVIDUAL TAX RETURN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6012 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules for an individual taxpayer for determining the appropriate return to file, for utilizing a substitute form and for attaining assistance from the Internal Revenue Service for computing the tax liability from the partially completed return.

Timetable:		
Action	Date	FR Cite
NPRM	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-300-82.

Drafting attorney: Howard Balikov (202) 566-3288.

Reviewing attorney: Ewan D. Purkiss (202) 566-3238.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF24

476. TO PROVIDE REGULATIONS
RELATING TO NEW EXCEPTION TO
ESTIMATED TAX PENALTY WHERE
INDIVIDUAL HAS NO TAX LIABILITY
FOR PRECEDING TAXABLE YEAR

Legal Authority: 26 USC 7805; 26 USC 6015; 26 USC 6654

CFR Citation: 26 CFR 1

Abstract: The regulation will clarify the new exception to the individual estimated tax in the case of an individual who had no tax liability for the preceding taxable year. Rules also eliminate the requirement that individuals file a declaration of estimated tax.

Timetable:

Action	Date	FR Cite
NPRM	09/01/85	110000
Small Entity	: Not Applicable	

Additional Information: LR-226-82.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr., [202] 566-4473.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE71

477. CONFORM REGULATIONS
UNDER SECTIONS 6015, 6154, 6654
AND 6655 TO SECTION 201(J) OF THE
TECHNICAL CORRECTIONS ACT OF
1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6015 Internal Revenue Code of 1954; 26 USC 6154 Internal Revenue Code of 1954; 26 USC 6654 Internal Revenue Code of 1954; 26 USC 6655 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project would amend the regulations under sections 6015, 6154, 6654, and 6655 to reflect section 201[j] of the Technical Corrections Act of 1982 which adds to the definition of estimated tax an allowance for overpayment of the windfall profit tax in section 4986.

Timetable:

Action	Date	FR Cite
NPRM	08/29/84	49 FR 34240
NPRM Comment Period Begin	08/29/84	
NPRM Comment	40/29/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: LR-54-83.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF66

478. INCOME TAX-AMENDMENTS TO REQUIREMENTS FOR RETURN OF PARTNERSHIP INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6031 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidelines for determining when and what information a partnership must provide to its partners. The regulations also provide guidelines for determining what foreign partnerships must file information returns.

Timetable:

Action	Date	FR Cite
NPRM	11/01/85	A STATE OF

Small Entity: Not Applicable

Additional Information: LR-198-82.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Steven R. Lainoff (202) 566-5046.

Agency Contact: Beverly A.

Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE40

479. INCOME TAX--PROCEDURE & ADMINISTRATION--RETURN AND REPORTING REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6033 Internal Revenue Code of 1954; 26 USC 6034 Internal Revenue Code of 1954; 26 USC 6104 Internal Revenue Code of 1954; 26 USC 6655 Internal Revenue Code of 1954; 26 USC 6685 Internal Revenue Code of 1954; 26 USC 7207 Internal Revenue Code of 1954; 26 USC 7207 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 53; 26 CFR 301

Abstract: The regulations simplify the private foundation return and reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/21/84	49 FR 33145
NPRM Comment Period Begin	08/21/84	49 FR 33145
NPRM Comment Period End	10/21/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-35-81.

Drafting attorney: James J. McGovern (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney:

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE14

Current and Projected Rulemakings

480. INCOME TAX-TO AMEND REGULATIONS UNDER INTERNAL **REVENUE CODE SECTIONS 6035 AND** 6679 RELATING TO RETURNS OF FOREIGN PERSONAL HOLDING COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6035 Internal Revenue Code of 1954; 26 USC 6679 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would amend the regulations under Internal Revenue Code sections 6035 and 6679 to conform to changes made by section 340 of the Tax Equity and Fiscal Responsibility Act of 1982. Those changes simplified the information reporting requirements imposed upon officers, directors and some shareholders of foreign personal holding companies, and added a new thousand-dollar penalty for failure to comply.

Timetable:

Action	Date	FR	Cite
NPRM	09/06/84	49 FR	35145
NPRM Comment Period Begin	09/06/84		
NPRM Comment Period End	11/06/84		
Final Action	04/00/85		

Small Entity: Not Applicable

Additional Information: LR-200-82.

Drafting attorney: Marnie J. Carro (202) 566-3289.

Reviewing attorney: Mary Frances Pearson (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Marnie Carro, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AE29

481. PROPOSED REGULATIONS **UNDER SECTION 6037 RELATING TO** INFORMATION REQUIRED TO BE **FURNISHED TO SHAREHOLDERS TO S CORPORATIONS**

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6037 Internal Revenue Code of 1954

CFR Citation: 26 CFR 6037

Abstract: These regulations will provide rules relating to information required to be furnished to shareholders of S corporations. The regulations will require S corporations to furnish to each person who is a shareholder at any time during the taxable year a schedule K-1 of Form 1120S showing certain required information.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	
-	NAME OF THE OWNER OF THE OWNER.	

Small Entity: Undetermined

Additional Information: LR-233-84.

Drafting attorney: Annie R. Alexander (202) 566-3297.

Reviewing attorney: Walter H. Woo.

Treasury attorney:

Agency Contact: Annie R. Alexander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH48

482. INCOME TAX-INFORMATION RETURNS REQUIRED OF CERTAIN FOREIGN-OWNED CORPORATIONS; FOREIGN CORPORATION REPORTING REQUIREMENTS AND PENALTIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6038 Internal Revenue Code of 1954; 26 USC 6038A Internal Revenue Code of 1954; PL 97-248, Sec 338: PL 97-248, Sec 339

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that certain foreign-owned corporations which transact business with other related corporations must furnish information about those transactions and the transacting corporations. The purpose of the reporting requirement is to verify that income is being reported accurately. The regulations would also amend existing penalty provisions for failure to supply information relating to certain foreign corporations, to conform those provisions to new statutory penalties imposed under the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR	Cite
NPRM	12/19/83	48 FR	56076
NPRM Comment Period Begin	12/19/83	48 FR	56076

Action	Date	FR Cite
NPRM Comment Period End	02/17/84	CH DIGE
Public Hearing	03/29/84	49 FR 8261
held Final Action	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-201-82.

Drafting attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver.

Agency Contact: Charles C. Saverude. Chief. Branch 5. Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3323

RIN: 1545-AE43

483. RETURN OF INFORMATION AS TO PAYMENTS OF \$600 OR MORE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6041 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation relates to the written statements that trustees and executors furnish to the Internal Revenue Service. The amendment to the regulation would provide that such information returns need not be furnished to the beneficiaries of the trusts or estates.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	Shared to
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-117-83. Drafting attorney: Mitchell H. Rapaport

(202) 566-3459. Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Tax Legislative Counsel reviewing attorney: Richard Reinhold (202) 566-

Agency Contact: Mitchell H. Rapaport. Attorney. Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington. D.C. 20224, 202 566-3294

RIN: 1545-AF37

484. INFORMATION RETURNS OF BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations in this project clarify the definition of the term "commodity" for purposes of broker reporting. Rules are provided for determining whether personal property (including gold and silver) is a commodity. Generally, the term "commodity" is defined as personal property that is deliverable in satisfaction of a regulated futures contract, certain specified personal property that the secretary determines is to be treated as a commodity or any form or quality of or any interest in such personal property. The term "commodity" does not include a security, regulated futures contract, forward contract, or a form of tangible personal property if the gross proceeds from its sale exceed by more than 15 percent its value as a commodity. The rules proposed include alternative methods (the "exact" and "approximate" methods) of tangible personal property valuation.

Timetable:

Action	Date	FR Cite
NPRM	01/05/84	49 FR 646
NPRM Comment Period Begin	01/05/84	49 FR 646
NPRM Comment Period End	03/05/84	The unit bear
Final Action	08/31/85	

Small Entity: No

Additional Information: LR-201-83.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3238.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG02

485. FURNISHING STATEMENTS REQUIRED WITH RESPECT TO CERTAIN SUBSTITUTE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations were designed in order to alleviate certain situations in which multiple deductions or exclusions were being claimed with respect to a single payment made with respect to a single security. These situations developed because of shortcomings in the broker reporting system. These regulations provide that a broker must furnish statements to its customers with respect to certain substitute payments received by the broker on behalf of its customer. These regulations also provide that brokers must make returns of information respecting any customer to which such broker is required to furnish a statement.

Timetable:

Action	Date	FR	Cite
NPRM	10/24/84	49 FR	42744
Final Action	05/00/85		

Small Entity: Not Applicable

Additional Information: LR-133-84.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Treasury attorney: Linda Carlisle (202) 566-4979.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG15

486. INFORMATION RETURNS OF BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 6045 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations provide a special rule for broker reporting with respect to transactions made through a cash on delivery account (COD). In addition, these regulations make technical corrections to the list of recipients exempted from coverage

under the reporting requirement, and expand the class of brokers which qualify for the multiple broker rule.

Timetable:

Action	Date	FR Cite
NPRM	05/29/84	49 FR 22343
NPRM Comment Period Begin	05/29/84	49 FR 22343
NPRM Comment Period End	07/30/84	
Final Action	07/00/85	

Small Entity: Not Applicable

Additional Information: LR-62-84.

Drafting attorneys: Bruce H. Jurist, (202) 566-3238; C. Scott McLeod, (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Bruce H. Jurist/C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG52

487. INCOME TAX--REGULATIONS RELATING TO RETURNS AS TO INTERESTS IN FOREIGN PARTNERSHIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6046A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would give guidance for determining which United States persons who acquire, dispose of or change their interests in foreign partnerships must report their activities. Additionally, guidance would be given as to how, when and where such persons must report and what information they must supply.

Timetable:

Action	Date	FR Cite
NPRM	12/01/85	ESERTION.

Small Entity: Not Applicable

Additional Information: LR-203-82.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Steven Lainoff (202) 566-5046.

Current and Projected Rulemakings

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE47

488. REPORTING OF STATE AND LOCAL INCOME TAX REFUNDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050E Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to persons who make payments of refunds of State or local income taxes, or who allow credits or offsets with respect to such taxes, for purposes of reporting these amounts to the Service. The regulations would also prescribe rules for providing statements to the taxpayers receiving the refund or for whom the credit or offset is allowed.

Timetable:

Action	Date		FR	Cite
NPRM	09/15/83	48	FR	41436
NPRM Comment Period Begin	09/15/83	48	FR	41436
NPRM Comment Period End	11/14/83			
Final Action	06/15/85			

Small Entity: Not Applicable

Additional Information: LR-233-82.

Drafting attorney: Alice M. Bennett (202) 566-3238.

Reviewing attorney: John H. Parcell (202)566-3336.

Office of Tax Legislative Counsel reviewing attorney: Reinhold.

Agency Contact: Alice M. Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AE76

489. NOTICE OF PROPOSED RULEMAKING-INFORMATION RETURNS WITH RESPECT TO SUBSIDIZED ENERGY FINANCING OR GRANTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050D Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules to be followed by persons who administer a Federal, State, or local program a principal purpose of which is to provide subsidized energy financing (as defined in section 446 (c) (10)) or grant for project to conserve or produce energy.

Timetable:

				1 - march 1 1 1
Action	Date	1	FR	Cite
NPRM	08/02/84	49 1	FR	30971
NPRM Comment Period Begin	08/02/84	49	FR	30971
NPRM Comment Period End	10/01/84			
Final Action	05/00/85			
Final Action Effective	06/01/85			

Small Entity: No

Additional Information: LR-23-84.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

Treasury attorney: Moshe Schuldinger (202) 566-2928.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG01

490. NOTICE OF PROPOSED RULEMAKING RELATING TO REPORTING OF TRANSFERS OF SECURITY TO A PERSON OTHER THAN THE LENDER UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050J Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations propose rules relating to information reporting of transfers of security to persons other than the lender.

Timetable:

Action	Date		FR	Cite
NPRM	08/31/84	49	FR	34518
NPRM Comment Period Begin	10/31/84	49	FR	34518
Final Action	08/31/85			

Small Entity: Not Applicable

Additional Information: LR-182-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Alice M. Bennett (202) 566-3238.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Annette J. Guarisco. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG51

491. ● INCOME TAX-MORTGAGE INTEREST REPORTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050H Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will propose rules relating to information reporting of mortgage interest received in a trade or business from individuals, including the persons and interest subject to the reporting requirements.

Timetable:

Action	70.0	Date	FR Cite
NPRM	05	5/01/85	

Small Entity: Not Applicable

Additional Information: LR-214-84

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Linda M. Kroening (202) 566-3238.

Treasury attorney: Neil Kimmelfield (202) 566-8528.

Agency Contact: Annette J. Guarisco. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG93

492. ● INCOME TAX--MORTGAGE INTEREST REPORTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050H internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to information reporting of mortgage interest received in a trade or business from individuals, including the persons and interest subject to the reporting requirement.

Current and Projected Rulemakings

Timetable:		
Action	Date	F

Interim Final 05/01/85

Small Entity: Not Applicable

Additional Information: LR-201-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

R Cite

Reviewing attorney: Linda M. Kroening (202) 566-3238.

Treasury attorney: Neil Kimmelfield (202) 566-8528.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AH27

493. TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO CASH IN EXCESS OF \$10,000 RECEIVED IN A TRADE OR BUSINESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 60501 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations will provide rules relating to the requirement of reporting cash in excess of \$10,000 received in a trade or business. The regulations will explain what transactions must be reported, who must report with respect to cash transactions and how and when the reporting must be accomplished. The regulations also provide rules relating to Furnishing Statements to any person identified on a return of information.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/01/85	HA DIES SA

Small Entity: Not Applicable

Additional Information: LR-256-84.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Treasury attorney: Jim Bridgeman (202) 566-4902.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG96

494. TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO CASH IN EXCESS OF \$10,000 RECEIVED IN A TRADE OR BUSINESS

Legal Authority: 20 USC 7805 Internal Revenue Code of 1954; 20 USC 60601 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations will provide rules relating to the requirement of reporting cash in excess of \$10,000 received in a trade or business. The regulations will explain what transactions must be reported, who must report with respect to cash transactions and how and when the reporting must be accomplished. The regulations also provide rules relating to furnishing statements to any person identified or a return of information.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	David Bolly and
Small Entity:	Not Applicable	

Additional Information: LR-262-84.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Treasury attorney: Jim Bridgeman (202) 566-4902.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG97

495. NOTICE OF PROPOSED RULEMAKING RELATING TO REPORTING OF FORECLOSURES AND ABANDONMENTS OF SECURITY UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050J Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations proposed rules relating to information reporting of foreclosures, abandonments, and other acquisitions of property securing indebtedness, including the persons and property subject to the reporting requirement and the information required to be reported, and when a person has reason to know that property has been abandoned.

Timetable:

Action	Date		FR	Cite
NPRM	08/31/84	49	FR	34518
NPRM Comment Period End	10/31/84	49	FR	34518
Final Action	08/31/85			

Small Entity: Not Applicable

Additional Information: LR-181-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Alice M. Bennett (202) 566-3238.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG48

496. ● RETURNS RELATING TO SALES OR EXCHANGES OF CERTAIN PARTNERSHIP INTERESTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050K Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation will provide rules relating to the manner of filing and contents of returns, statements, and notifications with respect to certain sales or exchanges of interests in partnerships.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Vall North

Small Entity: Not Applicable

Additional Information: LR-236-84

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Blake Rubin (202) 566-6968.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH42

497. • EMPLOYEE TIP REPORTING AND RECORDKEEPING REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; PL 98-369, Sec 1072 (b) Tax Reform Act of 1984

CFR Citation: 26 CFR 31

Abstract: The regulations contain rules relating to employee tip reporting and recordkeeping requirements to reflect changes in the tax law made by section 1072 of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-162-84.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH24

498. PUBLIC INSPECTION OF EXEMPT ORGANIZATION RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6104(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations set forth limitations on the information that will be disclosed to the public by the Internal Revenue Service with respect to the returns filed by certain exempt organizations.

Timetable:

Timotaisto.		70.7		
Action	Date		FR	Cite
NPRM	03/04/83	48	FR	9306
NPRM Comment Period Begin	03/04/83	48	FR	9306
NPRM Comment	05/03/83			

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Not Applicable

Additional Information: EE-111-80.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jewett.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE16

499. PROPOSED REGULATIONS UNDER SECTIONS 6111 AND 6709, RELATING TO TAX SHELTER REGISTRATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6111 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: This project will provide rules explaining what investments are tax shelters that must be registered with the Internal Revenue Service. The project will also provide rules relating to the persons required to register tax shelters and to the furnishing of tax shelter registration numbers to investors in tax shelters.

Timetable:

Action	Date		FR	Cite
NPRM	08/15/84	49	FR	32728
NPRM Comment Period Begin	08/15/84	49	FR	32728
NPRM Comment Period End	10/15/84			
Final Action	05/00/85			

Small Entity: Not Applicable

Additional Information: LR-142-84.

Drafting attorney: Cynthia L. Clark (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG45

500. ● PROCEDURE AND ADMINISTRATION REGULATIONS RELATING TO TAX SHELTER REGISTRATION AND THE REQUIREMENT TO MAINTAIN LISTS OF INVESTORS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6111 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301T

Abstract: This project will provide rules to suspend the tax shelter registration requirements for tax shelters that are projected income investments.

Timetable:

Action	Date	75	FR	Cite
NPRM	10/31/84	49	FR	43714
NPRM Comment Period Begin	10/31/84	49	FR	43714
NPRM Comment Period End	12/31/84			
Hearing held	01/17/85			
Final Action	06/00/85			

Small Entity: Not Applicable

Additional Information: LR-213-84.

Drafting attorney: Cynthia L. Clark (202) 566-3828.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3828

RIN: 1545-AH29

501. ● TEMPORARY REGULATIONS RELATING TO TAX SHELTER REGISTRATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6111 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301T

Abstract: This project will remove section 301.6111-2T from the temporary tax shelter registration regulations published August 15, 1985.

Current and Projected Rulemakings

Timetable:			101
Action	Date	FR	Cit
leterim Final	05/00/95	- Carrier	

Interim Final 05/09/

Small Entity: Not Applicable

Additional Information: LR-308-84.

Drafting attorney: Cynthia L. Clark (202) 566-3228.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111
Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3228

RIN: 1545-AH30

502. REQUIREMENT TO MAINTAIN LISTS OF INVESTORS IN POTENTIALLY ABUSIVE TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6112 Internal Revenue Code of 1954; 26 USC 6708 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations will provide guidance to organizers of and sellers of interests in potentially abusive tax shelters relating to the requirement to maintain lists identifying persons who acquire interests in those tax shelters.

Timetable:

Action	Date	- Lety	FR	Cite
NPRM	08/29/84	49	FR	34246
NPRM Comment Period Begin	08/29/84	49	FR	34246
NPRM Comment Period End	10/29/84			
Hearing	01/17/85			
Final Action	07/00/85			E9(112)
0- 0-	or with the same of			

Small Entity: Not Applicable

Additional Information: LR-149-84.

Drafting attorney: Alice M. Bennett (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Alice M. Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3236

RIN: 1545-AG58

503. ESTATE TAX-PROCEDURE AND ADMINISTRATION-DEFERRAL AND INSTALLMENT PAYMENT OF ESTATE TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6166 Internal Revenue Code of 1954; 26 USC 6161 Internal Revenue Code of 1954; 26 USC 6151 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 301

Abstract: The regulations will provide guidance to executors wishing to extend the time for payment of estate tax where the estate contains an interest in a closely held business. The regulations will provide rules in determining what qualifies as an interest in a closely held business. In addition, the regulations will explain when the installment privileges allowed by section 6166 will be terminated.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	of Consideration
Small Entit	y: Not Applicable	

Additional Information: LR-210-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Treasury attorney: Victor Thuronyi (202) 566-2566.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AD23

504. MISCELLANEOUS RULES RELATING TO CONSOLIDATED ADMINISTRATIVE AND JUDICIAL PROCEEDINGS TO DETERMINE THE TAX TREATMENT OF PARTNERSHIP ITEMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6222 Internal Revenue Code of 1954; 26 USC 6223 Internal Revenue Code of 1954; 26 USC 6224 Internal Revenue Code of 1954; 26 USC 6227 Internal Revenue Code of 1954; 26 USC 6230 Internal Revenue Code of 1954; 26 USC 6231 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would set forth miscellaneous procedural rules for consolidated administrative and judicial proceedings to determine the tax treatment of partnership items. The regulations would provide guidance for various elections under these new procedures and for filing requests for an administrative adjustment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-205-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Draft of notice in Treasury pending review, 10/1/83.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE51

505. DESIGNATION OF TAX MATTERS PARTNER FOR PURPOSES OF DETERMINING THE TAX TREATMENT OF PARTNERSHIP ITEMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6231(a)(7) Internal Revenue Code of 1954; 26 USC 6230(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 5t

Abstract: Proposed regulations would set forth procedural rules for designating and revoking the designation of the "tax matters partner" for purposes of the new partnership-level audit procedures.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	State of

Small Entity: Not Applicable

Additional Information: LR-206-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Current and Projected Rulemakings

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Andrew Pike.

Draft of notice in Treasury pending review.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE53

506. DEFINITION OF "PARTNERSHIP ITEM"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6231(a)(3) Internal Revenue Code of 1954; 26 USC 6230(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulations would define the term "partnership item" for purposes of new rules for determining the tax treatment of partnership items at the partnership level.

Timetable:

Action	Date		FR	Cite
NPRM	01/14/83	48	FR	01759
NPRM Comment Period Begin	01/14/83	48	FR	01759
NPRM Comment Period End	03/15/83			
Final Action	00/00/00			

Small Entity: Not Applicable

Additional Information: LR-186-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Andrew Pike.

Draft of Treasury decision at Treasury pending review.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF09

507. SPECIAL RULES FOR CERTAIN REFUND CLAIMS TREATED AS SPECIAL ENFORCEMENT AREAS UNDER RULES FOR CONSOLIDATED PARTNERSHIP PROCEEDINGS

Legal Authority: 26 USC 6231 (c)(1) Internal Revenue Code of 1954; 26 USC 6231 (c)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 301T

Abstract: These regulations will provide rules relating to special enforcement areas under the rules for consolidated partnership proceedings. Specifically they will identify certain applications for tentative adjustments ("Quick Refunds") and refund claims attributable to abusive tax shelters as areas that have been determined to present special enforcement considerations.

Timetable:

Action	Date	FR Cite
NPRM	12/13/84	49 FR 48573
NPRM Comment Period Begin	12/13/84	
NPRM Comment Period End	02/11/85	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-242-84.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Mark Perlis (202) 566-2926.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W.. Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH00

508. PROPOSED REGULATIONS OF SECTION 6232, RELATING TO THE APPLICABILITY OF PARTNERSHIP AUDIT RULES TO THE WINDFALL PROFIT TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6232 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: These regulations will provide rules relating to the extension of the partnership audit rules under Code sections 6221-6231 to the Windfall Profit Tax. These regulations provide rules under which the partnership may

act on behalf of all partners in the assessment and determination of the Windfall Profit Tax.

Timetable:

Action	Date		FR	Cite
NPRM	10/18/84	49	FR	40896
NPRM Comment Period Begin	10/18/84	49	FR	40896
NPRM Comment Period End	12/17/84			
Final Action	10/00/85			

Small Entity: Yes

Additional Information: LR-220-83.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Moshe Schuldinger (202) 566-2929.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG54

509. DETERMINATION OF THE TAX TREATMENT OF SUBCHAPTER S ITEMS AT THE CORPORATE LEVEL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6241 Internal Revenue Code of 1954; 26 USC 6242 Internal Revenue Code of 1954; 26 USC 6243 Internal Revenue Code of 1954; 26 USC 6244 Internal Revenue Code of 1954; 26 USC 6245 Internal Revenue Code of 1954; 26 USC 6245 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulations would provide new rules for determining the tax treatment of any subchapter S item at the corporate level. Regulations would provide rules similar to rules for determining the tax treatment of partnership items. The regulations would define the term "subchapter S item."

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-269-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Sheehy (202) 566-4902.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE96

510. PROCEDURE AND
ADMINISTRATION--RELEASE OF
LIENS, NOTICE BEFORE LEVY,
PROPERTY EXEMPT FROM LEVY
REDEMPTION OF LEVIED REAL
PROPERTY AND AMOUNT OF
DAMAGES IN CASE OF WRONGFUL
LEVY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6325 Internal Revenue Code of 1954; 26 USC 6331 Internal Revenue Code of 1954; 26 USC 6334 Internal Revenue Code of 1954; 26 USC 6337 Internal Revenue Code of 1954; 26 USC 7426 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulation will provide guidance in obtaining the issuance of a certificate of release of a notice of Federal tax lien. The regulation will revise existing regulations relating to the size of the exemption from levy available for certain property. The proposed regulation also increases the size of post-sale redemption period currently specified in the regulations. The proposed regulations also provide rules notice and procedures to service employees administering the Code for providing notice of intention to levy upon the property of a delinquent taxpayer. The proposed regulations increase the amount of damages allowed where property has been levied wrongfully.

Timetable:

Action	Date	FR	Cite
NPRM	12/00/85		

Small Entity: Not Applicable

Additional Information: LR-253-82.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AE82

511. PROPOSED REGULATIONS
UNDER THE SPENDING REDUCTION
ACT OF 1984, RELATING TO
REDUCTION OF TAX OVERPAYMENTS
BY THE AMOUNT OF PAST-DUE
LEGALLY ON FORCEABLE DEBT
OWED TO FEDERAL AGENCY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 31 USC 3720A

CFR Citation: 26 CFR 6402-6

Abstract: These proposed regulations will provide rules relating to the reduction of a taxpayer's overpayment of tax (i.e., tax refund) by the amount of any past-due legally enforceable debt owed to a federal agency by the taxpayer. The regulations explain which debts qualify for offset, and the steps a federal agency must make to refer a debt to the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Mary Mary
Small Entity:	Not Applicable	

Additional Information: LR-291-84.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: David Dickenson (202) 566-6655.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG95

512. INCOME TAX-TENTATIVE REFUND OF TAX UNDER CLAIM OF RIGHT ADJUSTMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6411 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal provides rules with respect to a tentative refund of income tax when a taxpayer has a claim of right adjustment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-45-79. Drafting attorney: Biruta Kelly (202)

566-2456.

Reviewing attorney: Bruce Segal (202) 566-3224.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton, Levinson.

In Office of Chief Counsel (Interpretative Division) for preparation of notice.

Agency Contact: Biruta Kelly, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-2456

RIN: 1545-AD30

513. EXCISE TAX-SPORTING GOODS AND FIREARMS & ADMINISTRATION PROVISIONS OF SPECIAL APPLICATION TO MANUFACTURERS & RETAILERS EXCISE TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6001 to 6427 Internal Revenue Code of 1954; 26 USC 4161 Internal Revenue Code of 1954; 26 USC 4181 Internal Revenue Code of 1954; 26 USC 4182 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: This regulation will contain amendments which would revise and update the regulations concerning manufacturers excise taxes on sporting goods and firearms and other administrative provisions especially applicable to manufacturers and retailers excise taxes.

Timetable:

Action	Date	FR Cite
NPRM	01/05/83	48 FR 00442
NPRM Comment Period Begin	01/05/83	
NPRM Comment Period End	05/05/83	
Final Action	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-2115.

Drafting attorney: Ada S. Rousso (202) 566-3297.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Current and Projected Rulemakings

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton, Levinson.

Notice published 01/05/83.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3297

RIN: 1545-AD12

514. REGULATIONS ON PROCEDURE AND ADMIN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6602 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: These regulations will provide taxpayers with guidance for determining the period of time during which interest accrues on the amount of tax refunded erroneously to the taxpayer.

Timetable:

Innotable		
Action	Date	FR Cite
NPRM	12/31/85	

Small Entity: Not Applicable

Additional Information: LR-59-84.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG42

515. MODIFICATION OF INTEREST PAYMENTS FOR CERTAIN PERIODS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6611 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules for determining the period during which interest accrues on an underpayment or an overpayment of tax as provided in sections 6601 and 6611 of the Internal Revenue Code of 1954. The period would be determined, in part, by the dates the return and the claim for refund are filed and by whether they were filed in a way that they can be processed.

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Action	Date	FR Cite
NPRM	10/09/84	49 FR 39566
NPRM Comment Period Begin	10/10/84	
NPRM Comment Period End	12/10/84	
Final Action	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-280-82.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF10

516. PROCEDURE AND ADMINISTRATION REGULATIONS INCREASED RATE OF INTEREST ON SUBSTANTIAL UNDERPAYMENTS ATTRIBUTABLE TO CERTAIN TAX MOTIVATED TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6621 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations provide guidance to taxpayers subject to the increased rate of interest on substantial underpayments attributable to certain tax motivated transactions. The regulations define tax motivated transaction and accounting methods that may result in a substantial distortion of income. The regulations also provide rules for determining the amount of a tax motivated underpayment and the accrual of interest at the increased rate.

Timetable:

Timetable.				
Action	Date		FR	Cite
NPRM	12/28/84	49	FR	50406
NPRM Comment Period Begin	12/28/84	49	FR	50406
NPRM Comment Period End	02/26/85			
Final Action	09/00/85			

Small Entity: Not Applicable

Additional Information: LR-180-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG75

517. INCOME TAX-PENALTIES FOR FAILURE TO MAKE RETURNS OR FURNISH STATEMENTS (AS AMENDED BY SEC. 1123 OF SUBTITLE C OF TITLE II-OMNIBUS RECONCILIATION ACT OF 1980)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6652 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide for the imposition of penalties on persons failing to make a return or to furnish a statement under section 6039C relating to returns with respect to United States real property interests.

Timetable:

Action	Date	FR Cite
NPRM	01/06/83	48 FR 675
NPRM Comment Period Begin	01/06/83	48 FR 675
NPRM Comment Period End	03/07/83	TO COLUMN
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-153-81.

Drafting attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Charles S. Saverude (202) 566-3323.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lainoff.

01/06/83 Notice of Proposed Rulemaking published.

Agency Contact: Robert E. Culbertson Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AD35

518. TO PROVIDE REGULATIONS RELATING TO ACCELERATED PAYMENT OF ESTIMATED TAXES BY CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6655 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Rules will provide for acceleration of estimated payments by corporations, new seasonal income exception, and clarify the annualization rules. The amount of estimated tax payments required for all corporations is increased from 80 to 90 percent of current year's tax liability.

Timetable:

Action	Date	FR Cite
NPRM	03/26/84	49 FR 11186
Hearing held	06/26/84	
Final Action Effective	05/01/85	

Small Entity: Not Applicable

Additional Information: LR-228-82.

Drafting attorney: Renay France (202) 566-3829.

Reviewing attorney: George T. Magnatta, Jr. (202) 566-3294.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AE37

519. PROCEDURE & ADMINISTRATION--ADDITION TO TAX IN THE CASE OF VALUATION OVERSTATEMENTS, & INCREASE IN THE NEGLIGENCE PENALTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6659 Internal Revenue Code of 1954; 26 USC 6653 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301; 26 CFR 1

Abstract: The regulations would provide rules and definitions with respect to the addition to tax in the case of valuation overstatements, including rules for computing the portion of an underpayment that is attributable to a valuation overstatement. The regulations would also provide rules with respect to the increase in the negligence and fraud penalties.

Timetable:

Action	FR Cite	
NPRM	06/00/85	In the

Small Entity: Not Applicable

Additional Information: LR-272-81.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AD39

520. INCOME TAX-ADDITION TO TAX FOR A SUBSTANTIAL UNDERSTATEMENT OF LIABILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6661 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for the computation of the addition to tax, the avoidance of the addition to tax, and for the waiver of such amounts. In connection with avoiding the addition to tax, the regulations would provide guidance on the meanings of substantial authority, adequate disclosure, the more likely than not standard, and the term "tax shelter".

Timetable:

Action	Date	FR Cite
NPRM	03/15/83	48 FR 10862
NPRM Comment Period Begin	03/15/83	48 FR 10862
NPRM Comment Period End	05/16/83	
Hearing	07/12/83	48 FR 24736
Final Action	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-277-82.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel reviewing attorney: D'Avino.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF05

521. S INCOME TAX-AMENDMENT OF RETURN PREPARER REGULATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6695 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Amendment of tax return preparer regulations to explain the rule that preparers must inform taxpayers of certain recordkeeping requirements and obtain written confirmation that the recordkeeping requirements were satisfied.

Timetable:

Action	Date	FR Cite
NPRM	10/30/85	Life .

Small Entity: Not Applicable

Additional Information: LR-244-84.

Drafting attorney: Patricia Wendlandt (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Patricia Wendlandt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AH38

522. PENALTY FOR PROMOTING ABUSIVE TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6700 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations would provide rules and definitions relating to the penalty for promoting abusive tax shelters.

Timetable:

Action	Date	FR Cite	
NPRM	08/15/85	U. T.	

Small Entity: Not Applicable

Additional Information: LR-273-82.

Drafting attorneys: Alice Bennett (202) 566-3238 and Scott McLeod (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Perlis.

Agency Contact: Alice Bennett or Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AE99

523. PENALTY FOR AIDING AND ABETTING IN THE UNDERSTATEMENT OF TAX LIABILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6701 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: Proposal will provide rules with respect to the penalty imposed on a person who aids and abets in the understatement of a third party's tax liability. The proposal also provides the standards which will subject one to the penalty.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-274-82.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: Alice M. Bennett (202) 566-3238.

Office of Tax Legislative Counsel reviewing attorney: Mark Perlis.

Agency Contact: C. Scott McLeod. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF01

524. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 6815(D) DEALING WITH CERTIFICATES OF COMPLIANCE WITH THE INCOME TAX LAWS ISSUED TO ALIENS DEPARTING THE UNITED STATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2815(d)

CFR Citation: 26 CFR 1

Abstract: This regulation will clarify which classes of aliens departing the

United States are required to obtain certificates of compliance with the income tax laws, providing the public with the guidance needed to comply with the law.

Timetable:

Action	Date	FR Cite
NPRM	06/01/85	THE PERSON NAMED IN

Small Entity: Not Applicable

Additional Information: LR-2-84.

Initiating attorney: Carol T. Doran (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Carol T. Doran, Assistant Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF80

525. INCOME TAX-PRESUMPTION OF JEOPARDY IN THE CASE OF ILLEGAL ACTIVITY CASH

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6867 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance for applying the presumptions that an amount of cash in excess of ten thousand dollars without an acknowledged owner (1) represents gross income to a single individual, (2) is taxable at a rate of fifty percent, and (3) that collection of the tax is in jeopardy for the purposes of sections 6851 and 6861.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Canal of Street

Small Entity: Not Applicable

Additional Information: LR-309-82.

Drafting attorney: Cynthia L. Clark (202) 566-3288.

Reviewing Attorney: John H. Parcell (202) 566-3336.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AE30

526. PROCEDURE AND ADMINISTRATION--AMENDMENT OF REGULATIONS RELATING TO THE TIMELY MAILING OF RETURNS, TAXES AND DEPOSITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations would amend existing regulations, relating to the timely mailing of documents, to provide for the timely mailing of returns, taxes and deposits.

Timetable:

Action	1	Date		FR	Cite
NPRN	ROTE OF	12/11/79	44	FR	71430
	Comment od Begin	12/11/79	44	FR	71430
	Comment od End	02/11/80			
Final	Action	06/30/85			

Small Entity: Not Applicable

Additional Information: LR-1406.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: unassigned.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AD42

527. ADMINISTRATIVE SUMMONSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7609 Internal Revenue Code of 1954; 26 USC 7610 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: An administrative summons is used by the Internal Revenue Service to obtain taxpayer records in the hands of a third party recordkeeper, such as a bank. Sections 331, 332, and 333 of the Tax Equity and Fiscal Responsibility

Act of 1982 amended sections 7602 and 7609 of the Internal Revenue Code of 1954 relating to administrative summonses. The amendments alter the circumstances under which an administrative summons may be issued and also alter the rights and obligations of the subject taxpayer and third-party recordkeeper. This regulation project will provide guidance relating to these new administrative summons procedures.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/01/85

Small Entity: Not Applicable

Additional Information: LR-10-83.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Alice Bennett (202) 566-3238.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF33

528. PROCEDURE AND ADMINISTRATION—RESTRICTIONS ON CHURCH TAX INQUIRIES AND EXAMINATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7611 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301; 26 CFR 1

Abstract: This regulation will clarify IRS procedures concerning church tax inquiries and examinations.

Timetable:

Action Date FR Cite

NPRM 00/00/00

Small Entity: Not Applicable

Additional Information: EE-64-84.

Drafting attorney: Monice Rosenbaum (202) 566-3422.

Reviewing attorney: Paul G. Accettura (202) 566-3544.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Sheehy.

Agency Contact: Monice Rosenbaum, Attorney. Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AG61

529. INCOME TAX--INVESTMENT
CREDIT IN CASE OF PROPERTY USED
BY TAX EXEMPT ORGANIZATIONS &
GOVERNMENTAL UNITS; PRACTICE &
PROCEDURE--DEF. OF SERVICE
CONTRACTS & OTHER
ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 38(b) Internal Revenue Code of 1954; 26 USC 48(a)(4) Internal Revenue Code of 1954; 26 USC 48(a)(5) Internal Revenue Code of 1954; 26 USC 7701(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: Proposal would change the definition of use of property by a tax exempt organization or a governmental unit, for purpose of applying rules relating to the investment tax credit. The regulations would also define service contracts and other arrangements, for purposes of analysis vis a vis leasing arrangements.

Timetable:

Action Date FR Cite
NPRM 08/00/85

Small Entity: Not Applicable

Additional Information: LR-223-78.

Drafting attorney: Timothy J. McKenna (202) 566-4336.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: McCarty.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-4336

RIN: 1545-AA23

530. AMENDMENTS OF THE REGULATIONS ON PROCEDURE AND ADMINISTRATION UNDER SECTION 7701 RELATING TO CLASSIFICATION OF CERTAIN INVESTMENT ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: These regulations relate to the classification for federal tax purposes of investment arrangements allowing multiple classes of ownership. They make clear that the existing rules on "fixed investment trust" do not apply to such investment arrangements. An arrangement is a "fixed investment trust" only if it has one class of ownership.

Timetable:

Action	Date		FR	Cite
NPRM	05/02/84	49	FR	18741
NPRM Comment Period Begin	05/02/84			18741
NPRM Comment Period End	07/02/84			
Hearing held	07/31/84			
Final Action	05/01/85			

Small Entity: Not Applicable

Additional Information: LR-68-84.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: James Bridgeman (202) 566-4902.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG20

531. • AMENDMENT OF PROCEDURE AND ADMINISTRATION REGULATIONS UNDER SECTION 7701(B) (DEFINITION OF RESIDENT ALIENS) TO REFLECT SECTION 138 OF THE TAX REFORM ACT OF 1984 (P.L. 98-369)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7701(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31; 26 CFR 301

Abstract: These regulations provide rules for determining whether an alien

Current and Projected Rulemakings

individual is a resident or a nonresident alien of the United States.

Timetable:

Action Date FR Cite
NPRM 01/00/86

Small Entity: Not Applicable

Additional Information: LR-234-84.

Drafting attorney: Marnie J. Carro (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Treasury attorney: Mary Bennett (202) 566-5815.

Agency Contact: Marnie J. Carro, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH13

532. PROPOSED REGULATIONS
UNDER THE TAX REFORM ACT OF
1984, RELATING TO THE DEFINITION
OF FAIR MARKET VALUE OF
PROPERTY FOR PURPOSES OF
DETERMINING GAIN OR LOSS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.7701-1

Abstract: These proposed regulations provide clarification for the definition of fair market value in section 7701 (g) of the Internal Revenue Code. They state that, for purposes of determining gain or loss, the fair market value of property shall not be considered to be less than the amount of nonrecourse indebtedness to which property is subject.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Not Applicable

Additional Information: LR-264-84.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG94

533. PROCEDURE AND ADMINISTRATION PART 602--TO PROVIDE REGULATIONS RELATING TO THE DISPLAY OF CONTROL NUMBER ASSIGNED BY OMB

Priority: Undetermined

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 602

Abstract: This project will provide a table of control numbers assigned to IRS regulations by OMB.

Timetable:

Action	Date	FR Cite
NPRM .	06/30/85	MAN AND AND AND AND AND AND AND AND AND A

Small Entity: Not Applicable

Additional Information: LR-170-83.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Tax Legislative Counsel attorney: Victor Thuronyi (202) 566-4902.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AF94

534. TEMPORARY REGULATIONS ON EFFECTIVE DATES AND OTHER QUESTIONS ARISING UNDER THE EMPLOYEE BENEFIT PROVISIONS OF THE TAX REFORM ACT OF 1984

Legal Authority: PL 98-369, Sec 511 to 561

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to effective dates and other questions arising under the employee benefits provisions of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	11. 11. 11. 11.

Small Entity: Not Applicable

Additional Information: EE-63-84.

Drafting attorneys: John T. Ricotta/John C. Khil (202) 566-3544 or (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961. Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta/John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AG41

535. INDIAN TRIBAL GOVERNMENTS TREATED AS STATES FOR CERTAIN PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954, 26 USC 7701 Internal Revenue Code of 1954; 26 USC 7871 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations would provide guidance to certain Indian tribal governments as to their treatment as States under designated sections of the Internal Revenue Code of 1954.

Timetable:

Action	Date .	FR	Cite
NPRM	05/07/84	49 FR	19329
Final Action	09/00/85		

Small Entity: Not Applicable

Additional Information: LR-221-83.

Drafting attorney: Linda M. Kroening. Reviewing attorney: Cynthia L. Clark.

Office of Tax Legislative Counsel: Mark Perlis.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury. Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF77

536. INCOME TAX--MARITIME CAPITAL CONSTRUCTION FUND

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 46 USC 1177 Merchant Marine Act of 1936

CFR Citation: 26 CFR 3

Abstract: The proposal would provide rules for the income tax treatment with respect to capital construction funds for certain vessels.

Timetable:

Action	Date	23.46	FR	Cite
NPRM	01/29/76	41	FR	04280
NPRM Comment Period Begin	01/29/76	41	FR	04280

Current and Projected Rulemakings

Action	Date	FR Cite
NPRM Comment Period End	03/29/76	- High
Hearing	07/07/76	
Final Action	01/01/86	

Small Entity: Not Applicable

Additional Information: LR-149-75.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of Treasury Decision.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3458

RIN: 1545-AD46

537. STATEMENT OF PROCEDURAL RULES--AMENDMENTS TO STATEMENT OF PROCEDURAL RULES--1981-1

Legal Authority: 5 USC 552; 5 USC 301

CFR Citation: 26 CFR 601

Abstract: Semi-annual update of the Statement of Procedural Rules.

Timetable:

Action Date FR Cite
Final Action 11/00/85
Small Entity: Not Applicable

Additional Information: LR-154-81.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-4336

RIN: 1545-AD55

538. STATEMENT OF PROCEDURAL RULES--SPECIAL AMENDMENT

Legal Authority: 5 USC 552; 5 USC 301

CFR Citation: 26 CFR 601

Abstract: These regulations will conform the Statement of Procedural Rules with Department of Treasury regulations increasing the fees to be charged for search and duplication services in implementing the Freedom of Information Act.

Timetable:

Action Date FR Cite
Final Action 04/00/85

Small Entity: No

Additional Information: LR-108-83.

Drafting attorney: Sandra Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation.

Agency Contact: Sandra Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF68

DEPARTMENT OF THE TREASURY (TREAS)

Internal Revenue Service (IRS)

Completed Actions

COMPLETED RULEMAKINGS

539. INCOME TAX--DEFINITION OF ENERGY PROPERTY, TO REFLECT ADDITION BY SEC 222(H) OF THE CRUDE OIL WINDFALL PROFIT TAX ACT OF 1980 OF QUALIFIED INTERCITY BUSES AS ENERGY PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48(I) Internal Revenue Code of 1954; 26 USC 46(a)

CFR Citation: 26 CFR 1

Abstract: The proposed regulations establish rules for claiming the energy investment credit for qualified intercity buses.

Timetable:

mictable.				
Action	Date	12 1	FR	Cite
NPRM	09/03/82	47	FR	38918
NPRM Comment Period Begin	09/03/82	47	FR	38918
NPRM Comment Period End	11/02/82			
Final Action T.D.	10/09/84	49	FR	39540

Small Entity: Not Applicable

Additional Information: LR-79-80.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Notice published in the Federal Register 09/03/82.

T.D. signed by Commissioner 8/22/83. T.D. returned by Treasury for revision 1/12/84.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3829

RIN: 1545-AA24

540. INCOME TAX-INCOME TAX REGULATIONS UNDER SECTION 103(C) TO MAKE CERTAIN CORRECTIVE AND CLARIFYING CHANGES TO THE ARBITRAGE REGULATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide miscellaneous changes to the arbitrage regulations. The changes would provide guidance to issuers, purchasers and users of tax-exempt obligations. The regulations would relate to the calculations of yield for purposes of determining whether obligations are tax-exempt. If the yield on obligations acquired with the proceeds of a governmental obligation are materially higher than the yield on the governmental obligation then the interest paid on the governmental obligation is not tax-exempt.

Timetable:

Action Date FR Cite

Closed without 09/06/84 regulations

Small Entity: No

Additional Information: LR-101-79.

Drafting attorney: Pamela F. Olson (202) 566-3459.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel reviewing attorney: Pike.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA61

541. DEFINITION OF "MATERIALLY HIGHER" FOR ACQUIRED PURPOSE OBLIGATIONS GUARANTEED BY FEDERAL DEPOSITORY INSURANCE

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 103 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers and users of tax-exempt obligations the proceeds of which are used to acquire acquired purpose obligations which are guaranteed by Federal Depository Insurance. Thus, the regulations would determine whether the yield produced by certificates of deposit are materially higher than the yield on the tax-exempt obligations. If the yield on acquired purpose obligations is materially higher than the yield on such obligations then the interest paid thereon is not tax-exempt.

Timetable:

Action	Date	FR Cite
Closed without regulations	12/15/84	

Small Entity: No

Additional Information: LR-231-82.

Drafting attorney: Pamela F. Olson (202) 566-3459.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel reviewing attorney: Andrew Pike (202) 566-8277.

Put on Suspense List Pending Legislation.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AE73

542. LIMITATION ON AGGREGATE AMOUNT OF PRIVATE ACTIVITY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(n) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide avoidance to issuers, purchasers, and users of private activity bond, as to the definition of the term private activity bond, and the limit on the amount of such bonds that an issuer may issue in a calendar year.

Timetable:

Action	Date	FR	Cite
Final Action T.D. 7981	10/05/84	49 FR	39314

Small Entity: Not Applicable

Additional Information: LR-116-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AG08

543. TEMPORARY INCOME TAX REGULATIONS. TAX STRADDLES RELATING TO SECTION 108 OF THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 165 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations will provide rules under section 108 of the Tax Reform Act of 1984 relating to the treatment of certain losses on straddles entered into before the effective date of

the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite

Final Action T.D. 08/23/84 49 FR 33444 7968

Small Entity: Not Applicable

Additional Information: LR-114-84.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Rick Reinhold (202) 566-5453.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AG60

544. INCOME TAX-CHARITABLE CONTRIBUTIONS DEDUCTION FOR NONITEMIZERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170(i) Internal Revenue Code of 1954; 26 USC 63(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide revised substantiation requirements for charitable contribution deductions. Due to the anticipated wide use of the charitable contribution deduction for nonitemizers, Congress intended that the Internal Revenue Service prescribe rules and procedures, in addition to the currently applicable requirements to assure substantiation and verification of charitable contributions.

Timetable:

Action	Date	FR Cite
NPRM	04/25/83	48 FR 17616
NPRM Comment Period Begin	04/25/83	48 FR 17616
NPRM Comment	06/24/83	

Period End Final Action T.D. 12/31/84 49 FR 50663 8002

Small Entity: Not Applicable

Additional Information: LR-255-81.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Completed Actions

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA92

545. INCOME TAX-TO ADD PROVISIONS RELATING TO TERTIARY INJECTANTS TO CONFORM TO SEC 251, CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 193 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers using tertiary recovery methods for the enhanced recovery of oil.

Timetable:

Action	Date		FR	Cite
NPRM	01/14/83	48	FR	1761
NPRM Comment Period Begin	01/14/83	48	FR	1761
NPRM Comment Period End	03/15/83			
Final Action T.D.	10/03/84	49	FR	39051

Small Entity: Not Applicable

Additional Information: LR-77-80.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA99

546. TEMPORARY REGULATIONS
UNDER SECTION 267 IRC TO
REFLECT SECTION 174 OF THE TAX
REFORM ACT OF 1984 RELATING TO
LOSSES, EXPENSES, AND INTEREST
IN TRANSACTIONS BETWEEN
RELATED TAXPAYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 267 Internal Revenue Code of 1954; 26 USC 706 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The temporary regulation deals with changes in section 267 arising from section 174 of the Tax Reform Act of 1984. It deals with the matching of payor deductions and payee income items in the case of expenses and interest where the accrual method payor and the cash method payee are related persons. The temporary regulation also deals with the deferral and restoration of loss on the sale or exchange of property from one member of a controlled group of corporations to another member.

Timetable:

Action	Date		FR	Cite
Final Action T.D.	11/30/84	49	FR	46992

Small Entity: Not Applicable

Additional Information: LR-108-84.

Drafting attorneys: Keith E. Stanley (202) 566-3458, John G. Schmalz and Robert H. Ginsburgh, (202) 566-3297.

Reviewing attorney: Mark B. Blumkin (202) 566-3463.

Treasury attorneys: Jim Lokey (202) 566-5453, Eric Elfman (202) 566-8527, Jane Sarosdy (202) 566-8275.

Agency Contact: Keith E. Stanley, John G. Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AG10

547. TEMPORARY REGULATIONS
UNDER THE TAX REFORM ACT OF
1984, RELATING TO LIMITATIONS ON
INVESTMENT TAX CREDIT AND COST
RECOVERY DEDUCTIONS FOR
LUXURY AUTOMOBILES AND
CERTAIN OTHER PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280F Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These temporary regulations clarify the rules limiting the investment tax credit and cost recovery deductions allowable with respect to passenger automobiles and certain other "listed property." The temporary regulations also provide rules relating to the substantiation requirements for "listed property" under section 274.

Timetable:

Action	Date		FR	Cite
Final Action T.D. 7986	10/24/84	49	FR	42701

Small Entity: Not Applicable

Additional Information: LR-122-84.

Drafting attorneys: George T. Magnatta (202) 566-6456; Michel A. Daze (202) 566-3829; Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3980.

Treasury attorney: Jeff Quinn (202) 566-2175.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AG24

548. INCOME TAX-EXTENSION OF ANTI-BAILOUT PROVISIONS TO CORPORATION FORMED OR AVAILED OF TO AVOID THESE PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 304 Internal Revenue Code of 1954; 26 USC 306 Internal Revenue Code of 1954; 26 USC 351 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the extension of the section 304 anti-bailout provisions to corporations formed or availed of to avoid these provisions by using section 351 to accomplish a tax-free incorporation. Thus the regulations provide rules for transactions involving the sections 304/351 overlap.

Timetable:

Action	Date	FR Cite
Closed without	01/19/84	The second of
regulations		

Small Entity: Not Applicable

Additional Information: LR-190-82.

Drafting attorney: Keith Stanley (202) 566-3458.

Reviewing attorney: Marcus Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Completed Actions

Agency Contact: Keith Stanley. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF27

549. INCOME TAX-TEMPORARY REGULATIONS-DIVIDEND REINVESTMENT IN STOCK OF **PUBLIC UTILITIES**

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 305 Internal Revenue Code of 1954

CFR Citation: 26 CFR 5c

Abstract: Regulations would define and interpret when a qualified public utility may set up a qualified dividend reinvestment plan so that its shareholders may elect to receive qualified common stock and exclude a certain portion from income. Changes to the applicable law were made by section 321 of the Economic Tax Recovery Act of 1981.

Timetable:

Action	Date	MAIN	FR	Cite
Interim Final Rule	06/30/83	48	FR	30102
Final Action T.D.	06/30/83	48	FR	30146

Small Entity: Not Applicable

Additional Information: LR-277-81.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AB16

550. TEMPORARY REGULATIONS **RELATING TO ELECTIONS AND MISCELLANEOUS MATTERS UNDER** SECTION 338 OF THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 338 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance relating to elections and miscellaneous matters under section 338.

Timetable:

Action	Date	FR	Cite	
Final Action T.D.	09/06/84	49 FR	35086	

Small Entity: Not Applicable

Additional Information: LR-141-84.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AG09

551. ANTI-AVOIDANCE RULES UNDER SECTIONS 338 AND 346 OF THE **INTERNAL REVENUE CODE OF 1954**

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338(i) Internal Revenue Code of 1954; 26 USC 346(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret the deemed election and consistency requirements of section 338 and the anti-avoidance rules under sections 338 and 346 of the Internal Revenue Code of 1954, which apply with respect to certain acquisitions of control of one corporation by another corporation.

Timetable:

Action	Date	FR Cite
Closed	10/00/84	
Constit Problem		

Small Entity: Not Applicable

Additional Information: LR-192-82.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel reviewing attorney: Eric Elfman.

Agency Contact: Bennett C.

Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AE32

552. INCOME TAX-CHARACTERIZATION IN INTERNATIONAL TRANSACTIONS OF INTERESTS IN CORPORATIONS AS STOCK OR INDEBTEDNESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 385 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules for determining when interests in corporations issued in international transactions will be treated as stock or indebtedness for tax purposes.

Timetable:		
Action	Date	FR Cite
Closed	01/00/95	THE PARTY OF

Small Entity: No

Additional Information: LR-92-82.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of International Tax Counsel (Treasury) reviewing attorney: Shay.

Agency Contact: Bennett Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AB34

553. CERTAIN CASH OR DEFERRED ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954; PL 98-369, Sec 527 Tax Reform Act of 1984

CFR Citation: 26 CFR 1.401(k)-1

Abstract: Amendments to conform the regulations to provisions enacted by section 527 of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
Closed without	01/31/85	
regulations		

Small Entity: Not Applicable

Additional Information: EE-70-84.

Drafting attorney: Charles M. Watkins

(202) 566-3430.

Reviewing attorney: Richard I. Wickersham (202) 566-3250.

Completed Actions

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AG36

554. INCOME TAX--AMENDMENT OF QUALIFIED JOINT AND SURVIVOR ANNUITY REGULATIONS

Priority: Task Force

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(a)(11) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These new regulations conform the present regulations to BBS Associates, Inc. v. Commissioner of Internal Revenue, 74 T.C. 1118 (1980), affirmed 661 F. 2d 913 (1981).

Timetable:

Date		FR	Cite
10/27/82	47	FR	47600
10/27/82	47	FR	47600
12/27/82			DESCRIPTION OF THE PARTY OF THE
01/31/85			
	10/27/82 10/27/82 12/27/82	10/27/82 47 10/27/82 47 12/27/82	10/27/82 47 FR 10/27/82 47 FR 12/27/82

Small Entity: Not Applicable

Additional Information: EE-52-78.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD70

555. QUESTIONS AND ANSWERS ON TOP-HEAVY PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 416 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance to sponsors of and participants in pension, profit-sharing, and stock bonus plans. The regulations set forth rules for determining whether such plans are top-heavy and what provisions must be included in the plan if the plan is top-heavy. The regulations also set forth the time by which plans must be amended to conform to the top-heavy rules.

Timetable:

Action	Date	FR Cite
NPRM	03/15/83	48 FR 10868
NPRM Comment Period Begin	03/15/83	
NPRM Comment Period End	05/16/83	
Final Action T.D. 7997	12/31/84	49 FR 50643

Small Entity: Not Applicable

Additional Information: EE-140-82.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AF18

556. INCOME TAX--TOP-HEAVY PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 416 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance to sponsors of and participants in pension, profit-sharing, and stock bonus plans. The regulations set forth rules for determining whether such plans are top-heavy and what provisions must be included in the plan if the plan is top-heavy.

Timetable:

Action	Date	FR Cite
Closed without regulations	01/31/85	The state of the s

Small Entity: Not Applicable

Additional Information: EE-109-82.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE87

557. INCOME TAX-ESTATE TAX-GIFT TAX-EXEMPTION OF CERTAIN AMATEUR ATHLETIC ORGANIZATIONS FROM TAX

Legal Authority: 26 USC 7805 Internal Revenue Act of 1954; 26 USC 501(c)(3) Internal Revenue Act of 1954; 26 USC 170(c)(2)(B) Internal Revenue Act of 1954; 26 USC 2055(a) Internal Revenue Act of 1954; 26 USC 2522(a) Internal Revenue Act of 1954; PL 97-248, Sec 286

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 25

Abstract: This regulation project relates to the exemption of certain amateur athletic organizations from tax and the deductibility of contributions to organizations that qualify for the exemption. Changes to the applicable tax law were made by the Tax Reform Act of 1976 and the Tax Equity and Fiscal Responsibility Act of 1982. The regulations affect organizations that foster national or international sports competition and provide them with guidance needed to determine whether they qualify for the exemption.

Timetable:

Action	Date	FR Cite
NPRM	05/10/79	44 FR 27446
NPRM Comment Period Begin	05/10/79	44 FR 27446
NPRM Comment Period End	07/09/79	
Hearing	10/09/79	45 FR 49275
Withdrawn	08/21/84	49 FR 33144

Small Entity: Not Applicable .

Additional Information: EE-53-79.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Completed Actions

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Yecies; McKee.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD97

558. INCOME TAX-COMPUTATION OF TAXABLE INCOME FROM SOURCES WITHIN AND WITHOUT THE UNITED STATES

Priority: Major

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 861 Internal Revenue Code of 1954; 26 USC 882 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendment would allow taxpayers to apply the regulations in 1.861-8 and 1.882-5 to open taxable years beginning before 01/01/77.

Timetable:

Action	Date	FR Cite
NPRM	08/30/82	47 FR 38149
NPRM Comment Period Begin	08/30/82	47 FR 38149
NPRM Comment Period End	10/29/82	
Final Action	02/03/84	49 FR 4206

Small Entity: Not Applicable

Additional Information: LR-215-78.

Drafting attorney: unassigned.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Notice published 08/30/82.

Treasury decision to Treasury for signature 10/18/83.

Analysis: Preliminary RIA 08/30/82 (47 FR 38150)

Agency Contact: Charles C. Saverude, Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3323

RIN: 1545-AB88

559. INCOME TAX-LIMITATION ON FOREIGN TAX CREDIT FOR FOREIGN OIL AND GAS TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 907 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Notice would define and interpret certain rules that would apply in defining a taxpayer's extraction and oil-related income. Changes to the Applicable law were made by section 601 (a) of the Tax Reduction Act of 1975 (89 Stat. 54).

Timetable:

Action	Date		FR	Cite
NPRM	06/27/84	49	FR	26256
NPRM Comment Period Begin	06/27/84	49	FR	26256
Final Action T.D. 7961	06/27/84	49	FR	26208
NPRM Comment Period End	08/27/84			

Small Entity: Not Applicable

Additional Information: LR-149-83.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Lainoff, Granwell.

In Legislation and Regulations Division for preparation of Notice of Proposed Rulemaking.

Agency Contact: Mary Frances
Pearson, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF60

560. INCOME TAX-INCOME OF U.S. CITIZENS & RESIDENTS WORKING ABROAD, EXCLUSIONS AND DEDUCTION FROM GROSS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 911 Internal Revenue Code of 1954; 26 USC 119 Internal Revenue Code of 1954; 26 USC 913 Internal Revenue Code of 1954; 26 USC 3401(a)(8) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: Section 911 provides two exclusions and one deduction that may be claimed by certain United States citizens and residents living and working abroad. The exclusions are for foreign earned income up to a ceiling (\$75,000 in 1982, \$80,000 in 1983-1987, \$85,000 in 1988, \$90,000 in 1989, and \$95,000 after 1989) and for the housing cost amount of a qualified individual to the extent it is attributable to employer provided amounts. The deduction is for the portion of the housing cost amount that is not attributable to employer provided amounts. The total of the exclusions and deduction may not exceed foreign earned income for the taxable year. These regulations will provide rules relating to the section 911 exclusions and deduction.

Timetable:

Action	Date	N NEW	FR	Cite
Final Action Effective	01/01/82	50	FR	2959
NPRM	07/20/83	48	FR	33007
NPRM Comment Period Begin	07/20/83	48	FR	33007
NPRM Comment Period End	09/19/83			
Hearing	11/15/83			
Final Action T.D. 8006	01/23/85	50	FR	2959

Small Entity: Not Applicable

Additional Information: LR-208-81.

Drafting attorney: David J. Dean (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver. Lainoff.

Agency Contact: David J. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, 202 566-3289

RIN: 1545-AC08

561. INCOME TAX-AMENDMENTS AFFECTING DISC PERTAINING TO MILITARY SALES & INCREMENTAL EXPORT GROSS RECEIPTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 995 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide rules with respect to computing the incremental distribution and distributions with respect to military sales for purpose of the domestic international sales provisions.

Completed Actions

		e:

Action	Date		FR	Cite
NPRM	01/09/84	49	FR	1075
NPRM Comment Period Begin	01/09/84	49	FR	1075
NPRM Comment Period End	03/09/84			
Final Action T.D. 7984	10/12/84			

Small Entity: Not Applicable

Additional Information: LR-246-76.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Draft of Notice in Office of International Tax Counsel for comments, July 25, 1983.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC17

562. REGULATIONS UNDER SECTION 1232A RELATING TO ORIGINAL ISSUE DISCOUNT TAKEN INTO ACCOUNT ON BASIS OF CONSTANT INTEREST RATE

Legal Authority: 26 USC 163 Internal Revenue Code; 26 USC 1232A Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: Regulations would provide guidance as to computation of amount to be included in income by holders and amount to be deducted by issuers of certain bonds issued after July 1, 1982. With respect to these bonds, original issue discount is computed on the basis of a constant rate. Provision is made for the computation of original issue discount in special circumstances where the interest rate is variable, where put and call options are present, and in other circumstances.

Timetable:

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Action	Date	FR Cite
Closed without regulations	10/17/84	

Small Entity: Not Applicable

Additional Information: LR-222-82.

Drafting attorney: Theresa E. Bearman (202) 566-3294.

Reviewing attorney: Susan Thompson Baker (202) 566-3294.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Richard Reinhold.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE27

563. REGULATIONS UNDER SECTION 1232B RELATING TO THE TAX TREATMENT OF STRIPPED BONDS

Legal Authority: 26 USC 1232B Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: Regulations would provide guidance as to treatment of proceeds of sale of stripped coupons and stripped bonds issued after July 14, 1982. If a stripped bond or stripped coupon is disposed of after July 1, 1982, the purchaser must include in income an amount computed under section 1232A(a). The stripper must allocate his basis in the bond components (stripped bond and stripped coupons) on the basis of their fair market value.

Timetable:

Timetable:		
Action	Date	FR Cite
Closed without regulations	11/28/84	IN SOUTH

Small Entity: Not Applicable

Additional Information: LR-223-82.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: Susan Thompson Baker (202) 566-3294.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Richard Reinhold.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE21

564. INCOME TAX REGULATIONS-PART 1-TAX STRADDLE IDENTIFICATION RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092(a) Internal Revenue Code of 1954; 26 USC 1092(c) Internal Revenue Code of 1954; 26 USC 1256 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide the identification rules for identified straddles, mixed straddles, and hedging transactions. Proper identification is required by the statute if the taxpayer wants to utilize the special rules for identified straddles, mixed straddles, and hedging transactions.

Timetable:

Action	Date	FR Cite
Closed without regulations	09/26/84	and air

Small Entity: Not Applicable

Additional Information: LR-281-81.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Reinhold.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC24

565. REGULATIONS RELATING TO FOREIGN CURRENCY CONTRACTS UNDER SECTION 1256 OF THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 7805; 26 USC 1256

CFR Citation: 26 CFR 1

Abstract: These regulations will describe what contracts are foreign currency contracts and are therefore included in the definition of regulated futures contracts in 26 USC 1256. It is necessary to know the proper description of these contracts to determine their proper tax treatment.

Completed Actions

Timetable:

Action Date FR Cite
Closed without 09/26/84
regulations

Small Entity: No

Additional Information: LR-52-83.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John Fischer (202) 566-3394.

TLC attorney: Suzanne McDowell (202) 566-2565.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AF50

566. INCOME TAX--PERSONAL SERVICES INCOME OF NONRESIDENT ALIEN INDIVIDUALS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1441 Internal Revenue Code of 1954; 26 USC 1461 Internal Revenue Code of 1954; 26 USC 1462 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954; 26 USC 7605 Internal Revenue Code of 1954; 26 USC 7701 Internal Revenue Code of 1954; 26 USC 7701 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31; 26 CFR 301

Abstract: The regulations would provide for exemptions from withholding of tax from independent personal service income of nonresident alien individuals, clarify the obligations of withholding agents, and update the rules with respect to Forms 1042 and 1042S.

Timetable:

Action	Date		EH	Cite
NPRM	11/14/83	48	FR	51788
NPRM Comment Period Begin	11/14/83	48	FR	51788
NPRM Comment	01/13/84			

Final Action T.D. 09/24/84 49 FR 36830 7977

Small Entity: Not Applicable

Additional Information: LR-165-78.

Drafting attorney: Carol T. Doran (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: Carol T. Doran, Assistant Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC43

567. INCOME TAX-EXCISE TAX ON TRANSFERS OF PROPERTY TO FOREIGN PERSONS TO AVOID THE FEDERAL INCOME TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1491 Internal Revenue Code of 1954; 26 USC 1492 Internal Revenue Code of 1954; 26 USC 1494 Internal Revenue Code of 1954; 26 USC 1057 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would describe transfers by United States persons that are subject to the excise tax imposed by section 1491, would provide rules with respect to electing to treat the transfer as a taxable exchange, and would provide rules for establishing that tax avoidance was not a principal purpose of the transfer.

Timetable:

Action	Date	FR Ci
Closed without regulations	09/19/84	TO THE SE
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Small Entity: Not Applicable

Additional Information: LR-236-76.

Drafting attorney: Unassigned.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Lainoff.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Charles C. Saverude, Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3323

RIN: 1545-AC44

568. GIFT TAX-TRANSITIONAL RULE FOR THE INCREASED ANNUAL GIFT TAX EXCLUSION AND THE UNLIMITED EXCLUSION FOR CERTAIN TRANSFERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2503 Internal Revenue Code of 1954

CFR Citation: 26 CFR 25

Abstract: This regulation will provide a transitional rule that the increased annual gift tax exclusion does not apply to powers of appointment granted under certain trusts created before September 12, 1981. In addition, unlimited exclusions will be permitted for correct payments by donor for certain qualifying medical expenses not reimbursed by insurance and for educational expenses paid on behalf of an individual directly to a qualifying educational institution.

Timetable:

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Action	Date	FR Cite
NPRM	01/06/84	49 FR 896
NPRM Comment Period Begin	01/06/84	
NPRM Comment Period End	03/06/84	
Final Action T.D.	10/02/84	49 FR 3854

Small Entity: Not Applicable

Additional Information: LR-211-81.

Drafting attorney: Ada S. Rousso (202) 566-3297.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3297

RIN: 1545-AC69

569. EXCISE TAX-INDEPENDENT PRODUCER OIL ALLOCATIONS WITHIN A RELATED GROUP UNDER THE CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4992(e) Internal Revenue Code of 1954; 26 USC 4997 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The regulations would define the members of a related group. Such members must share the 1000 barrel independent producer allocation which

Completed Actions

is entitled to a lower rate of windfall profit tax.

Timetable:

7988

Action	Date	FR Cite
NPRM	01/13/84	49 FR 1748
NPRM Comment Period Begin	01/14/84	49 FR 1748
NPRM Comment Period End	03/13/84	
Final Action T.D.	10/25/84	49 FR 42923

Small Entity: Not Applicable

Additional Information: LR-66-80.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Beverly A.

Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD03

570. FURNISHING STATEMENTS REQUIRED WITH RESPECT TO CERTAIN SUBSTITUTE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1(T)

Abstract: These regulations were designed in order to alleviate certain situations in which deductions and exclusions were being claimed more than once with respect to payments made on the same securities. These situations developed because of shortcomings in the reporting system. These regulations provide that a broker must furnish statements to its customers with respect to certain substitute payments received by the broker on behalf of its customer. These regulations also provide that brokers must make returns of information respecting any customer to which such broker is required to furnish a statement.

Timetable:

Action	Date	FR Cite
Final Action T.D	0. 10/24/84 4	9 FR 42715

Small Entity: Not Applicable

Additional Information: LR-115-84.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Treasury attorney: Linda Carlisle (202) 566-4979.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG17

571. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 6049(B) (2)(D) OF THE INTERNAL **REVENUE CODE OF 1954 TO CLARIFY** WHEN INTEREST IS PAID OUTSIDE THE UNITED STATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6049(b)

CFR Citation: 26 CFR 1

Abstract: This regulation clarifies when interest is considered paid outside the United States for purposes of the interest reporting requirements of section 6049 of the Internal Revenue Code of 1954 providing the public with the guidance necessary to comply with the law.

Timetable:

Action	Date	FR Cite
Closed without regulations	10/03/84	la pisostie

Small Entity: Not Applicable

Additional Information: LR-193-83.

Initiating attorney: Yerachmiel E. Weinstein (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel attorney: Mary Kade Wold (202) 566-

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Yerachmiel E. Weinstein, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF89

572. TEMPORARY REGULATION RELATING TO REPORTING OF FORECLOSURES AND ABANDONMENTS OF SECURITY UNDER THE TAX REFORM ACT OF

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050J Internal Revenue Code of 1954

CFR Citation: 26 CFR IT

Abstract: The regulations will provide rules relating to information reporting of foreclosures, abandonments and other acquisitions of property securing indebtedness, including the persons and property subject to the reporting requirements and the information required to be reported, and when a person has reason to know that property has been abandoned.

Timetable:

Action	Date		PH	Cite
Final Action T.D.	08/31/84	49	FR	34459

Small Entity: Not Applicable

Additional Information: LR-120-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Alice M. Bennett (202) 566-3238.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Annette J. Guarisco. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG43

573. REQUIREMENT TO MAINTAIN LISTS OF INVESTORS IN POTENTIALLY ABUSIVE TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6112 Internal Revenue Code of 1954; 26 USC 6708 Internal Revenue COde of 1954

CFR Citation: 26 CFR 301

Abstract: The temporary regulations will provide guidance to organizers of and sellers of interests in potentially abusive tax shelters relating to the requirement to maintain lists identifying persons who acquire interests in those tax shelters.

Completed Actions

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Action Date FR Cite

Final Action T.D. 08/29/84 49 FR 34200 7969

Small Entity: Not Applicable

Additional Information: LR-148-84.

Drafting attorney: Alice M. Bennett (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Alice M. Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG55

574. EXTENSION OF RULES FOR PARTNERSHIP-LEVEL DETERMINATION OF PARTNERSHIP ITEMS TO THE WINDFALL PROFIT TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6232 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: Temporary regulations set forth rules for extension of the partnership audit rules and procedures under sections 6221-6231 of the Internal Revenue Code to the windfall profit tax.

Timetable:

Action	Date	FR Cite
Interim Final Bule	10/18/84	49 FR 40804
Final Action T.D.	10/18/84	49 FR 40804

Small Entity: Not Applicable

Additional Information: LR-5-84

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Andrew Pike.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF88

575. TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984, RELATING TO BELOW-MARKET INTEREST RATE LOANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7872 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations provide guidance to taxpayers who enter into certain below-market interest rate loan transactions. The regulations will explain what type of transactions are treated as loans and what type of loans are subject to the provisions of section 7872. If the loan is subject to the provisions of section 7872, the belowmarket loan will be recharacterized as an arms-length market interest rate loan coupled with a payment by the lender to the borrower in an amount equal to the inputed interest. The regulations provide rules for determining the amount and character of the inputed transfers.

Timetable:

Action	Date	FR Cite
Closed without	10/03/84	
regulations		a The San and

Small Entity: Not Applicable

Additional Information: LR-123-84

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG39

576. AMENDMENTS TO THE STATEMENT OF PROCEDURAL RULES 1982-2

Legal Authority: 5 USC 301; 5 USC 552

CFR Citation: 26 CFR 601

Abstract: Amendments to the statement of procedural rules will update or make corrections in these regulations and will also reflect changes in the procedures of the Internal Revenue Service.

Timetable:

Action	Date	
Final Action	09/18/84	49 FR 36497

Small Entity: No

Additional Information: LR-79-83.

Drafting attorney: Michel A. Daze (202) 566-3829.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

In Legislation and Regulations Division for preparation of document.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3829

RIN: 1545-AF40

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

577. TO PROVIDE TEMPORARY REGULATIONS RELATING TO ARBITRAGE ON NONPURPOSE OBLIGATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 (c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103-15AT

Abstract: The regulations will provide rules relating to arbitrage on industrial development bonds. Rules will be provided concerning the limitation on nonpurpose investments as well as the rebate requirement and exceptions to the rebate requirement.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	pool hago	50	FR	00740
Final Action T.D.	01/07/85			

Small Entity: Not Applicable

Additional Information: LR-267-84

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Suzanne R. McDowell (202) 566-8277.

Completed Actions

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AG87

578. TEMPORARY REGULATIONS UNDER SECTION 103 (N) RELATING TO CARRYFORWARD ELECTIONS AND ELECTION TO ALLOCATE STATE CEILING TO CERTAIN ELECTRIC FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 (n) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103 (n)-6T; 26 CFR 1.103 (n)-7T

Abstract: The regulations will clarify the temporary regulations relating to carryforwards of unused private activity bond limit and extend the deadline for making such elections. The regulations will also provide rules relating to the election to allocate state ceiling to facilities for local furnishing of electricity.

Timetable:

Action	Date		rm	Cite	
Final Action, T.D.	12/28/84	49	FR	50388	

Small Entity: Not Applicable

Additional Information: LR-30-84

Drafting attorney: Mitchell Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Jim Lokey (202) 566-

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AG89

579. TO PROVIDE TEMPORARY REGULATIONS RELATING TO EXTENSION OF MORTGAGE SUBSIDY BONDS

Legal Authority: 26 USC 7805 Internal evenue Code of 1954; 26 USC 103A Internal Revenue Code of 1954

CFR Citation: 26 CFR 6a.103A-2

Abstract: These regulations will provide rules relating to the extension of authority to issue mortgage subsidy bonds. The regulations will explain the form and manner in which information is to be reported to the Service. The regulations will also provide rules relating to the annual policy statement requirement and the state certification requirement.

Timetable:

Action Date FR Cite Final Action T.D. 12/12/84 49 FR 48292 7995

Small Entity: Not Applicable

Additional Information: LR-190-84

Drafting attorney: Mitchell H. Rapaport (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Suzanne R. McDowell (202) 566-8277.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AG92

580. O INCOME TAXES, EMPLOYMENT TAXES, EXCISE TAXES-TAXATION OF FRINGE BENEFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 132 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31; 26 CFR 54

Abstract: The regulations provide guidance on the treatment of taxable and nontaxable fringe benefits, including the valuation of taxable fringe benefits for purposes of income and employment tax withholding. The regulations also provide special rules for valuing certain fringe benefits.

Timetable:

8004

FR Cite Action Date Final Action T.D. 01/07/85 50 FR 747

Small Entity: Undetermined

Additional Information: LR-215-84

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Philip R. Bosco (202) 566-3430.

Treasury attorney: Kent A. Mason (202) 535-6964.

Agency Contact: Annette J. Guarisco. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AH50

581. SANCTIONS ON ISSUES AND HOLDERS OF REGISTRATION-REQUIRED OBLIGATIONS NOT IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 163 Internal Revenue Code of 1954; 26 USC 165 Internal Revenue Code of 1954; 26 USC 1287 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The temporary regulations provide rules for determining whether an issuer may claim an interest deduction for interest paid on an obligation in bearer form, which is otherwise a registration-required obligation because the issuer satisfies the conditions set forth in section 163 (f) (2) (B). In addition, the temporary regulations provide rules which define the circumstances under which a United States person may hold a registration-required obligation in bearer form.

Timetable:

Action	Date		FR	Cite
Final Action T.D.	08/22/84	49	FR	33228

Small Entity: No

Additional Information: LR-184-84

Drafting attorneys: P. Ann Fisher and Carol T. Doran (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Treasury attorney: Peter Daub (202) 566-

Agency Contact: P. Ann Fisher or Carol T. Doran, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH11

582. ● DEDUCTIONS IN EXCESS OF \$5,000 CLAIMED FOR CERTAIN CHARITABLE CONTRIBUTIONS OF PROPERTY AND INFORMATION REPORTING BY DONEE WHO MAKES CERTAIN DISPOSITION OF DONATED PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170 (a) (1) Internal Revenue Code of 1954; 26 USC 6050L Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations provide rules relating to deductions for charitable contributions. The regulations provide that deductions for certain charitable contributions made by an individual, closely held corporation, personal service corporation, partnership, or S corporation shall not be allowed unless the donor obtains a qualified appraisal and attaches an appraisal summary to the donor's return on which the deduction is first claimed. Additionally, the regulations require the donee of certain charitable deduction property to make an information return.

Timetable:

Action	Date	FR	Cite
Final Action T.D. 8003	12/31/84	49 FR	50657

Small Entity: Not Applicable

Additional Information: LR-143-84.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Beverly A.
Baughman, Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Ave., N.W.,
Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH61

583. • ASSIGNMENT IN DIVORCE PROCEEDINGS, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72(m)(10) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules on qualified domestic relations orders. A qualified domestic relations order is an order given to a plan pursuant to a state domestic

relations law which directs payment of a participant's accrued benefit to someone other than the participant. The regulations will also set forth rules for the taxation of such payments.

Timetable:

Action	Date	FR Cite
Contents of file transferred to	01/31/85	
EE-95-84		

Small Entity: Not Applicable

Additional Information: EE-93-84.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Treasury attorney: Harry J. Conaway (202) 566-4902.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AH05

584. ● TEMPORARY INCOME TAX
REGULATIONS - EFFECTIVE DATE
FOR REGULATIONS RELATING TO
DIVERSIFICATION REQUIREMENTS
FOR VARIABLE ANNUITY,
ENDOWMENT, AND LIFE INSURANCE
CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 817 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations provide the effective date for forthcoming regulations relating to the diversification requirements for variable annuity, endowment, and life insurance contracts.

Timetable:

Action	Date	FR Cite

Final Action T.D. 10/26/84 49 FR 43052 7989

Small Entity: Not Applicable

Additional Information: LR-160-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Donald Rocap (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG77

585. © EMPLOYMENT TAXES;
APPLICATION OF THE REPEAL OF 30
PERCENT WITHHOLDING BY THE
TAX REFORM ACT OF 1984 AND OF
INFORMATION REPORTING AND
BACKUP WITHHOLDING IN LIGHT OF
SUCH REPEAL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 871 Internal Revenue Code of 1954; 26 USC 881 Internal Revenue Code of 1954; 26 USC 1441 Internal Revenue Code of 1954; 26 USC 1442 Internal Revenue Code of 1954; 26 USC 3406 Internal Revenue Code of 1954; 26 USC 6041 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954; 26 USC 6049 Internal Revenue Code of 1954; 26 USC 6049 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations provide rules relating to the repeal of 30 percent withholding by the Tax Reform Act of 1984, and backup withholding in light of such repeal.

Timetable:

Action		Date	FH	Cite
Final Action	T.D.	08/22/84	49 FR	33239

Small Entity: No

Additional Information: LR-178-84.

Drafting attorney: Ann Fisher (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Peter Daub (202) 566-5791.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 4109, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH12

586. ● FSC GENERAL RULES, REQUIREMENTS, DEFINITIONS, AND SPECIAL RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 921 Internal Revenue Code of 1954; 26 USC 922 Internal Revenue Code of 1954; 26 USC 927 Internal Revenue Code of 1954; 26 USC 367 Internal Revenue Code of 1954

Completed Actions

CFR Citation: 26 CFR 1

Abstract: These regulations provide general rules regarding the requirements that a corporation must meet to be a foreign sales corporation (FSC) (or a small FSC) and the tax treatment of a FSC (or a small FSC) and specific rules regarding the requirements for FSC or small FSC status, the methods of electing and terminating FSC status, and the definition of and computation of carrying charges on sales or property by a FSC.

Timetable:

Action Date FR Cite
Final Action T.D. 12/12/84 49 FR 48283
7993

Small Entity: Not Applicable

Additional Information: LR-265-84.

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorney: J. Feldman (202) 566-3289.

Treasury attorney: J. Sarosdy (202) 566-8275.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington,

RIN: 1545-AG67

D.C. 20224, 202 566-3289

587. • TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984, RELATING TO TRANSITION RULES FOR DISCS AND FSCS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; PL 98-369, Sec. 803 Tax Reform Act of 1984; PL 98-369, Sec. 805 Tax Reform Act of 1984

CFR Citation: 26 CFR 921T

Abstract: The regulations relate to the transition rules for DISCs and FSCs, small FSCs and interest charge DISCs conformity of accounting period for FSCs and interest charge DISCs and their shareholders and forgiveness of tax on a DISC's accumulated DISC income.

Timetable:

Action	Date	FR Cite
Final Action	10/12/84	49 FR 40011
Final Action	10/12/84	49 FR 40011

Small Entity: Not Applicable

Additional Information: LR-146-84.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles Saverude (202) 566-3323.

Treasury attorney: Jane Sarosdy (202) 566-3289.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH65

588. TEMPORARY INCOME TAX
REGULATION UNDER THE TAX
REFORM ACT OF 1984 RELATING TO
FOREIGN MANAGEMENT AND
FOREIGN ECONOMIC PROCESSES
REQUIREMENTS OF A FOREIGN
SALES CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 924(d)(4) Internal Revenue Code of 1954; 26 USC 925(b) Internal Revenue Code of 1954; 26 USC 927(d)(2)(B) Internal Revenue Code of 1954

CFR Citation: 26 CFR 924; 26 CFR 925; 26 CFR 927

Abstract: These regulations will provide rules for determining whether an FSC shall be treated as having foreign trading gross receipts by complying with requirement that certain management activities of the FSC take place outside the United States, and rules for determining whether a transaction is treated as producing foreign trading gross receipts because certain sales activities and activities relating to the disposition of export property are performed by the FSC outside of the United States.

Timetable:

Action	Date	FR	Cite
Final Action T.D.	12/12/84	49 FR	48243

Small Entity: Not Applicable

Additional Information: LR-266-84.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Treasury attorney:

Agency Contact: Nerman Dobynes Hubbard. Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG73

589. ● TREATMENT OF TRANSFER OF PROPERTY BETWEEN SPOUSES, TAX TREATMENT OF ALIMONY AND SEPARATE MAINTENANCE PAYMENTS, AND DEPENDENCY EXEMPTION IN THE CASE OF CHILD OF DIVORCED PARENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1041 Internal Revenue Code of 1954; 26 USC 152 Internal Revenue Code of 1954; 26 USC 215 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to the treatment of transfers of property between spouses or former spouses incident to divorce. The regulations provide that no gain or loss is recognized on such transfers. The regulations will also provide a new definition of alimony and separate maintenance payments. In addition, the regulations provide that such payments are deductible by the payor and includible in income by the payee. Finally, the regulations will provide that a custodial parent may release his/her claim to the dependency exemption to the noncustodial parent.

Timetable:

Action	Date		FR	Cite
Final Action T.D. 7973	08/31/84	49	FR	34451

Small Entity: Not Applicable

Additional Information: LR-136-84.

Drafting attorney: Ada S. Rousso (202) 566-3297.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Treasury attorney: Don Rocap (202) 566-2927.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH51

590. ● TEMPORARY INCOME TAX REGULATIONS UNDER THE ECONOMIC RECOVERY TAX ACT OF 1981 AND THE TAX REFORM ACT OF 1984, RELATING TO STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092 (b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations will provide rules relating to tax straddles. The regulations will explain the general loss deferral rule under section 1092, the application of rules similar to sections 1091 and 1233 to straddles, and the elections under section 1092 (b).

Timetable:

Action	Date	FR Cite		
Final Action T.D. 8007	01/24/85	50 FR 3317		
Cinal Action	01/04/05	EO ED 2217		

Effective

Small Entity: Not Applicable

Additional Information: LR-296-84.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Linda Carlisle (202) 566-4519.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AH53

591. TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO MIXED STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092 (b) (1) Internal Revenue Code of 1954; 26 USC 1092 (b) (2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations will provide rules relating to mixed straddles. The regulations will explain the application of the straddle-by-straddle identification rules of mixed straddles and the establishment of mixed straddle accounts.

Timetable:

Action	Date		FR	Cite
Final Action Effective	01/01/84	50	FR	3324

Action	Date	FR	Cite
Final Action T.D. 8008	01/24/85	50 FR	3324

Small Entity: Not Applicable

Additional Information: LR-298-84.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Susan McDowell (202) 566-8278.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AH54

592. ● SPECIAL ELECTION BY COMMODITIES DEALERS AND OPTIONS DEALERS TO BE AN S CORPORATION UNDER SECTION 102 (D) (3) OF THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; PL 98-369, Sec 102 (d) (3) Tax Reform Act of 1984

CFR Citation: 26 CFR 18

Abstract: Section 102 (d) (3) of the Tax Reform Act of 1984 provided commodities dealers and options dealers a special election to become an S corporation. The regulation provides rules with respect to the time and manner of making the election as well as the effect of such election.

Timetable:

Action	Date		FR	Cite
Final Action T.D. 7979	10/01/84	49	FR	38920

Small Entity: Not Applicable

Additional Information: LR-188-84.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Fairlea Sheehy [202] 566-4902.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH25

593. ● INCOME TAX: WITHHOLDING UPON DISPOSITIONS OF U.S. REAL PROPERTY INTERESTS BY FOREIGN PERSONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1445 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations provide rules relating to the withholding tax imposed under section 1445 upon any person that acquired a U.S. real property interest from a foreign person. The regulations explain where withholding is required and how that requirement can be modified pursuant to an agreement with the IRS, and also provide rules relating to the manner in which amounts withheld are to be reported and paid over to the IRS.

Timetable:

Effective

Action	Date	FR Cite		
Final Action T.D. 8000	12/31/84	49 FR 50667		
Final Action	01/01/85	49 FR 50667		

Small Entity: Not Applicable

Additional Information: LR-218-84.

Drafting attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Joseph L. Andrus (202) 566-2964.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG69

594. HEAVY VEHICLE USE TAX AND TAX ON DIESEL FUEL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4041 Internal Revenue Code of 1954; 26 USC 4481 Internal Revenue Code of 1954; 26 USC 4482 Internal Revenue Code of 1954; 26 USC 4483 Internal Revenue Code of 1954; 26 USC 6427 Internal Revenue Code of 1954

CFR Citation: 26 CFR 41; 26 CFR 48

Abstract: These regulations will impose a graduated use tax on heavy vehicles which use the public highways. Vehicles which use the public highways for 5000 miles or less [7,500 miles or less in the case of agricultural vehicles] will be exempt. This tax will be

Completed Actions

effective on July 1, 1984. The regulations will also impose an increase in the tax on diesel fuel to 15 cents a gallon and provide a one time credit or refund to original purchasers of diesel-powered highway vehicles. The increased diesel fuel tax is effective August 1, 1984.

Timetable:

Action	Date	FR Cite
Regulations project closed on	12/28/84	

Small Entity: Not Applicable

Additional Information: LR-268-84.

Drafting attorney: William A. Jackson.

Reviewing attorney: Robert Coplan.

Treasury attorney: Mark Perlis.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AH55

595. TEMPORARY PROCEDURE AND ADMINISTRATION REGULATIONS RELATING TO TAX SHELTER REGISTRATION AND THE REQUIREMENT TO MAINTAIN LISTS OF INVESTORS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6111 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301T

Abstract: This project will provide rules to suspend the tax shelter registration requirements for tax shelters that are projected income investments.

Timetable:

Action	Date	FR Cite
Final Action Effective	09/01/84	49 FR 43640
Final Action T.D. 7990	10/31/84	49 FR 43640

Small Entity: Not Applicable

Additional Information: LR-186-84.

Drafting attorney: Cynthia L. Clark (202) 566-3288.

Reviewing attorney: John H. Parcell [202] 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, D.C. 20224, 202 566-3288

RIN: 1545-AH34

596. ● TEMPORARY REGULATIONS UNDER TEFRA RELATING TO SPECIAL ENFORCEMENT AREAS UNDER THE RULES FOR CONSOLIDATED PARTNERSHIP PROCEEDINGS

Legal Authority: 26 USC 6231 (c) (1) Internal Revenue Code of 1954; 26 USC 6231 (c) (3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 301T

Abstract: These regulations will provide rules relating to special enforcement areas under the rules for consolidated partnership proceedings. Specifically, they will identify certain applications for tentative adjustments ("Quick Refunds") and refund claims attributable to abusive tax shelters as areas that have been determined to present special enforcement considerations.

Timetable:

Action	Date	FR Cite
Final Action Effective	12/10/84	49 FR 48536
Final Action T.D. 7996	12/13/84	49 FR 48536

Small Entity: Not Applicable

Additional Information: LR-241-84.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3289.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Mark Perlis (202) 566-2926.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AH47

597. ● TEMPORARY PROCEDURE AND ADMINISTRATION REGULATIONS - INCREASED RATE OF INTEREST ON SUBSTANTIAL UNDERPAYMENTS ATTRIBUTABLE TO CERTAIN TAX MOTIVATED TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6621 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301T

Abstract: The regulations provide guidance to taxpayers subject to the increased rate of interest on substantial underpayments attributable to certain tax motivated transactions. The regulations define tax motivated underpayment and accounting methods that may result in a substantial distortion of income. The regulations also provide rules for determining the amount of a tax motivated underpayment and the accrual of interest at the increased rate.

Timetable:

Action	Date	FR Cite
Final Action T.D. 7998	12/28/84	49 FR 50390

Small Entity: Not Applicable

Additional Information: LR-166-84.

Drafting attorney: Linda M. Kroening (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4979.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AG76

598. ● CERTAIN ELECTIONS UNDER THE DEFICIT REDUCTION ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 5h; 26 CFR 18

Abstract: The regulations provide rules with respect to the time and manner of making various elections under the Deficit Reduction Act of 1984.

Completed Actions

Timetable:

Action Date FR Cite

0/10/94 40 ED 2540

Final Action T.D. 09/10/84 49 FR 35486 7976

Small Entity: Not Applicable

Additional Information: LR-132-84.

Drafting attorney: Gail H. Morse (202) 566-3297

Reviewing attorney: John M. Fischer (202) 566-3394

Treasury attorneys: Neil Kimmelfield/Jim Bridgeman (202) 566-8527. Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH23 [FR Doc. 85-6375 Filed 04-26-85; 8:45 am] BILLING CODE 4830-01-T

Monday April 29, 1985

Part XVI

ACTION

Semiannual Regulatory Agenda



ACTION

ACTION

45 CFR Ch. XII

Executive Order 12291, Federal Regulation, Semiannual Agenda of Regulations

AGENCY: ACTION.

ACTION: Publication of semiannual agenda.

summary: This agenda announces the regulations that ACTION will have under development, revision or review during the 12 month period from April 1985 to April 1986. The purpose for publishing this agenda is to give notice of any regulatory activity by the Agency

in order to allow the public an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT:

The public is encouraged to contact the Agency official listed for the particular agenda item. For other information concerning ACTION regulations or this semiannual agenda contact Ronald C. Owens, Associate General Counsel, ACTION, 806 Connecticut Avenue, N.W., Washington, D.C. 20525, (202) 634-9333.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. 605) executive agencies are required to publish in the Federal Register semiannual regulatory

agendas in April and October of each year.

The regulations being considered by ACTION are not "major" rules within the meaning of E.O. 12291 and no Regulatory Impact Analysis is required. ACTION has determined that the regulations under consideration will not impose compliance costs or reporting burdens on the public; and that the regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Analysis is required under 5 U.S.C. 602.

DATED: March 5, 1985. Thomas W. Pauken, Director, ACTION.

ACTION (ACTION)

NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Legal Authority: 42 USC 2000(d)(1); 42 USC 5057; 42 USC 5060

CFR Citation: 45 CFR 1203

Abstract: In accordance with 42 USC 2000(d)(1) ACTION will promulgate regulations implementing provisions of title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, as amended, and section 417 of the Domestic Volunteer Service Act of 1973, as amended, which prohibit discrimination on the basis of race, color, national origin, religion or sex, in federally assisted programs. Relevant provisions of existing ACTION title VI regulations will be subsumed into this new regulation.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Jess Quintero, Deputy

Director for Equal Opportunity, ACTION, Office of Compliance, 806 Connecticut Ave., NW, Washington, DC 20525, 202 634-9757

RIN: 3001-AA06

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN ACTION PROGRAMS

Legal Authority: 29 USC 794; 42 USC 5057; 42 USC 5060

Abstract: In accordance with section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), ACTION will promulgate implementing regulations which prohibit discrimination on the basis of handicap in federally conducted programs and activities. ACTION regulations prohibiting discrimination on the basis of handicap in federally assisted programs are contained in 45 CFR 1232.

Timetable:

Action Date FR Cite
Pending DOJ 00/00/00 review

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Jess Quintero, Deputy Director for Equal Opportunity, ACTION, Office of Compliance, 806 Connecticut Ave., NW, Washington, DC 20525, 202 634-9757

RIN: 3001-AA07

DENIAL OF APPLICATION FOR REFUNDING

Legal Authority: 42 USC 5052; 42 USC 5060

CFR Citation: 45 CFR 1206

Abstract: In accordance with Public Law 98-288, 1984 amendments to the Domestic Volunteer Service Act of 1973, ACTION will revise existing denial of refunding regulations.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 03/00/85

Small Entity: No

Agency Contact: J. C. Argetsinger, General Counsel, ACTION, 806 Connecticut Ave., NW, M-607, Washington, DC 20525, 202 634-9333

RIN: 3001-AA08 [FR Doc. 85-6376 Filed 04-26-85; 8:45 am] BILLING CODE 6050-28-T



Monday April 29, 1985

Part XVII

Advisory Council on Historic Preservation

Semiannual Regulatory Agenda



ACHP

ADVISORY COUNCIL ON HISTORIC PRESERVATION

36 CFR Ch. VIII

Regulatory Agenda

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice of regulatory agenda.

SUMMARY: This Regulatory Agenda is a semiannual summary of each proposed and each final regulation that the Advisory Council on Historic Preservation expects to publish in the Federal Register during the next twelve (12) months.

ADDRESS: Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, N.W., Suite 809, The Old Post Office Building, Washington, D.C. 20004.

FOR FURTHER INFORMATION CONTACT:

John Fowler, General Counsel, Advisory Council on Historic Preservation, 202-786-0503.

DATED: March 15, 1985.

Robert R. Garvey, Jr., Executive Director.

ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP)

Current and Projected Rulemakings

PROTECTION OF HISTORIC AND CULTURAL PROPERTIES

Priority: Agency Determination

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 800

Abstract: In order to streamline and increase the effectiveness of the Council's regulations at 36 CFR Part 800, the Council is in the process of preparing revisions to its regulations. The reason for the revisions is to implement new regulatory authorities

set forth in PL 96-515, and to improve the efficiency of the historic preservation review process. The alternative to revision of the regulations is to leave them as they are, which would not achieve the goals the Council seeks. The revisions are expected to reduce the cost of complying with the regulations.

Timetable:

Regulations

Action	Date	FR Cite
Revisions to	00/00/00	The same of

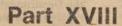
Small Entity: No

Agency Contact: John M. Fowler, General Counsel, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue NW, Suite 809, Washington, DC 20004, 202 786-0503

RIN: 3010-AA00 [FR Doc. 85-6891 Filed 04-28-85; 8:45 am] BILLING CODE 4310-10-T

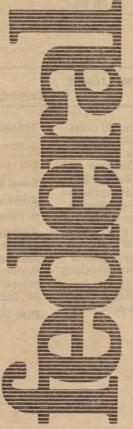


Monday April 29, 1985



Architectural and Transportation Barriers Compliance Board

Semiannual Regulatory Agenda



ATBCB

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Ch. XI

Unified Agenda of Federal Regulations

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Submission of Unified Agenda of Federal Regulations.

SUMMARY: The Architectural and Transportation Barriers Compliance Board submits the following agenda of proposed regulatory activities which may be conducted by the agency during the next twelve months. This regulatory agenda may be revised and/or refined by the agency during the coming months as a result of action taken by the Board. In addition to any regulatory actions, the Board may also consider issuing advisory standards and/or policy statements as part of its statutory responsibilities. When appropriate, these standards and policies will also be published in the Federal Register.

ADDRESS: U.S. Architectural and Transportation Barriers Compliance Board, 330 C Street, S.W., Room 1010, Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT:

For information concerning Board regulations and proposed actions, contact Ms. Sally Free, Office of Technical Services, 202/472-2700 voice or TDD or 202/245-1591 (messages—voice or TDD).

Charles Hauser,

Chairperson, Architectural and Transportation Barriers Compliance Board.

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD PROGRAMS

Priority: Undetermined

Legal Authority: 29 USC 794 Rehabilita-

tion Act of 1973, as amended

CFR Citation: 36 CFR 1154

Abstract: This proposed regulation sets forth procedures and policies to assure

nondiscrimination on the basis of handicap in programs and activities conducted by the Board. Patterned on the prototype regulation prepared by the Department of Justice, the draft regulation is under consideration by the Board.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	California (California)
Small Entity	: No	

Current and Projected Rulemakings

Additional Information: Phone number of agency contact is voice or TDD.

Agency Contact: Merrily Raffa, General Counsel, Architectural and Transportation Barriers Compliance Board, 330 C Street, S.W., Room 1010, Washington, DC 20202, 202 245-1801

RIN: 3014-AA02

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

MINIMUM GUIDELINES AND REQUIREMENTS FOR ACCESSIBLE DESIGN

Priority: Agency Determination

Legal Authority: 29 USC 792(b)(7) Rehabilitation Act of 1973, as amended

CFR Citation: 36 CFR 1190

Abstract: Specific provisions of the ATBCB Minimum Guidelines and Requirements for Accessible Design have been reserved until such time as sufficient research, information, and/or field experience is obtained. In addition to these reserved provisions, the Board has indicated that additional

information would be useful on other provisions contained in the regulation and on other access issues. As materials and experience become available in these areas, the Board plans to take the appropriate action to complete or revise these requirements. Information on alternatives being considered for addressing a particular provision, and the potential costs and benefits of the action being proposed will be provided during the rulemaking process. The last revision to the Minimum Guidelines and Requirements for Accessible Design was published 08/04/82 (47 FR 33862).

Existing Regulations Under Review

Timetable:

End Review

Action Date FR Cite

00/00/00

Small Entity: No

Additional Information: Phone number of agency contact is voice or TDD.

Agency Contact: Ms. Sally Free,
Director-Office of Technical Services,
Architectural and Transportation
Barriers Compliance Board, 330 C
Street, S.W., Room 1010, Washington,
DC 20202, 202 472-2700

RIN: 3014-AA00

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

Completed Actions

COMPLETED RULEMAKINGS PRIVACY ACT REGULATION

Priority: Undetermined

Legal Authority: 5 USC 552a Privacy Act

of 1974

CFR Citation: 36 CFR 1121

Abstract: The Privacy Act requires agencies to issue regulations to implement the Act. The purposes of these regulations are to establish procedures by which an individual can determine if the Board maintains a system of records which include a

record pertaining to that individual and to establish procedures for individual access to the records for review, amendment and/or correction.

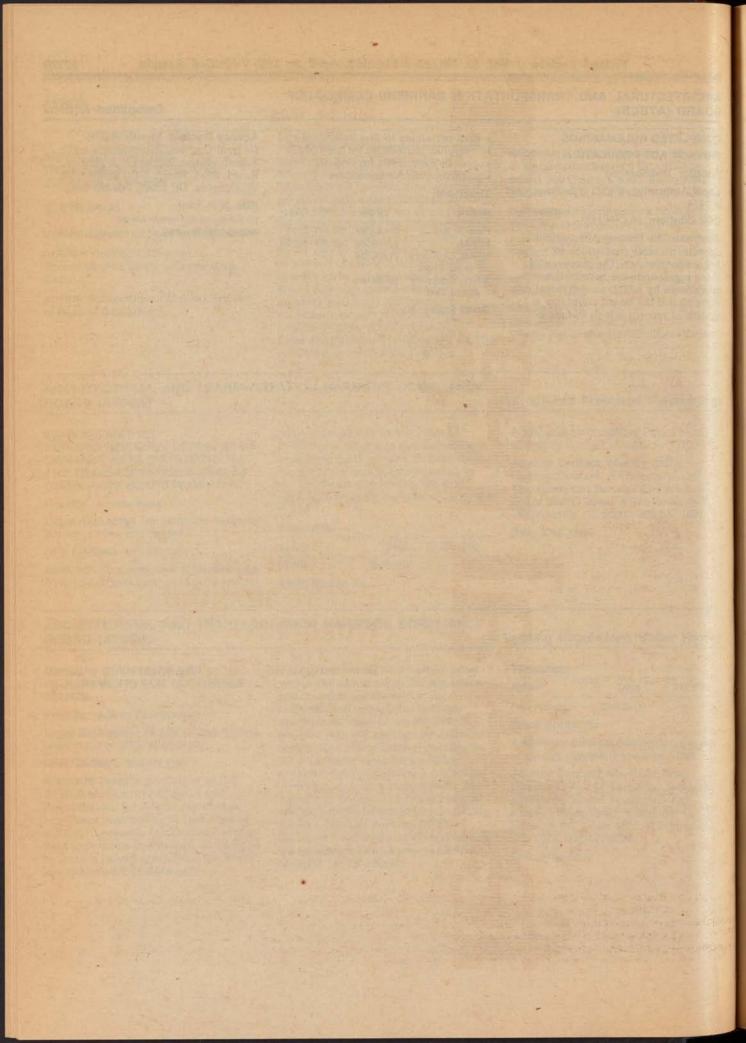
Timetable:

Small Entity: No

Action	Date		FR	Cite
Final Action	01/29/84	50 F	FR	3904
NPRM	11/06/84	49 F	FR	44310
NPRM Comment Period Begin	11/06/84			
NPRM Comment	12/06/84			

Agency Contact: Merrily Raffa, General Counsel, Architectural and Transportation Barriers Compliance Board, 330 C Street, S.W. Room 1010, Washington, DC 20202, 202 245-1801

RIN: 3014-AA01 [FR Doc. 85-6512 Filed 04-26-85: 8:45 am] BILLING CODE 6820-BP-T





Monday April 29, 1985

Part XIX

Council on Environmental Quality

Semiannual Regulatory Agenda

CEQ

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Ch. V

Semiannual Agenda of Regulations March 21, 1985.

AGENCY: Council on Environmental Quality. **ACTION:** Publication of the semiannual agenda of regulations.

SUMMARY: Pursuant to the Regulatory Flexibility Act (5 U.S.C. 605) and Executive Order No. 12291, "Federal Regulations," dated February 17, 1981 the Council on Environmental Quality is required to publish in April and October of each year an agenda of proposed regulations that the Council has issued or expects to issue and current rules that are under agency review.

FOR FURTHER INFORMATION CONTACT: Questions should be addressed to: Dinah Bear, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006 [202] 395-5754.

A. Alan Hill, Chairman.

COUNCIL ON ENVIRONMENTAL QUALITY (CEQ)

NATIONAL ENVIRONMENTAL POLICY ACT REGULATION ON INCOMPLETE OR UNAVAILABLE INFORMATION

Priority: Agency Determination

Legal Authority: EO 11991; 42 USC 4321

to 4347

CFR Citation: 40 CFR 1502.22

Abstract: This was an Advance Notice of Proposed Rulemaking in which the Council requested public comments on specific questions relating to the regulation under review. 49 Fed. Reg.

50,744 (1984). The regulation has been under review for resolution of the issues raised by recent judicial opinions.

Timetable:

Action	Date	FR Cite
ANPRM	12/31/84	49 FR 50744
ANPRM Comment	12/31/84	49 FR 50744
Period Begin ANPRM Comment	02/15/85	
Period End NPRM	05/01/85	

Existing Regulations Under Review

Small Entity: Undetermined

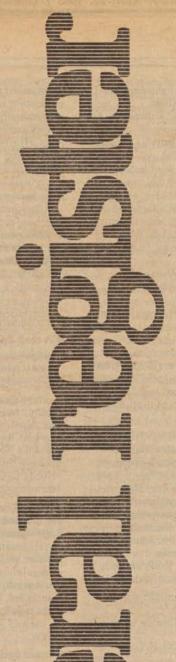
Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Dinah Bear, General Counsel, Council on Environmental Quality, 722 Jackson Place, NW, Washington, DC 20006, 202 395-5754

RIN: 0331-AA01 [FR Doc. 85-7905 Filed 04-26-85; 8:45 am] BILLING CODE 3125-01-T



Monday April 29, 1985

Part XX

Environmental Protection Agency

Semiannual Regulatory Agenda

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL #2809-8]

Regulatory Agenda

AGENCY: Environmental Protection Agency (EPA).

ACTION: Regulatory agenda.

SUMMARY: EPA revises the Regulatory Agenda semiannually and it appears in the Federal Register each April and October. It provides specific information on the status of regulations that are under development, revision, and review at the Agency. The Agenda is published to keep interested parties informed of the progress of EPA regulations.

ADDRESSES: For specific information on any item in the Agenda, please contact the person listed with each entry.

If you have any suggestions for improving this publication, or need general information about the Agenda, please call or write to Angela Tyler, Regulation Management Staff, Environmental Protection Agency, PM-223, Washington, D.C. 20460, (202) 382-7203.

If you want to be on the mailing list for future Agendas, please call or write to Penelope Parker, Regulation and Information Management Division, Environmental Protection Agency, PM-223, Washington, D.C., 20460, (202) 382-5475.

FOR FURTHER INFORMATION CONTACT: Angela Tyler, (202) 382-7203.

SUPPLEMENTARY INFORMATION:

Organization of the Agenda

The Agenda is organized by statutory area — generally by the titles of the major legislation authorizing EPA's pollution control programs. In a few cases, the Agenda combines regulations with differing statutory authorities that have closely-related subject matter. For example, the Fuel Economy Data regulation under the Energy Policy and Conservation Act appears together with mobile source regulations under the Clean Air Act. Also, a list of abbreviations of terms used in this document is included as Appendix A.

The statutory areas appear in the following order:

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Federal Food, Drug, and Cosmetics Act (FFDCA)

Toxic Substances Control Act (TSCA) Clean Water Act (CWA)

Marine, Protection, Research, and Sanctuaries Act (MPRSA)

Atomic Energy Act (AEA)
Uranium Mill Tailings Radiation Act
(UMTRA)

Safe Drinking Water Act (SDWA)
Resource Conservation and Recovery
Act (RCRA)

Hazardous and Solid Waste Management Act (HSWA)

Clean Air Act (CAA)

Energy Policy and Conservation Act (EPCA)

Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) (CERCLA)

General -- Other Acts (including general grant and procurement regulations and regulations that cut across several program areas)

This Agenda includes the HSWA amendments that reauthorized the RCRA program. The President signed HSWA into law on November 8, 1984. Many of the provisions are effective immediately; other provisions establish tight schedules for Agency rulemaking. Also, some sections of the statute establish "hammer" provisions – i.e., requirements that are effective on a certain date by statute if EPA fails to issue regulations before that date.

The following is a summary of the law's major provisions:

- A new program for banning wastes from land disposal;
- Prohibition against certain land disposal practices;
- Minimum technological measures for landfills, surface impoundments and incinerators;
- Requirements for retrofitting certain existing surface impoundments with liners;
- Authority to expedite permits for new and innovative treatment technologies to foster research and development;
- Authority to require permit conditions beyond the scope of EPA's existing regulations;
- Tighter controls on small quantity generators of hazardous wastes;
- Requirements to identify additional hazardous wastes;
- A full assessment of the hazard posed by a waste before EPA may delist it;

- Requirements for thorough inspections of State and Federal facilities;
- Enhanced Federal enforcement authorities;
- Specific controls on the burning and blending of hazardous wastes as fuels;
- Specific requirements for the regulation of used oil;
- Tighter controls on the export of hazardous wastes;
- A new program for identifying health risks presented by individual surface impoundments and landfills;
- An expanded program for the regulation of solid waste management facilities;
- Greater citizen involvement in "imminent and substantial hazard" cases under section 7003;
- A major new program for regulating underground tanks; and
- Establishment of a National Groundwater Commission.

This Agenda addresses current
Agency activities in response to HSWA.
The Agency is indefinitely postponing
some RCRA actions listed in the
previous (October 1984) Agenda,
because the Agency has given higher
priority to implementing the new HSWA
amendments.

Within each statutory area the entries are divided into three categories: (1) Regulations currently under development; (2) regulations under review; and (3) regulations and reviews of regulations that EPA is deleting from the Agenda because the Agency has completed, withdrawn, or postponed them indefinitely. Detailed information on each of these sections is presented below.

Current and Projected Regulations

Current and projected regulations are generally listed in the Agenda once they are within a year of scheduled publication as a notice of proposed rulemaking (NPRM) or final action. Very important regulations will usually appear when the scheduled publication dates are more than a year away.

The current and projected regulations appear as: (a) "New Regulations," i.e., actions that will create new CFR parts, subparts, or subsections; or (b) "Revised Regulations," i.e., actions that revise or amend already existing CFR parts, subparts, or subsections. The word "revision" will appear in parentheses after the title of each regulation undergoing revisions. All regulations

appearing in the Agenda for the first time are marked with bullets.

The regulations are ordered numerically, by section number of the authorizing legislation. For example, all air regulations under section 109 of the Clean Air Act will appear before those under section 111.

The current and projected listing include most of the regulations under development that:

- · Are subject to Executive Order 12291;
- The Presidential Task Force on Regulatory Relief has identified; or
- The Agency has designated for priority development or revision.

However, the listings exclude: (a)
Specialized categories of actions (such as EPA approvals of state plans and other actions that do not apply nationally); and (b) routine actions (such as pesticide tolerances and minor amendments to existing rules).

For each current and projected regulation the Agenda includes:

- · The title,
- The priority classification (if applicable),
- . The legal authority.
- · The CFR reference.
- · A short abstract,
- An analysis section (if the Agency is preparing a Regulatory Impact Analysis [RIA] and/or a Regulatory Flexibility Analysis [RFA]),
- A timetable of existing and scheduled actions,
- · A reference to small entity impacts,
- · An Agency contact, and
- · An additional information section.

The additional information section includes the FTS phone number for the Agency contact. It also includes the Start Action Request (SAR) number, which is assigned to the regulation for internal tracking purposes.

Regulations Under Review

The Agenda identifies existing EPA regulations: (1) That are now under review, or (2) whose review will begin before EPA publishes the next Agenda. The purpose of such reviews is to determine whether the Agency should revise the rule, rescind it, or leave it unchanged. If EPA decides to revise or rescind the regulation, the action will appear in the following Agenda as an entry in the appropriate section for current and projected rules, and will state the timetable for completing the revision or rescission.

The review section also includes evaluations of major information collection activities the Agency is conducting under the Paperwork Reduction Act (PRA). The Agency is currently performing reviews in three regulatory areas: General Pretreatment, New Source Performance Standards, and Superfund. The purpose of these reviews is to assess the quality, utility, effectiveness and efficiency of information requirements.

For each regulation under review, the Agenda provides the title, a short abstract, legal authority, CFR reference, any analysis EPA is preparing, contact person, and the schedule for completing the review. It also indicates the "review authority," which in many cases is different from the regulation's statutory authority. EPA reviews regulations under various mandates, and some reviews satisfy more than one of these mandates. The principal mandates are:

Executive Order 12291 establishes the general policy that EPA should review its existing regulations to ensure that the costs of these regulations are justified by their benefits.

The Regulatory Flexibility Act (5 USC 610) requires that EPA review existing regulations that have a significant impact on a substantial number of small entities, including small businesses, small organizations, and small governments, at least once every ten years. EPA issued its plan for conducting these reviews on July 16, 1981, at 46 FR 36930, and asked for public comment. The Agency has used those comments in identifying candidates for review. EPA invites public comment on the need to revise this candidate list.

Reviews under the RFA are identified by a "Yes" in the "small entity" category. When the Agency completes reviews of regulations with a significant impact on small entities, the Agenda entry includes an abstract that announces the Agency's decision of whether to revise, rescind, or leave the regulation unchanged. This announcement complies with the RFA and EPA's July 1981 plan for reviewing regulations under the Act.

The Paperwork Reduction Act mandates Federal agencies to:

- Minimize the paperwork burden that they impose on the public, and on State and local governments;
- Minimize the cost to the Federal government of collecting, maintaining,

- using, and disseminating information; and
- Maximize the usefulness of information collected by the Federal government.

To fulfill this mandate, EPA reviews its information collection activities to determine that:

- The Agency needs and will actually use all of the information that will be collected:
- The information to be collected does not already exist at EPA or at some other Federal agency;
- The information will be collected, managed, and used as efficiently as possible;
- The information will be of high quality, appropriate to its intended use; and
- The costs of collecting the information

 both to the respondents and to EPA
 will be held to a minimum.

Completed Actions

These are actions that appeared in the last Agenda, but which EPA is deleting because they are completed or are no longer under consideration. The information given on these regulations and reviews of regulations is less detailed than for those that are still under consideration. Generally, entries include: (1) The date and Federal Register citation, if any, of the last action on the regulation, and (2) an explanation of why the Agency is deleting the regulation from the Agenda. Milton Russell.

Assistant Administrator for Policy, Planning, and Evaluation.

DATED: March 27, 1985.

Appendix A: Abbreviations
ANPRM - Advance Notice of Proposed
Rulemaking

AOD - Argon-Oxygen Decarbonization BAT - Best Available Technology

BCT - Best Conventional Technology BOD - Biochemical Oxygen Demand

BPT - Best Practicable Technology

CA - Cooperative Agreements

CAG - Carcinogenic Assessment Group CBOD - Carbonaceous Biochemical Oxygen Demand

CEQ - Council on Environmental Quality

CFR - Code of Federal Regulations

DOE - Department of Energy EAF - Electric Arc Furnaces

FR - Federal Register

FTS - Federal Telecommunications System

GCWR - Gross Combination Weight Rating

GVWR - Gross Vehicle Weight Rating

HDE - Heavy-Duty Engine HDT - Heavy-Duty Truck

HDV - Heavy-Duty Vehicle

ICS - Intermittent Control System

LDT - Light-Duty Truck LDV - Light-Duty Vehicle

MCL - Maximum Contaminant Level NEPA - National Environmental Policy

Act

NPDES - National Pollutant Discharge Elimination System

NPRM - Notice of Proposed Rulemaking

NRDC - Natural Resources Defense Council

NSO - Nonferrous Smelter Orders

NSPS - New Source Performance Standards

OAQPS - Office of Air Quality Planning and Standards

OPP - Office of Pesticide Programs OPTS - Office of Pesticides and Toxic Substances

OSHA - Occupational Safety and Health Administration

PCB - Polychlorinated Biphenyl POTW - Publicly Owned Treatment Work

PSD - Prevention of Significant Deterioration

PSES - Pretreatment Standards for Existing Sources PSNS - Pretreatment Standards for New Sources

RFA - Regulatory Flexibility Act

RIA - Regulatory Impact Analysis

RIN - Regulatory Identifier Number RMCL - Recommended Maximum Contaminant Level

SAR - Start Action Request

SIC - Standard Industrial Code

SSC - State Superfund Contracts

TSS - Total Suspended Solids

UIC - Underground Injection Control

USC - United States Code

VOC - Volatile Organic Chemical

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Current and Projected Rulemakings

Se- quence Number		Title Title	Regulation Identifier Number
all part	01011 1000	De Michael Inc. Classification for Codein Active Ingradients Lload in Europeants	2070-AA00
1	SAH NO. 1828.	Restricted Use Classification for Certain Active Ingredients Used in Fumigants	2010-AA00
2			2070-AA56
100	- LOVE BEING COTTON TO A CONTROL OF THE	Special Review Criteria and Procedures (Revision)	2070-AA57
3	*SAR No. 1932.		2070-AA93
4	SAR No. 1965.	Pesticide Products; Package Size Exemption for Child Resistant Packaging (Revision)	2070-AB32
5	SAR No. 2251.		2070-AB33
6	SAR No. 2252.	Pesticide Registration Standards: Docketing and Public Participation Procedures	2070-AB3
7	SAR No. 2123.	Policy Statement Regarding Certain Microbial Products	The second secon
8	SAR No. 1963.	Tolerance Fees for Pesticide Chemicals (Revision)	2070-AA4
9	SAR No. 2180. Insecticide, Fur	Enforcement Policy Regarding Failures to Report Information Under Section 6(a)(2) of the Federal Ingicide, and Rodenticide Act (FIFRA)(REVISION)	2070-AB1
10	SAR No. 2179.	Rescission of Efficacy Data-Waiver for Vertebrate Control Products (Revision)	2070-AB19
11	SAR No. 1747.	Registration of Pesticide Producing Establishment (Revision)	2070-AA0
12	SAR No. 2017.		2070-AA4
13	SAR No. 2006.	Guidelines on Disposal and Storage of Pesticides (Revision)	2070-AA6
14	SAR No. 1640.	Worker Protection Standards for Agricultural Pesticides (Revision)	2070-AA4
15	SAR No. 2013.	User Charges for Pesticide Registrations	2070-AA6

^{*}Indicates priority regulation.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
16	*SAR No. 1837. Data Requirements for Registration (Revision)	2070-AA07

^{*}Indicates priority regulation.

Toxic Substances Control Act (TSCA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
17	SAR No. 1137. Decisions on Test Rules for the Interagency Testing Committee (ITC) Priority Lists 1st Through 8th and 10th through 15th	2070-AB07
18	SAR No. 2253. Testing Rule and Requirements for Data Submission: Dioxins/Furans: Testing Rule and Requirements for Data Submission	2070-AB21
19	SAR No. 2245. General Exemption Policy for Test Rules (Revision)	2070-AB30
20	*SAR No. 1820. PMN Exemption for Low Volume Chemicals	2070-AA36
21	SAR No. 1923. Follow-up Rules on Existing Chemicals	2070-AA58
22	SAR No. 1976. Follow-up Rules on Non-5(e) New Chemicals	2070-AA59

Toxic Substances Control Act (TSCA)—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
23	SAR No. 1134a. Premanufacture Notification: Stayed Provisions (Revision)	2070-AA94
24	SAR No. 2124. Section 5(b)(4) for Certain Chemical Substances	2070-AB17
25	SAR No. 2250. General Regulations on Significant New Use Rules (SNURs) (Revision)	2070-AB26
26	SAR No. 2246. Significant New Use Rules to Extend Provisions of Section 5(e) Orders	2070-AB27
27	SAR No. 2247. General Significant New Use Rule (SNUR)	2070-AB28
28	SAR No. 2123. Policy Statement Regarding Certain Microbial Products	2070-AB31
29	SAR No. 2056. PCB Transformers in Buildings (Revision)	2070-AA70
30	SAR No. 2032. Regulatory Investigation of 2-Ethoxyethanol, 2-Methoxyethanol and Their Acetates (Glycol Ethers)	2070-AA71
31	*SAR No. 2114. Section 9 Report on 1,3-Butadiene	2070-AB04
32	SAR No. 2149. Regulatory Investigation of Metalworking Fluids	2070-AB09
33	SAR No. 2146. Regulatory Investigation of Formaldehyde	2070-AB14
34	SAR No. 2150. Polychlorinated Biphenyls (PCBs): Renewal of Applications for Exemptions from the Ban on	
	Manufacturing, Processing, and Distribution	2070-AB20
35	SAR No. Regulatory Investigation of 4,4'-Methylene bis (Chloroaniline) (MBOCA)	2070-AB22
36	SAR No.2243. Asbestos Abatement Building Occupant Protection Rule	2070-AB23
37	SAR No. Asbestos Abatement Worker Protection Rule	2070-AB24
38	SAR No.2244. Polychlorinated Biphenyls (PCBs): Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions; Exclusions and Use Authorizations (Revision)	2070-AB25
39	SAR No. 1139b. Health and Safety Data Reporting; Submission of Tests and Copies of Health and Safety Data (Revision).	2070-AA76
40	SAR No. 1138a. Section 8(c) Records and Reports of Allegations of Significant Adverse Reactions to Health and	
10000	the Environment (Revision)	2070-AA86
41	SAR No. 1137d. Chemical Information Rules; Additional Automatic Reporting (Revision)	2070-AA98
42	*SAR No. 2115. Partial Updating of Certain TSCA Inventory Data Base	2070-AA99
43	SAR No. 2178. Section 8 (a) Preliminary Assessment Information Rule	2070-AB08
44	SAR No. 1139a. Section 8(d) Health and Safety Data Reporting Rule	2070-AB11
45	SAR No. 2129. TSCA Section 8(a) Comprehensive Assessment Information Rule (CAIR)	2070-AB13
46	SAR No. 1139b. Section 8(d) Health and Safety Reporting Rule (revision)	2070-AB35
47	SAR No. 2176. Section 9 Report on 4,4'- Methylenedianiline (4,4'-MDA)	2070-AB15
48	SAR No. 2248. Section 9 Report on Asbestos	2070-AB29

^{*}Indicates priority regulation.

Toxic Substances Control Act (TSCA)—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
49	Review of TSCA Section 8(c) Adverse Reactions Reporting and Recordkeeping Requirements	2070-AB03

Toxic Substances Control Act (TSCA)—Completed Actions

Se- quence Number		Title	Regulation Identifier Number
50 51 52 53 54 55	*SAR No. 1881. *SAR No. 2150. SAR No. 1529. SAR No. 2177.	General Exemption Policy for Test Rules	2070-AA15 2070-AA37 2070-AB18 2070-AA31 2070-AB16 2070-AA29

^{*}Indicates priority regulation.

Clean Water Act (CWA)—Current and Projected Rulemakings

Se- quence Number		Title	Regulation Identifier Number
56	SAR No. 2163.	State Sludge Program Regulations	2040-AA73
57	SAR No. 1722.	Simplifying Construction Grants Regulations (Revision).	2040-AA70
58	SAR No. 2267.	Cost Control of Construction Grant Increases Regulation (Revision)	
59	SAR No. 1725.	NPDES New Source and Short Application Forms (Revision)	
60	SAR No. 1404.	Requirements for Application for 301(c) Variances	
61	SAR No. 1634.	Waivers from BAT for Nonconventional Pollutants under 301(g) (Revision)	
62	*SAR No. 1415.	Effluent Guidelines for Organic Chemicals and Plastics and Synthetic Fibers	
63	SAR No. 1649.	Effluent Guidelines for Offshore Oil and Gas Industry (Revision)	
64	SAR No. 1427.	Effluent Guidelines for Pharmaceuticals (Revision)	
65	SAR No. 1411.	Effluent Guidelines for Paint Formulation	
66	SAR No. 1411A.		
67	SAR No. 1425.	Effluent Guidelines for Gum and Wood (Revision)	
68	SAR No. 1426.	Effluent Guidelines for Pesticides	
69	SAR No. 1432.	Effluent Guidelines for Metal Molding and Casting (Foundries)	
70	SAR No. 1911.	Effluent Guidelines for Nonferrous Metals (Phase II)	2040-AA27
71	SAR No. 1910.	Effluent Guidelines for Adhesives and Sealants.	2040-AA30
72	SAR No. 1908.	Effluent Guidelines for Nonferrous Metals Forming	2040-AA32
73	SAR No. 1420.	Effluent Guidelines for Rubber Processing (Revision)	
74	SAR No. 1969.	Effluent Guidelines for Pulp, Paper, and Paperboard (PCB's) (Revision)	
75	SAR NO. 1413.	Effluent Guidelines for Ore Mining and Dressing (Placer Mining)	
76	SAR No. 1414.	Effluent Guidelines for Coal Mining (Revision).	
77	SAR No. 2213.	Effluent Guidelines for Plastics Molding and Forming (Phthalates)	
78	SAR No. 2210.	Secondary Treatment Regulations: Percent Removal Requirements (Revision)	
79	*SAR No. 1752.	Best Conventional Pollutant Control Technology (BCT) Cost Test and BCT Effluent Guidelines	
80	SAR No. 1900.	General Pretreatment Regulations: Definitions for Passthrough and Interference (Revision)	
81	SAR No. 1544.	Removal of Oil and Hazardous Substance Discharges	2040-AA33
82	SAR No. 1451.	Hazardous Substances Pollution Prevention for Facilities Subject to Permitting Requirements of	2040-AA34
83	SAR No. 1579.	Discharge of Oil (Revision)	2040-AA48
84	SAR No. 2086.	NPDES Permit Regulations for Noncompliance and Program Reporting (Revision)	
85	SAR No. 2200.	NPDES Regulations: Stormwater Application Requirements (Revision)	
86	SAR No. 2212.	General Pretreatment Regulations: Response to PIRT (Revision)	2040-AA81
87	SAR No. 2162.	Technical Sludge Regulations.	2040-AA74
88	SAR No. 1604.	Ocean Dumping Criteria (Revision)	- Hard Charles Control of the Contro
89	SAR No. 2140.	Ocean Incineration Regulations (Revision)	
90		Comprehensive Revisions to Ocean Dumping Regulations	2040-AA78

^{*}Indicates priority regulation.

Clean Water Act (CWA):-Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
91	Review of General Pretreatment Program Information Collection Requirements	2040-AA68

Clean Water Act (CWA)—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
92	SAR No. 1802. Water Quality Planning and Management Regulations (Revision)	
93 94	SAR No. 1909. Effluent Guidelines for Plastics Molding and Forming SAR No. 2161. General Sludge Regulations.	2040-AA75
95	SAR No. 1584. Oil Pollution Prevention Regulation (Revision).	
96 97	SAR No. 1901. Consolidated Permits: NPDES Issues (Revision) *SAR No. 1868. NPDES Regulations: Regulatory Reform (Revision)	

^{*}Indicates priority regulation.

Atomic Energy Act (AEA)—Current and Projected Rulemakings

Se- quence Number		Title	Regulation Identifier Number
98	SAR No. 1161.	Guidance for Occupational Radiation Exposure (Revision)	2060-AA00
99	SAH NO. 1162.	Iransuranium Elements	2060-AA01
100	SAH NO. 1525.	Hadiofrequency Hadiation Guidance	2060-AA02
101	SAH NO. 1163.	Environmental Protection Standards for High-level Radioactive Waste	
102	SAR No. 1727.	Environmental Protection Standards for Low-Level Radioactive Waste	2060-AA03
103	*SAR No. 2073.	Residual Radioactivity	2060-AA04 2060-AB31

^{*}Indicates priority regulation.

Safe Drinking Water Act (SDWA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
104	SAR No. 1567. National Primary Drinking Water Regulations: Maximum Contaminant Levels for Volatile Organic Chemicals Found in Drinking Water	2040 4450
105	cal Contaminants and Turbidity (Revision)	2040-AA53
106	SAN NO. 1750. National Primary Drinking Water Regulations: Fluoride (Revision)	2040-AA55
107	SATING, 2012. Underground Injection Control Program: Federally Administered Programs (Phase III)	2040-AA56
108	SAR No. 2131 Underground Injection Control Program: Indian Lands	2040-AA69 2040-AA76

Noise Control Act (NCA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
109	SAR No. 2046. Withdrawal of Products from the Agency's Reports Identifying Major Noise Sources and Withdrawal of Proposed Rules	2000 4004
110	SAR No. 2045. Motor Carriers Engaged in Interstate Commerce: Noise Emission Standards (Revision)	2060-AB24 2060-AB20

Resource Conservation and Recovery Act (RCRA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131	SAR No. 2187. Final Codification Rule for the 1984 Amendments. SAR No. 2207. Containerized Liquids in Landfills. *SAR No. 2211. Prohibition of Underground Injection of Wastes. *SAR No. 2224. Criteria for Classification of Solid Waste Disposal Facilities and Practices. SAR No. 2263. Identification and Listing of Hazardous Wastes: Ignitable Hazardous Waste. SAR No. 2021. Identification and Listing of Hazardous Wastes: Michigan Petition. SAR No. 2115. Identification and Listing of Hazardous Wastes: Listing of Commercial Chemical Products (Revision). SAR No. 2155. Identification and Listing of Hazardous Wastes: Nitrotoluenes/Toluidines Manufacturing Wastes. SAR No. 2156. Identification and Listing of Hazardous Wastes: Diphenylamine Manufacturing Wastes. SAR No. 2153. Identification and Listing of Hazardous Wastes: Linuron and Bromacil Manufacture Wastes. SAR No. 2153. Identification and Listing of Hazardous Wastes: Listing of Used Oil. *SAR No. 2168. Proposed Reinterpretation of Mining Waste Exclusion (Smelting/Refining). SAR No. 2172. Identification and Listing of Hazardous Waste: Carbon Disulfide Production Wastes. SAR No. 2173. Identification and Listing of Hazardous Wastes: Carbon Disulfide Production Wastes. SAR No. 2174. Identification and Listing of Hazardous Wastes: Carbon Disulfide Production Wastes. SAR No. 2174. Identification and Listing of Hazardous Wastes: Nitroanilines Production Wastes. SAR No. 2174. Identification and Listing of Hazardous Wastes: Nitroanilines Production Wastes. Identification and Listing of Hazardous Wastes: Nitroanilines Production Wastes. Identification and Listing of Hazardous Wastes: Nitroanilines Production Wastes. Identification and Listing of Hazardous Wastes: Nitroanilines Production Wastes. Identification and Listing of Hazardous Wastes: Coal Slurry Pipeline Effluent.	2050-AA77 2050-AA85 2050-AA85 2050-AA87 2050-AA93 2050-AA94 2050-AA96 2050-AA96 2050-AB06 2050-AB07 2050-AB08 2050-AB08

Resource Conservation and Recovery Act (RCRA)—Current and Projected Rulemakings—Continued

Se- quence Number		Title	Regulation Identifier Number
132	SAR No. 2220.	Identification and Listing of Hazardous Wastes: Paint Manufacturing Wastes	2050-AB17
133	SAR No. 2226.	Identification and Listing of Hazardous Wastes: Petroleum Refinery Wastes	2050-AB24
134	SAR No. 2227.	Identification and Listing of Hazardous Wastes: Listing of Coke By-Product Wastes	2050-AB25
135	SAR No. 2235.	Identification and Listing of Hazardous Waste Inorganic Chemicals Industry Production	2050-AB32
136	SAR No. 2208.	Hazardous Waste Exports	2050-AB13
137	*SAR No. 1713.	Standards for the Management of Specific Hazardous Wastes: Waste Oil	2050-AA00
138	SAR No. 1761.	Identification and Listing of Hazardous Wastes: Hexavalent Chromium Modification (Revision)	2050-AA06
139	SAR No. 1858.	Identification and Listing of Hazardous Wastes: Revise and Expand Solvent Listings (Revision)	2050-AA09
140	SAR No. 1854	Identification and Listing of Hazardous Wastes: Residuals from Production of C1-C6 Chlorinated	
1000	Aliphatic Comp	ounds (Revision)	2050-AA11
141	*SAR No. 1935.	RCRA Small Quantity Generator Rule (Revision).	2050-AA59
142	SAR No. 1954.	Identification and Listing of Hazardous Wastes: Dimethylhydrazine Manufacturing Waste	2050-AA61
143	SAR No. 1862.	Identification and Listing of Hazardous Wastes: Organobromine Manufacturing Wastes (Revision)	2050-AA62
144	SAR No. 1955.	Identification and Listing of Hazardous Wastes: Toluene Diisocyanate Manufacturing Wastes	2050-AA63
145	SAR No. 1944.	Identification and Listing of Hazardous Wastes: Dimethoate, Methomyl, and Famphur	2050-AA64
146	SAR No. 1861.	Identification and Listing of Hazardous Wastes: Carbamate Manufacturing Wastes (Revision)	2050-AA65
147	SAR No. 2079.	Hazardous Waste as Fuels: Administrative Standards	2050-AA74
148	*SAR No. 2062.	Identification and Listing of Hazardous Wastes: Toxicity Characteristic Modification	2050-AA78
149	SAR No. 2043.	Identification and Listing of Hazardous Wastes: Delisting Procedures (Revision)	2050-AA81
150	SAR No. 2068.	Identification and Listing of Hazardous Wastes: Test Methods for Hazardous Waste (Revision)	2050-AA82
151	SAR No. 2166.	Schedule for Reviewing Wastes for Possible Land Disposal Restriction	2050-AA97
152	SAR No. 2187.	Codification Rule for the 1984 RCRA Amendments	2050-AB23
153	SAR No. 2228.	Identification and Listing of Hazardous Wastes: Laboratory Waste Listing	2050-AB26
154	SAR No. 2231.	Identification and Listing of Hazardous Wastes: EP Toxicity	2050-AB29
155	SAR No. 1817.	Hazardous Waste Management: Miscellaneous and Experimental Units	2050-AA23
156	*SAR No. 1878.	Restriction of Land Disposal of Certain Hazardous Wastes; Solvents, Dioxins and Establishing the	
	TO THE RESIDENCE OF THE PARTY O	EPA's Land Disposal Program	2050-AA30
157	SAR No. 1843.	Standards for Owners/Operators of Hazardous Waste Facilities: Liquids and Landfills (Revision)	2050-AA34
158	*SAR No. 1844.	Consolidated Permits: Class Permits	2050-AA36
159	SAR No. 1957.	Standards for Storage or Treatment of Hazardous Waste in Tank Systems	2050-AA57
160	*SAR No. 1948.	Standards for Owners/Operators of Waste Facilities: Corrective Action Financial Responsibility	2050-AA69
161	*SAR No. 2078.	Hazardous Waste as Fuels: Technical Standards	2050-AA72
162	SAR No. 2080.	Land Disposal Liner and Leak Detection Regulation	2050-AA76 2050-AB00
163	SAR No. 2165.	Standards for Owners and Operators of Waste Facilities: Closure and Post-Closure Care (Revision)	2050-AB00
164	SAR No. 2223.	Alternate Concentration Limits (ACL)	2050-AB20
165	*SAR No. 2225.	Financial Responsibility for Corrective Action: Prior Releases	2050-AB27
166	SAR No. 2229.	Use of Appendix VIII for Groundwater Monitoring	2050-A627
167	SAR No. 1805.	Consolidated Permits: Minor Modifications to Existing RCRA Permits (Revision)	2050-AA38
168	SAR No. 1806.	Consolidated Permits: Duration of Permits for Hazardous Waste Facilities (Revision) Amendment to State Program Capability Requirements	2050-AB01
169	SAR No. 2158.	Streamlining Approval of State Program Revisions	2050-AB11
170	SAR No. 2206.	Guideline for Federal Procurement of Paper and Paper Products Containing Recovered Materials	2050-A68
171	SAR No. 2011.		2000-11100
172	SAR No. 2159.	ste Treatment, Storage and Disposal Facilities: Conforming Changes	2050-AA98
470	The state of the s	Notification Form for Underground Tanks	2050-AB14
173	SAR No. 2209. *SAR No. 2202	Leaking Underground Storage Tanks: Performance Standards for New Tanks	2050-AB04
174		Leaking Underground Storage Tanks: Performance Standards for New Tanks	2050-AB18
175	*SAR No. 2221.	Interpretive Rule for the Lust Interim Prohibition	2050-AB19
176	SAR No. 2222. SAR No. 2234.	Requirements for Authorization of States: Underground Storage Tank Programs	2050-AB31
177	SAN NO. 2234.	requirements for Authorization of Octobs Orthological Storage and Frograms	2000-7100

^{*}Indicates priority regulation.

Resource Conservation and Recovery Act (RCRA)—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
178 179	SAR No. 1810. Review of Groundwater Monitoring	2050-AA89 2050-AA50

Resource Conservation and Recovery Act (RCRA)—Existing Regulations Under Review—Continued

Se- quence Number	Title	Regulation Identifier Number
180	* Review of Standards for Owners/Operators of Waste Facilities: Incinerators	2050-AA53

^{*}Indicates priority regulation.

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
181	SAR No. 1191. Identification and Listing of Hazardous Waste: Definition of Solid Waste (Revision)	2050-AA03
182	SAR No. 1863. Identification and Listing of Hazardous Wastes: Chlorinated Dioxins and Chlorinated Dibenzofurans	2050-MA03
102	(Revision)	2050-AA10
183	SAR No. 1968. Persons Managing Recycled Hazardous Wastes (Revision)	2050-AA56
184	SAR No. 1763. Identification and Listing of Hazardous Wastes: Definition of Household Waste (Revision)	2050-AA60
185	SAR No. 1767. Standards for Hazardous Waste Generators: "Satellite" Accumulation of Hazardous Waste (Revision)	2050-AA13
186	*SAR No. 1842. Standards for Hazardous Waste Generators: Alternate Manifest (Revision)	2050-AA16
187	SAR No. 1775. Standards for Owners/Operators of Waste Facilities: Storage of Ignitable and Reactive Waste; Buffer Zone Requirements (Revision)	2050-AA32
188	SAR No. 1807. Interim Status: Expansion and Modification of Facilities (Revision)	2050-AA35
189	SAR No. 1809. Enforcement of State Permits (Revision)	2050-AA40
190	*SAR No. 1958. Existing Portion Concept in Land Disposal Regulations (Revision)	2050-AA58
191	SAR No. 2007. Standard for Owners and Operators of Waste Facilities: Closure/Post-Closure Care and Cost Estimates and Financial Responsibility (Revision)	2050-AA70
192	SAR No. 2002. Land Disposal: Ground-Water Protection	2050-AA91
193	SAR No. 1814. Consolidated Permits: Construction Ban (Revision)	2050-AA39

^{*}Indicates priority regulation.

Clean Air Act (CAA)—Current and Projected Rulemakings

Se- quence Number		Title	Regulation Identifier Number
404	****** 4000	NAMES (C. S. M. C. S.	
194	*SAR No. 1002.		2060-AA61
195	*SAR No. 1003.	NAAQS for Particulate Matter (Revision)	
196	*SAR No. 1001.	NAAQS for Carbon Monoxide (Revision)	2060-AA63
198	*SAR No. 1004.	NAAQS for Nitrogen Dioxide (Revision)	2060-AA64
199	SAR No. 1845.	New Source Review (Revision)	2060-AA68
200	SAR No. 2103.	Stack Height Regulations (Revision)	2060-AB30
201	SAR No. 2102.	Ambient Air Quality Surveillance (Revision)	2060-AB47
202	SAR No. 1503. SAR No. 1741.	Restructure CFR Parts 51, 52 (Revision) Quality Assurance Procedures, Appendix F, Procedure 1	2060-AB49
203	SAR No. 1008.	Quality Assurance Procedures, Appendix 7, Procedure 1	2060-AA09
204	SAR No. 1010.	NSPS: Stationary Internal Combustion Engines	2060-AA11
205	SAR No. 1119.	NSPS: Solvent Degreasing	2060-AA12
206		NSPS: Perchloroethylene Dry Cleaning	
207	SAR No. 1612.	NSPS: Volatile Organic Liquids Storage	2060-AA23
208	SAR No. 1615. SAR No. 1618.	NSPS: Rubber Products Industry-Tire Manufacturing	
209	SAR No. 1695.	NSPS: Synthetic Organic Chemical Industry: Air Oxidation Process	2060-AA30
210		NSPS: Solvent Degreasing(111d)	
211	SAR No. 1733. SAR No. 1736.	NSPS: Distillation Operations	
212	200 May 10/2/2015 1/0/2/2015	NSPS: Petroleum Refinery, FCC Regenerators.	2060-AA36
213	SAR No. 1691. SAR No. 1671.		2060-AA37
214	SAR No. 1971.	NSPS: Basic Oxygen Furnaces (Revision)	2060-AA72
215	THE PERSON NAMED ASSOCIATION OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS N	NSPS: Kraft Pulp Mills (Revision)	2060-AA97
216	SAR No. 2028.	NSPS: Sewage Treatment-Plants (Revision)	2060-AB05
217	SAR No. 1880.	NSPS: Non-Metallic Minerals	2060-AB11
218	SAR No. 1915.	NSPS: Wool Fiberglass Insulation	2060-AB21
219	SAR No. 2044.		2060-AB22
210	SAR No. 2109.	NSPS: On-Shore Production for Volatile Organic Compounds	2060-AB26

Clean Air Act (CAA)—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
220	SAR No. 2110. NSPS: On-Shore Production for Sulfur Dioxide	2060-AB27
221	SAR No. 2083 NSPS: Fossil Fuel-Fired Steam Generators (Revision)	2060-AB29
222	*SAR No. 2075 NSPS: Industrial Boilers. S02	2060-AB33
223	SAR No. 2076 NSPS: Industrial BoilersParticulate Matter and NOx	2060-AB35
224	SAR No. 2186 NSPS: Cement Plants (Revision)	2060-AB38
225	SAR No. 2070. NSPS: Reporting Requirements for Opacity	2060-AB42
226	SAR No. 1117. NSPS: Gas Turbines (Revision)	2060-AB43
227	SAR No. 2101. NSPS: Fired Process Heaters	2060-AB45
228	SAR No. 2164. NSPS: SOCMI Reactor Processes	2060-AB55
229	SAR No. 2236. NSPS: Surface Coating of Plastic Parts for Business Machines	2060-AB66
230	SAR No. 2237. NSPS: Polymeric Coating of Supporting Substrates	2060-AB67
231	*SAR No. 2238. NSPS: Residential Wood Combustion	2060-AB68
232	SAR No. 1869 Decision on Regulation of Cadmium	2060-AA38
233	SAR No. 1684. NESHAPS: Arsenic from Smelters and Other Sources	2060-AA4
234	SAR No. 1685. NESHAPS: Benzene in Coke Ovens/By-Products Plants	2060-AA4
235	SAR No. 1686. NESHAPS: Coke Oven Emissions from By-Product Coke Oven Charging, Door Leaks, and Topside Leaks on Wet-Coal Charged Batteries (Revision)	2060-AA4
236	SAR No. 1681. NESHAPS General Provisions (Revision)	2060-AA7
237	SAR No. 1971. NESHAPS: Vinyl Chloride (Revision)	2060-AB0
238	SAR No. 2137. NESHAPS: Mercury (Revision)	2060-AB4
239	SAR No. 1714. NESHAPS: Asbestos (Revision)	2060-AB5
240	SAR No. 2181. Decisions on Regulating Various Air Pollutants	2060-AB5
241	*SAR No. 2217 NESHAPS: Radionuclides: Uranium Mills	2060-AB5
242	SAR No. 2199 NESHAPS: Radionuclides: Underground Uranium Mines	2060-AB6
243	SAR No. 1893. Dispersion Techniques Implemented Before Enactment of the Clean Air Act Amendments of 1970	2060-AA4
244	SAR No. 1941 "Guideline on Air Quality Models" (Revision)	2060-AB1
245	SAR No. 2112. Emission Standards, Test Procedures and CAFE Equivalency Factors for Methanol-Fueled New	2060-AB2
246	SAR No. 1317. Importation of Motor Vehicles and Motor Vehicle Engines (Revision)	2060-AA5
247	SAR No. 1571. Nonconformance Penalties for 1985 Model Year Heavy-Duty Engines (HDEs)(Phase I)	2060-AA5
248	SAR No. 1632. Nonconformance Penalties for Light-Duty Trucks (Phase I)	2060-AA5
249	SAR No. 2143. Small-Volume Manufacturers Certification Procedure (Revision)	2060-AB5
250	SAR No. 2233. Nonconformance Penalties for Light-Duty Trucks (Phase II)	2060-AB6
251	SAR No. 2136. Emission Performance Warranty Regulations (Revision)	2060-AB5
252	SAR No. 2145 Voluntary Aftermarket Parts Certification Regulations (Revision)	2060-AB5
253	SAR No. 2232 Nonconformance Penalties for 1985 Model Year Heavy-Duty Engines (HDEs) (Phase II)	2060-AB6
254	*SAR No. 1328. Fuels and Fuel Additives	2060-AA5
255	SAR No. 2215 Fuel and Fuel Additives: Preventative Action Program to Prevent Self-Serve Fuel Switching	2060-AB5
256	*SAR No. 2214. Fuel and Fuel Additives: Gasoline Lead Content	2060-AB60
257	SAR No. 2033. Fuel Economy Test Procedures; Proposed Procedures for Adjustment to Test Results to Account for Test Procedure Changes	15

^{*}Indicates priority regulation.

Clean Air Act (CAA)—Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
258	*SAR No. 1919. NAAQS: Lead	
259	*SAR No. 1920. NAAQS: Ozone	2060-AA96
260	SAR No. 2026. NSPS: Sulfuric Acid Manufacture	2060-AB02
261	Review of Information Requirements in the New Source Performance Standards (NSPS)*Program	2060-AB25
262	SAR No. 2263. NSPS: Ammonium Sulfate Manufacture	2060-AB34
263	SAR No. 2264. NSPS: Primary Aluminum Reduction Plants	2060-AB36
264	SAR No. 2265 NSPS: Secondary Lead Smelters	2060-AB39
265	SAR No. 2266. NSPS: Asphalt Concrete Plants	2060-AB41
266	SAR No. 2266. NSPS: Asphalt Concrete Plants. SAR No. 2239. NSPS: Small Boilers	2060-AB69
267	SAR No. 2029. NESHAPS: Beryllium	2060-AB07
268	SAR No. 1307, Visibility Protection for Federal Class I Areas	2060-AB09

^{*}Indicates priority regulation.

EPA

Clean Air Act (CAA)—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
269 270	SAR No. 2151. Determination for Interstate Air Pollution Control	
271	SAR No. 1904. NSPS: Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarbonization Vessels (Revision)	2060-AA75
272 273	SAR No. 2050. NSPS: Secondary Brass and Bronze Production (Revision). *SAR No. 1595. NESHAPS: Airborne Radionuclides	2060-AA47
274 275	SAR No. 1799. Second Round Nonferrous Smelter Order Regulations. *SAR No. 1310. Heavy-Duty Diesel Particulate Standards. *SAR No. 1315. NOx Regulations for Light-Duty Trucks and Heavy-Duty Engines.	. 2060-AA81 2060-AA51
276 277	*SAR No. 1315. NOx Regulations for Light-Duty Trucks and Heavy-Duty Engines	. 2060-AA52 2060-AA89
278 279	*SAR No. 2152. Lead Phasedown (Revision)	. 2060-AB50 2060-AB38
280	SAR No. 2197 Fuel and Fuel Additives: Banking of Lead Rights	2060-AB61

^{*}Indicates priority regulation.

Superfund (CERCLA)—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
281 282	SAR No. 1642B. Notification of Release of Hazardous Substances and Determination of Reportable Quantities	2050-AA46 2050-AA80
283	SAR No. 2065. Amendments to the National Oil and Hazardous Substances Pollution Contingency Plan	2050-AA75
284 285	SAR No. 2077. National Priority List (NPL) (Revision)	2050-AA79 2050-AA48
286	SAR No. 2160. Response Claims Procedures	2050-AA90

Superfund (CERCLA)—Completed Actions

Se- quence Number	Title - 1 and the second of th	Regulation Identifier Number
287	SAR No. 1642A. For further information contact RCRA/Superfund Designation of Additional Hazardous Sub-	2050-AA45
288 289	SAR No. 1642C. Notification of Continuous Release of Hazardous Substances	2050-AA47 2050-AA86

General—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
290 291 292 293 294 295 296 297 298 299 300	SAR No. 1791. Public Information and Confidentiality Regulations (Revision). SAR No. 2049. Nondiscrimination on the Basis of Handicap for Programs Conducted by EPA. SAR No. 2218 Nondiscrimination on the Basis of Age in Programs Receiving Financial Assistant from the EPA. SAR No. 1835. Amending NEPA Procedures Relating to Wastewater Construction Grants (Revision). SAR No. 1605. Emissions Trading Policy (Revision). SAR No. 2014. List of Violating Facilities (Revision). SAR No. 1973. Section 404 State Program Regulations (Revision). SAR No. 2196 Denial or Restriction of Disposal Sites (Revision). SAR No. 2195 Confidentiality Regulations: Special Rules Governing Certain Information Under FIFRA (Revision). SAR No. 2216 Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation of Suspension of Permits.	2020-AA03 2020-AA05 2020-AA07 2090-AA04 2010-AA08 2060-AB17 2030-AA00 2030-AA05 2020-AA01 2020-AA06

^{*}Indicates priority regulation.

EPA

General—Completed Actions

Se- quence Number		Title	Regulation Identifier Number
301	SAR No. 2048.	Training and Fellowship Grants (Revision)	2010-AA09
302	SAR No. 2148.		2090-AA08

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Current and Projected Rulemakings

1. RESTRICTED USE CLASSIFICATION FOR CERTAIN ACTIVE INGREDIENTS USED IN FUMIGANTS

Legal Authority: 7 USC 136 / FIFRA 3

CFR Citation: 40 CFR 162.31

Abstract: FIFRA requires that pesticides be classified for either general use or restricted to trained, certified pesticide applicators, or people under their direct supervision. This rule would classify certain active ingredients in grain fumigants for restricted use based on an evaluation of the incremental risks and benefits of unrestricted use. Classification for restricted use permits the continued use of certain pesticides which, if used without restrictions may have unreasonable adverse effects on the environment.

Timetable:

Action	Date	FR Cite		
NPRM .	10/12/83	48 FR 46397		
Final Action	04/00/85			

Small Entity: No

Additional Information: SAR No. 1828.

FTS: 8-557-0592.

Agency Contact: Robert Forrest, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767-C), Washington, DC 20460, 703 557-0592

RIN: 2070-AA00

2. COMPREHENSIVE REVISION OF PESTICIDE REGISTRATION, LABELING, AND CLASSIFICATION PROCEDURES (REVISION)

Priority: Undetermined

Legal Authority: 7 USC 136(d) / FIFRA 3

CFR Citation: 40 CFR 162

Abstract: These regulations will revise procedures and requirements for the registration and reregistration of pesticide products, the labeling of such products, and the classification of pesticide products as restricted use products.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/79	44 FR 76311
NPRM	09/26/84	49 FR 37915
Final Action	12/00/85	

Small Entity: No

Additional Information: SAR No. 1964.

FTS: 8-557-0592.

Analysis: RIA

Agency Contact: Jean Frane, Environmental Protection Agency,

Pesticides and Toxic Substances, (TS-767C), Washington, DC 20460, 703 557-0592

RIN: 2070-AA56

3. SPECIAL REVIEW CRITERIA AND PROCEDURES (REVISION)

Priority: Agency Determination

Legal Authority: 7 USC 136 / FIFRA 3

CFR Citation: 40 CFR 162.11

Abstract: The Agency is revising its criteria for initiating special reviews of pesticides (previously known as the Rebuttable Presumption Against Registration (RPAR) Process). These revisions will make the special review process consistent with statutory changes and program experience. The Agency is also revising the procedures for special review of chemicals to make the process more efficient and to promote public discussion. The criteria are being revised at the request of the President's Task Force on Regulatory Relief.

Timetable:

Action	Date		FR	Cite
NPRM	03/27/85	50	FR	12188
Final Action	00/00/00			

Small Entity: No

Additional Information: SAR No. 1932.

FTS: 8-557-7400.

Agency Contact: Joanna Dizikes, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767), Washington, DC 20460, 703 557-7400

RIN: 2070-AA57

4. PESTICIDE PRODUCTS; PACKAGE SIZE EXEMPTION FOR CHILD RESISTANT PACKAGING (REVISION)

Legal Authority: 7 USC 136d / FIFRA 3 CFR Citation: 40 CFR 162 Abstract: EPA is proposing to amend its regulations on the use of child resistant packaging for pesticide products to provide for exemptions for certain products based on the size of the package in which the product is distributed. This revision should reduce the cost of packaging for producers who market large-size containers to the pest control service segment of the user community.

Timetable:

Action	Date	FR Cite
NPRM	01/04/84	49 FR 423
Final Action	08/00/85	

Small Entity: No

Additional Information: SAR No. 1965.

FTS: 8-557-0592.

Agency Contact: Jean Frane,

Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767c), Washington, DC 20460, 703 557-0592

RIN: 2070-AA93

5. PESTICIDES APPLIED TO BODIES OF WATER (REVISION)

Legal Authority: 7 USC 136/FIFRA 3; 7 USC 136/FIFRA 12; 21 USC 346/FFDCA 408; 21 USC 346/FFDCA 409

CFR Citation: 40 CFR 162; 40 CFR 180

Abstract: This final notice of procedural changes modifies EPA's administrative procedures for regulating aquatic pesticide uses which result in pesticide residues in drinking water. Since the authority of FFDCA no longer applies to drinking water, these new procedures eliminate the requirement for establishing a food tolerance regulation. Instead, the Agency regulates such residues as described in the procedures under the authority of FIFRA. When residues result in drinking water following application of aquatic use pesticides, acceptable levels will be set through coordination of the Office of Pesticide Programs and the Office of Drinking Water. This procedure will relieve registration applicants from filing a food additive petition under the FFDCA, in addition to filing the application for registration under FIFRA.

Timetable:

Action	Date	FR Cite		
Final Procedural	05/00/85			
Notice				

Small Entity: No

Additional Information: SAR No. 2251.

FTS:8-557-0592.

Agency Contact: Cheryl D. Smith, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767), Washington, DC 20460, 703 557-0592

RIN: 2070-AB32

6. PESTICIDE REGISTRATION STANDARDS: DOCKETING AND PUBLIC PARTICIPATION PROCEDURES

Legal Authority: 7 USC 136/FIFRA 3

CFR Citation: 40 CFR 155

Abstract: This proposal would establish procedures for providing additional opportunities for public participation in the development of pesticide registration standards. The procedures would establish and provide for the maintenance of a docket for each registration standard, which would be indexed and made available to the public. The procedures would also provide for publication in the Federal Register of an annual schedule of registration standards under development, as well as announcements of the availability of the public docket and registration standards.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Their Lead

Small Entity: No

Additional Information: SAR No. 2252.

FTS:8-557-0592.

Agency Contact: Jean M. Frane, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767), Washington, DC 20460, 703 557-0592

RIN: 2070-AB33

7. POLICY STATEMENT REGARDING CERTAIN MICROBIAL PRODUCTS

Legal Authority: 7 USC 136/FIFRA 3; 7 USC 136/FIFRA 5

CFR Citation: 40 CFR 172; 40 CFR 162

Abstract: New microorganisms developed through advanced techniques of genetic engineering and used for FIFRA commercial purposes will be subject to EPA requirements. OPTS is now developing general policies concerning the scope of PMN requirements for genetically engineered organisms, a policy for handling genetically engineered pesticides, and strategies for conducting risk assessments of these organisms. A proposed policy was published in December 1984. Comments are due on April 1, 1985. The policy will be revised, as appropriate, and a final statement will be prepared. In addition, OPTS is participating in a Cabinet Council working group on biotechnology to ensure that the overall Federal approach is integrated and consistent.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	12/31/84	49 FR 50880
Notice of Final Policy	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2123.

FTS:8-557-9307.

Agency Contact: Fred Betz, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-769c), Washington, DC 20460, 703 557-9307

RIN: 2070-AB34

8. TOLERANCE FEES FOR PESTICIDE CHEMICALS (REVISION)

Legal Authority: 21 USC 346(a) / FFDCA 408

CFR Citation: 40 CFR 180.33

Abstract: Section 408(o) of the Federal Food, Drug, and Cosmetic Act authorizes EPA to collect fees from registrants seeking approval of tolerance petitions. The tolerance fee structure originally was designed to cover the Agency's processing costs for reviewing tolerance petitions and for establishing tolerance levels for pesticides used on food products. The Agency has not modified its tolerance fee structure since 1972. This proposed regulation will establish a new tolerance fee structure based upon the Agency's increased costs for processing tolerance petitions.

Timetable:				
Action	Date	- 1	R	Cite
NPRM	10/10/84	49 1	R	39698
Final Action	07/00785			

Small Entity: No

Additional Information: SAR No. 1963.

FTS: 8-557-1127.

Agency Contact: Ken Wetzel, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-757c), Washington, DC 20460, 703 557-1127

RIN: 2070-AA46

9. ENFORCEMENT POLICY
REGARDING FAILURES TO REPORT
INFORMATION UNDER SECTION
6(A)(2) OF THE FEDERAL
INSECTICIDE, FUNGICIDE, AND
RODENTICIDE ACT
(FIFRA)(REVISION)

Legal Authority: 7 USC 136d / FIFRA 6

CFR Citation: Not applicable

Abstract: FIFRA section 6 (a)(2) requires that registrants report to EPA additional factual information regarding unreasonable adverse effects of their products. In addition to reiterating enforcement policy established in July 1979, this policy notice will expand upon the types of factual information which must be reported, and establish a uniform timeframe in which they must comply.

Timetable:

Action	Date	FR Cite
Policy Notice	06/00/85	niles and

Small Entity: No

Additional Information: SAR No. 2180.

FTS: 8-557-0592.

Agency Contact: David Alexander, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767C), Washington, DC 20460, 703 557-0592

RIN: 2070-AB12

10. RESCISSION OF EFFICACY DATA WAIVER FOR VERTEBRATE CONTROL PRODUCTS (REVISION)

Legal Authority: 7 USC 136 / FIFRA 3

CFR Citation: 40 CFR 136

Abstract: This rule revises the conditional registration regulations to provide that applicants routinely submit efficacy data to support the registration of pesticide products intended for control of vertebrate pests that may transmit human disease.

Timetable:

Action	Date	FR Cite
NPRM	09/12/84	49 FR 35804
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2179.

FTS: 8-557-0592.

Agency Contact: Jean Frane, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767C), Washington, DC 20460, 703 557-0592

RIN: 2070-AB19

11. REGISTRATION OF PESTICIDE PRODUCING ESTABLISHMENT (REVISION)

Legal Authority: 7 USC 136 / FIFRA 7

CFR Citation: 40 CFR 167

Abstract: This regulation amends the existing regulations on registering establishments that produce pesticides. The regulation implements the Congressional mandate to register establishments that produce active ingredients used in pesticides.

Timetable:

Action	Date		FR	Cite
NPRM	07/09/80	45	FR	46100
Final Action	12/00/85			

Small Entity: No

Additional Information: SAR No. 1747.

FTS: 8-382-7826.

Agency Contact: David Hannemann, Environmental Protection Agency, Pesticides and Toxic Substances, (EN-342), Washington, DC 20460, 202 382-7826

RIN: 2070-AA04

12. RULE GOVERNING ISSUANCE OF EMERGENCY EXEMPTIONS FROM FIFRA (REVISION)

Legal Authority: 7 USC 136 / FIFRA 18

CFR Citation: 40 CFR 166

Abstract: The Agency intends to revise certain provisions of this rule. These revisions will reflect the results of the Agency's investigation of the consistency of decisions to grant

emergency exemptions under FIFRA. These revisions will more clearly specify the conditions under which EPA will authorize emergency exemptions and permit the public an opportunity to comment on exemption requests for certain categories of pesticide chemicals, including new chemicals, chemicals suspected of posing risks, and chemicals previously cancelled or suspended by EPA. This rule is being developed as part of a pilot effort on negotiated rulemaking which would give interested parties outside the Agency greater involvement and commitment to the decision-making process.

Timetable:

Action	- Date	FR Cite
NPRM	04/00/85	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2017.

FTS: 8-557-0592.

Agency Contact: Franklin Gee, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767), Washington, DC 20460, 703 557-0592

RIN: 2070-AA41

13. GUIDELINES ON DISPOSAL AND STORAGE OF PESTICIDES (REVISION)

Legal Authority: 7 USC 136q / FIFRA 19

CFR Citation: 40 CFR 165

Abstract: EPA's Office of Pesticide Programs is updating the Guidelines on Disposal and Storage of Pesticides to make them consistent with current regulations and technology. The Office of Pesticide Programs is also adding interpretive guidance on compliance with RCRA regulations on hazardous waste as they may apply to the disposal and storage of pesticides. These guidelines serve as guidance only and compliance is completely voluntary.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	I SHIP DE

Small Entity: No

Additional Information: SAR No. 2006.

FTS: 8-557-7347.

EPA-FIFRA

Current and Projected Rulemakings

Agency Contact: Raymond R. Krueger, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-769C). Washington, DC 20460, 703 557-7347

RIN: 2070-AA61

14. WORKER PROTECTION STANDARDS FOR AGRICULTURAL PESTICIDES (REVISION)

Legal Authority: 7 USC 136 / FIFRA 25

CFR Citation: 40 CFR 170

Abstract: The worker protection standards for agricultural pesticides will be revised to reflect new and developing registration and reregistration of pesticide activities. The current standards need to be revised in order to update the provisions, clarify definitions and responsibilities, and improve implementation, compliance, and enforcement.

Timetable:	CHARLES CO.			
Action	Date		FR	Cite
ANPRM	08/15/84	49	FR	32605
NPRM	11/00/85			

Small Entity: No

Additional Information: SAR No. 1640.

FTS: 8-557-7666. Analysis: RIA

Agency Contact: Linda Billings, Environmental Protection Agency. Pesticides and Toxic Substances, (TS-766C), Washington, DC 20460, 703 557-7666

RIN: 2070-AA49

15. USER CHARGES FOR PESTICIDE REGISTRATIONS

Legal Authority: 31 USC 9701 / Inde-pendent Offices Appropriation Act of 1952

CFR Citation: Not applicable

Abstract: Under the authority of the Independent Offices Appropriations Act (IOAA) of 1952, the Agency is proposing to establish user fees for processing pesticide registration actions which constitute special services to registrants. The proposed registration fee system would place part of the burden of payment for the Agency's services on those who benefit from the service rather than on the Agency.

Timetable:

Action Date FR Cite NPRM 09/00/85

Small Entity: No

Additional Information: SAR No. 2013.

FTS: 8-557-1485.

Analysis: RIA

Agency Contact: Joseph F. Powers. Environmental Protection Agency, Pesticides and Toxic Substances, (TS-757C), Washington, DC 20460, 703 557-1485

RIN: 2070-AA64

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

COMPLETED RULEMAKINGS 16. DATA REQUIREMENTS FOR REGISTRATION (REVISION)

Priority: Task Force

CFR Citation: 40 CFR 158

Completed:

FR Cite Reason Date Final Action 10/24/84 49 FR 42856

Small Entity: No

Completed Actions

Agency Contact: Frederick S. Betz 703 557-9307

RIN: 2070-AA07

[FR Doc. 85-7906 Filed 04-26-85; 8:45 am]

BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Toxic Substances Control Act (TSCA)

17. DECISIONS ON TEST RULES FOR THE INTERAGENCY TESTING NPRM 00/00/00 Anthraquinone(ITC List 15) COMMITTEE (ITC) PRIORITY LISTS

Legal Authority: 15 USC 2603 / TSCA 4

CFR Citation: 40 CFR 799

THROUGH 15TH

1ST THROUGH 8TH AND 10TH

Abstract: Within the next year and a half, EPA will either require testing or provide adequate reasons for not requiring testing for chemicals listed on the 1st through 8th and 10th through 15th ITC priority lists.

Supplemental Timetable: Alkyl Epoxides (ITC List 1)

ANPRM 01/04/84 (49 FR 449) NPRM 10/00/85 Anilines (ITC List 4)

ANPRM 01/03/84 (49 FR 108)

NPRM 11/00/85

Aryl Phosphates (ITC List 2) ANPRM 12/29/83 (48 FR 57452) NPRM 03/00/86

Biphenyl (ITC List 10) NPRM 05/23/83 (48 FR 23080)

Final Action 09/00/85 Bisphenol (ITC List 14) ANPRM 05/00/85 Final Action 06/00/86

Carbofuran Intermediates (ITC List 11) ANPRM 08/00/85

Chlorinated Benzenes (environmental) (ITC

ANPRM 01/13/84 (49 FR 1760) Final Action 12/00/85

Chlorinated Benzenes (health) (ITC List 1) Notice 12/28/84 (49 FR 50408)

Current and Projected Rulemakings

Final Action 06/30/86 Chloromethane (ITC List 1) NPRM 07/18/80 (45 FR 48524) Final Action 06/00/85

Cresols (ITC List 1) NPRM 07/11/83 (48 FR 31812) Final Action 08/00/85

Cumene (ITC List 15) NPRM 11/00/85

Cyclohexanone (ITC List 4) NPRM 01/03/84 (49 FR 136) Final Action 00/00/00

Diethylenetriamine (ITC List 8) NPRM 04/29/82 (47 FR 18386) Final Action 05/00/85

Diisopropylbiphenyl (ITC List 14) NPRM 05/00/85

Ethylene bis (oxyethylene) discetate (ITC Notice 11/19/84 (49 FR 45651)

Ethyltoluene (ITC List 10)

NPRM 05/23/83 (48 FR 23088) Final Action 04/00/85

Fluoroalkenes (ITC List 7)
ANPRM 10/30/81 (46 FR 53704)
NPRM 06/04/84 (49 FR 23112)
Final Action 10/00/85

Glycidols (ITC List 3) ANPRM 12/30/84 (48 FR 57562) NPRM 00/00/00

Hexafluoropropylene Oxide (ITC List 2) NPRM 12/30/83 (48 FR 57686) Final Action 00/00/00

Hydroquinone (ITC List 5) NPRM 01/04/84 (49 FR 438) Final Action 10/00/85

Isopropylbiphenyl (ITC List 14) NPRM 05/00/85 Mercaptobenzothiazole (ITC List 15)

NPRM 11/00/85
Mesityl Oxide (ITC List 4)

NPRM 07/05/83 (48 FR 30699) Final Action 09/00/85 Methlolurea (ITC List 12)

NPRM 05/21/84 (49 FR 21371) Final Action 00/00/00

Octamethyl Cyclotetrasilizane (ITC List 15) NPRM 11/00/85

Oleylamine (ITC List 13) NPRM 11/19/84 (49 FR 45610) Final Action 00/00/00

Pentabromoethylbenzene (ITC List 15) NPRM 11/00/85

Phenylenediamines and Toluenediamines (ITC List 6) ANPRM 01/08/82 (47 FR 973)

NPRM 08/00/85
Propylene Oxide (ITC List 1)

NPRM 01/04/84 (49 FR 430) Final Action 03/00/86 Pyridine (ITC List 2)

Pyridine (ITC List 2) NPRM 12/29/82 (47 FR 58031) Final Action 00/00/00

Quinone (ITC List 5) NPRM 01/04/84 (49 FR 456) Final Action 10/00/85

Sodium N-methyl-n-oleytaurine (ITC List 15) NPRM 11/00/85

Trimethylbenzene (ITC List 10) NPRM 05/23/83 (48 FR 23088) Final Action 04/00/85

1,2-Dibromo-4(1,2-dibromethyl) cyclohexane (ITC List 14) NPRM 05/00/85

1,2-Dichloropropane (ITC List 3) NPRM 01/06/84 (49 FR 899) Final Action 04/00/86

1,2,2,4,7,7-Hexachloronorbornadiene (ITC

NPRM 11/19/84 (49 FR 45654)

1,2,4-Tri- and 1,2,4,5-Tetrachlorobenzenes (ITC List 1) NPRM 07/18/80 (45 FR 48524)

NPRM 07/18/80 (45 FR 48524) NPRM 12/07/83 (48 FR 54836) Final Action 06/00/86

1,2,4,5-Tetrachlorobenzene (environmental testing) (ITC List 1)

ANPRM 01/13/84 (49 FR 1760) Final Action 12/00/85 2-chloro-1,3-butadiene (ITC List 15)

NPRM 11/00/85 2-Ethylhexanoic acid (ITC List 14) ANPRM 05/00/85 2, (2-Butoxyethoxy) ethylacetate (ITC List 13)

ANPRM 11/19/84 (49 FR 45606) NPRM 00/00/00

2,4-Dichlorobenzotrifluoride (ITC List 14) NPRM 00/00/00

Small Entity: No

Additional Information: SAR No. 1137.

FTS: 8-475-8130.

Agency Contact: Gary Timm, Environmental Protection Agency, Pesticides and Toxic Substances, TS-788, Washington, DC 20460, 202 475-8130

RIN: 2070-AB07

18. TESTING RULE AND
REQUIREMENTS FOR DATA
SUBMISSION: DIOXINS/FURANS:
TESTING RULE AND REQUIREMENTS
FOR DATA SUBMISSION

Legal Authority: 15 USC 2603 /TSCA 4; 15 USC 2607 /TSCA 8

CFR Citation: 40 CFR 799; 40 CFR 712

Abstract: EPA may propose to collect information on chemicals containing polyhalogenated dibenzo-p-dioxins (PHDD's) and polyhalogenated dibenzofurans (PHFD's). Rules may be proposed under sections 4 and 8, requiring submission of existing data and an analysis of chemicals to determine levels of PHDD's and PHFD's.

Timetable:

Action Date FR Cite
NPRM 02/00/86
Small Entity: Undetermined

Additional Information: SAR No. 2253.

FTS:8-382-3933.

Agency Contact: Suzanne Rudzinski, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3933

RIN: 2070-AB21

19. • GENERAL EXEMPTION POLICY FOR TEST RULES (REVISION)

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 790

Abstract: This amends the test rule development and exemptions procedural rule published October 10, 1984 (49 FR 39776) to allow for rulemaking to be conducted in a single phase (i.e., a proposed rule and a final

rule covering both the effects for which testing is necessary and the testing methodology.

Timetable:

Action Date FR Cite
Final Action 05/00/85

Small Entity: No

Additional Information: SAR No. 2245.

FTS:8-475-8130.

Agency Contact: Gary Timm, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-777), Washington, DC 20560, 202 475-8130

RIN: 2070-AB30

20. PMN EXEMPTION FOR LOW VOLUME CHEMICALS

Priority: Task Force

Legal Authority: 15 USC 2604 / TSCA 5

CFR Citation: 40 CFR 723

Abstract: Section 5(a) of TSCA requires manufacturers of new chemical substances to submit a premanufacture notice (PMN) to EPA before manufacture or import begins. Section 5(h)(4) authorizes the Administrator to exempt any person from the provisions of section 5 if the Agency determines that the substance will not present an unreasonable risk. This rule exempts manufacturers of certain chemicals produced at 1,000 kg/yr or less. This revision is being made at the request of the President's Task Force on Regulatory Relief.

Timetable:

Action	Date		FR	Cite
Notice	11/03/81	46	FR	54688
NPRM	08/04/82	47	FR	33896
Final Action	04/00/85			

Small Entity: No

Additional Information: SAR No. 1820.

Docket No. OPTS-50032.

FTS:8-382-3844.

Agency Contact: Joseph A. DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3844

RIN: 2070-AA36

21. FOLLOW-UP RULES ON EXISTING CHEMICALS

Legal Authority: 15 USC 2604 / TSCA 5; 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Abstract: EPA has instituted a program to monitor the commercial development of existing chemicals of concern and/or to gather information to support risk assessments on such chemicals. As these chemicals are identified. EPA will initiate rulemakings under TSCA section 5 and/or 8 to require reporting by the manufacturers, importers and/or processors of these chemicals. Individual proposed or final rules will be published at different times throughout the period of April 1985 to April 1986 on at least the following chemicals: 4,4'Methylene bis (2chloroaniline); Hexamethylphosphoramide; Urethane; Methyl Butyl Ketone; 11-Aminoundecanoic Acid: Hexachloronorbornadiene: and

Dibromopropyl Phosphate.
Supplemental Timetable:
Hexachloronorbornadlene

NPRM 02/22/85 (50 FR 7351)

Hexamethylphosphoramide (HMPA) and Urethane

Polybrominated Biphenyls and Tris/2,3-

NPRM 10/10/84 (49 FR 39703) Final Action 11/00/85

Methyl Butyl Ketone NPRM 10/00/85

Polybrominated Biphenyls

NPRM 00/00/00

Tris/2,3-Dibromopropyl Phosphate
NPRM 00/00/00

11-Aminoundecanoic Acid NPRM 10/00/85

4,4-Methylene-bis (2-chloroaniline)
(MBOCA)

NPRM 04/00/85

Small Entity: Undetermined

Additional Information: SAR No. 1923.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20460, 202 382-3436

RIN: 2070-AA58

22. FOLLOW-UP RULES ON NON-5(E) NEW CHEMICALS

Legal Authority: 15 USC 2604 / TSCA 5; 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Abstract: EPA has instituted a program to follow the commercial development of selected new chemicals that have completed premanufacture notice review. EPA will issue rules on new chemicals of concern as they are identified to require follow-up reporting under TSCA Section 5 or 8, by the manufacturers and processors of the chemicals. Individual proposed and final rules will be published at different times throughout the period of April 1985 to April 1986.

Supplemental Timetable:
Benzenediamine 4 Ethoxy, Sulfate
NPRM 08/30/83 (49 FR 39245)
Final Action 10/26/84 (49 FR 43058)
Benzoic Acid, 3,3'Methylenebis (6-Amino-,

DI-2-Propenyl Ester) NPRM 01/02/85 (50 FR 127) Final Action 00/00/00

Certain Polyamino Chemical Substancés NPRM 12/27/84 (49 FR 50209) Final Action 00/00/00

Dinitrophenyl Azo-2,4-Diamino-5-Methoxybenzene Derivatives NPRM 10/25/84 (49 FR 42960) Final Action 00/00/00

Isopropylamine and Ethylamine
NPRM 08/24/83 (48 FR 38502)
Final Action 11/26/84 (49 FR 46373)

Substituted Methylpyridine/Substituted 2-Phenoxypyridine NPRM 02/06/84 (49 FR 4390) Final Action 05/00/85

Small Entity: Undetermined

Additional Information: SAR No. 1976.

FTS: 8-382-3853.

Agency Contact: John Bowser, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, D.C. 20460, 202 382-3853

RIN: 2070-AA59

23. PREMANUFACTURE NOTIFICATION: STAYED PROVISIONS (REVISION)

Legal Authority: 15 USC 2604 / TSCA 5

CFR Citation: 40 CFR 720

Abstract: On September 13, 1983, EPA stayed the effective date of sections 720.3(y), 720.36, 720.50(c), and 720.78(b) of the final premanufacture notification (PMN) rule issued under section 5 of the Toxic Substances Control Act (TSCA). The stayed provisions concerned the section 5(h)(3) research and development exemption, data requirements on related chemicals, and the definition of "possession and control". All other provisions are effective as of October 26, 1983. This

reproposal will revise the stayed provisions only.

Timetable:

Action	Date	FR	Cite
NPRM	12/27/84	49 FR	5020
Final Action	09/00/85		

Small Entity: Undetermined

Additional Information: SAR No. 1134a.

FTS: 8-382-3844.

Agency Contact: Joseph A. DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3844

RIN: 2070-AA94

24. SECTION 5(B)(4) FOR CERTAIN CHEMICAL SUBSTANCES

Legal Authority: 15 USC 2604(b)(4) / TSCA 5

CFR Citation: 40 CFR 700

Abstract: EPA is announcing a proposed rulemaking to implement TSCA Section 5(b)(4), which provides EPA authority to develop by rule a list of substances which present or may present an unreasonable risk of injury to health or the environment. Submitters of TSCA section 5 notices for substances on the list must submit data which they believe show that the substances will not present an unreasonable risk of injury. The rule under consideration would list categories of chemicals which have frequently presented risk concerns to the Agency in the Section 5 premanufacture (PMN) review process.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2124.

FTS: 8-382-3844.

Agency Contact: Joseph DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3844

RIN: 2070-AB17

25. GENERAL REGULATIONS ON SIGNIFICANT NEW USE RULES (SNURS) (REVISION)

Legal Authority: 15 USC 2604 /TSCA 5

CFR Citation: 40 CFR 721

Abstract: Subpart A of part 721 of 40 CFR contains general provisions for Significant New Use Rules (SNURs). The Agency has received comments requesting that the general provisions be modified to provide more flexibility in recordkeeping requirements; to revise its hazard communication provisions to make them more compatible with OSHA's Hazard Communication Standard: and to allow manufacturers and processors to seek Agency approval, outside the context of a PMN submission, for risk management measures which are equivalent to those described in a SNUR. Based on comments, EPA will revise the general provisions for SNURs.

Timetable:

Action	Date	FR	Cite
NPRM	07/00/85	Hen	

Small Entity: No

Additional Information: SAR No. 2250.

FTS:8-382-3861.

Agency Contact: Ralph Wright, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3861

RIN: 2070-AB26

26. SIGNIFICANT NEW USE RULES TO EXTEND PROVISIONS OF -SECTION 5(E) ORDERS

Legal Authority: 15 USC 2604 /TSCA 5

CFR Citation: 40 CFR 721

Abstract: When the Agency determines that in the absence of adequate safety data, the uncontrolled manufacture, distribution, use or disposal of a PMN substance may present an unreasonable risk, it may issue a proposed order under section 5(e) to limit the aforementioned activities. However, section 5(e) orders apply only to the PMN submitter. Once the substance is placed on the TSCA chemical inventory, other persons are free to manufacture or process the substance without controls. Therefore EPA, by rule, designates manufacture or processing of the substances for use without the specified controls as a significant new use. These SNURs ensure that the original submitter is not at a competitive disadvantage and that no uncontrolled activities will occur

without an opportunity for prior Agency review.

Supplemental Timetable: Alkyl Aryl Phosphine (83-1023)

NPRM 09/20/84 (49 FR 36880) Final Action 00/00/00

Alkyl Glycoether Acrylic Acid Derivative (84-27)

NPRM 12/24/84 (49 FR 49868) Final Action 00/00/00

Brominated Aryl Alkyl Ether, Ethylated Amino Phenol Amino ETC NPRM 09/28/84 (49 FR 38303)

Final Action 12/00/85
Certain Acrylate and Methacrylate
Chemicals (84-176, 180-184)
NPRM 03/27/85 (50 FR 12046)

Dicarboxylic Acid Monoester (83-25) NPRM 01/03/84 (49 FR 82)

Final Action 10/26/84 (49 FR 43061)
Disubstituted Diamino Anisole (83-822)
NPRM 12/07/84 (49 FR 47874)
NPRM 12/07/84 (49 FR 47874)
Final Action 00/00/00

Generic names to be determined (84-341/342/343/344) NPRM 12/00/85

Halogenated Pyridine Alkyl Pyridine (83-1162, 1163) NPRM 00/00/00

Methylphenol,bis-(substituted alkyl) (84-417)

NPRM 03/21/85 (50 FR 11391) Poly(oxy-1,4-Butanediyl)-x-(1-oxy-2-

propenyl)-w-c(1-oxo-2-propo NPRM 12/00/85

Polyglycidyl benzeneamine (83-394) NPRM 12/29/83 (48 FR 57440) Final Action 10/31/84 (49 FR 43649)

Potassium N, N-bis (hydroxyethyl) Cocamine and Tallowmaine oxide NPRM 02/17/83 (48 FR 7171) Final Action 09/05/84 (49 FR 35011)

Substituted Bromothlophene (83-769) NPRM 09/28/84 (49 FR 38310) Final Action 00/00/00

Substituted Methylpyridine (83-237) NPRM 02/06/84 (49 FR 4390) Final Action 05/00/85

Substituted Methylpyridine and Substituted 2-Phenoxypyridine NPRM 01/03/84 (49 FR 99)

Final Action 12/28/84 (49 FR 50396) Substituted Tetrafluoro Alkanes and

Alkanes (84-105/106/107)
NPR(03/21/85 (50 FR 11384)
Tetraphlamethylana (97-55

Tetrachloroethylene derivative (82-684) NPRM 01/03/84 (49 FR 91) Final Action 10/25/84 (49 FR 42928)

8-Acetyl -3-Dodecyl-7,7,9,9-Tetramethyl 1,3-8-Triazaspiro (ETC) Final Action 00/00/00

8-Acetyl-3-Dodecyl-7,7,9,9-Tetramethyl 1,3-8-Triazaspiro (ETC) NPRM 01/12/84 (49 FR 1753)

Small Entity: Undetermined

Additional Information: SAR No. 2246.

FTS:8-382-3853.

Agency Contact: John Bowser,

Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3853

RIN: 2070-AB27

27. GENERAL SIGNIFICANT NEW USE RULE (SNUR)

Legal Authority: 15 USC 2604 /TSCA 5

CFR Citation: 40 CFR 721

Abstract: EPA is considering developing general SNURs which would designate certain activities as generic significant new uses. The rules will define situations in which follow-up reporting has been routinely required. General rules, setting forth criteria under which follow-up reporting is automatically required, will eliminate the need for individual rules each time such criteria are met.

Timetable:

ction	Date	FR Cite
NPRM	04/00/96	

Small Entity: Undetermined

Additional Information: SAR No. 2247.

FTS:8-382-3853.

Agency Contact: John Bowser, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-

RIN: 2070-AB28

3853

28. POLICY STATEMENT REGARDING CERTAIN MICROBIAL PRODUCTS

Legal Authority: 15 USC 2604/TSCA 5

CFR Citation: 40 CFR 721

Abstract: New microorganisms developed through advanced techniques of generic engineering and used for TSCA commercial purposes will be subject to EPA requirements. OPTS is now developing general policies concerning the scope of PMN requirements for genetically engineered organisms, a policy for handling genetically engineered pesticides, and strategies for conducting risk assessments of these organisms. A proposed policy was published in December 1984. Comments are due on April 1, 1985. The policy will be revised, as appropriate, and final statement will be prepared. In addition, OPTS is

participating in a Cabinet Council working group on biotechnology to ensure that the overall Federal approach is integrated and consistent.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	12/31/84	49 FR 50880
Notice of Final Policy	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2123.

FTS:8:382-3826.

Agency Contact: Anne Hollander, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3826

RIN: 2070-AB31

29. PCB TRANSFORMERS IN BUILDINGS (REVISION)

Legal Authority: 15 USC 2605 / TSCA 6(e)

CFR Citation: 40 CFR 761.31

Abstract: Polychlorinated biphenyl (PCB) equipment is owned and operated by utilities and building owners throughout the U.S. Over the past two years, electrical transformers containing PCBs have been involved in several office fires. If the fire occurs in an occupied building, and ventilation ducts spread volatized toxic chemicals. such an incident could create a major public health problem. Although the intent of regulation would be to reduce the risk of future fires in PCB transformers that are located in buildings, the regulation would indirectly regulate the environmental dispersing of toxic chemicals that are created in transformer fires.

Timetable:

Action	Date		FR	Cite
ANPRM NPRM	03/23/84			11070
Final Action	10/11/84 07/00/85	49	EH	39966

Small Entity: No

Additional Information: SAR No. 2056.

FTS: 8-382-3935.
Analysis: RIA

Agency Contact: Suzanne Rudzinski, Environmental Protection Agency, Pesticides and Toxic Substances, TS-798, Washington, DC 20460, 202 382-3935

RIN: 2070-AA70

30. REGULATORY INVESTIGATION OF 2-ETHOXYETHANOL, 2-METHOXYETHANOL AND THEIR ACETATES (GLYCOL ETHERS)

Legal Authority: 15 USC 2605 / TSCA 6; 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 764

Abstract: Recent date indicate that inhalation of glycol ethers can cause teratogenic effects and testicular damage. EPA is exploring various control alternatives, including referral to other agencies under TSCA section 9 and section 6 regulatory action.

Timetable:

Action	Date	FR	Cite
ANPRM	01/24/84	49 FR	2921
Notice	06/00/85		

Small Entity: No

Additional Information: SAR No. 2032.

FTS: 8-382-3945.

Analysis: RIA; RFA

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AA71

31. SECTION 9 REPORT ON 1,3-BUTADIENE

Priority: Major

Legal Authority: 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 764

Abstract: 1,3-butadiene is a large scale, commercial chemical used primarily for manufacturing rubber and plastic products. It is a potent animal carcinogen and was the subject of a 180-day priority review by the Agency. An ANPR was issued in May 1984. EPA has determined that exposure to the chemical is primarily occupational. EPA is exploring various control alternatives, including section 9 referral to other agencies and/or section 6 regulations.

Timetable:

Action	Date	FR	Cite
ANPRM	05/15/84	49 FR	20524
Final Action	07/00/85		

Small Entity: Undetermined

Additional Information: SAR No. 2114.

FTS: 8-382-3945.

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AB04

32. REGULATORY INVESTIGATION OF METALWORKING FLUIDS

Legal Authority: 15 USC 2605 / TSCA 6; 15 USC 2608/TSCA 9

CFR Citation: 40 CFR 749

Abstract: The formulation of water-based metalworking fluids with nitrite in combination with alkanolamines may present an unreasonable risk to machinists due to the formulation of nitrosamines, particularly in n-nitrosodiethanolamine (NDELA). Recent studies indicate that NDELA is a potent animal carcinogen, EPA is investigating the regulatory options which would provide for rapid risk reduction in this area. The regulatory investigation centers on quantifying cancer risks and on the efficacy and cost of removing nitrites from metalworking fluids.

Timetable:

Action	Date	FR	Cite
ANPRM	01/23/84 4	9 FR	2767
NPRM	11/00/85		

Small Entity: Yes

Additional Information: SAR No. 2149.

FTS: 8-382-3945.

Analysis: RIA; RFA

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AB09

33. REGULATORY INVESTIGATION OF FORMALDEHYDE

Legal Authority: 15 USC 2605 / TSCA 6; 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 765

Abstract: As described in the Federal Register on May 23, 1984, the Agency is investigating regulatory options for the reduction of three categories of exposure to formaldehyde: 1) residents exposed to formaldehyde emissions from wood products used in the construction of mobile homes; 2) similarly exposed residents of conventional homes; 3) apparel manufacture employees exposed to formaldehyde released from treated fabrics. This investigation is being conducted in consultation with HUD, OSHA and CPSC. This investigation may lead to the initiation of various control alternatives, including section 9 referral to other agencies and/or section 6 regulations.

Timetable:

Action	Date		FR	Cite
ANPRM	05/23/84	49	FR	21870
NPRM	00/00/00			

Small Entity: Undetermined

Additional Information: SAR No. 2146.

FTS: 8-382-3945.

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AB14

34. POLYCHLORINATED BIPHENYLS (PCBS): RENEWAL OF APPLICATIONS FOR EXEMPTIONS FROM THE BAN ON MANUFACTURING, PROCESSING, AND DISTRIBUTION

Legal Authority: 5 USC 556 / TSCA 6(e)(3)(B)

CFR Citation: 40 CFR 761

Abstract: Section 6(e)(3)(b) of TSCA provides that the Administrator may grant, by rule, exemptions from the prohibitions on the manufacture, processing and distribution in commerce of PCBs upon finding (1) that granting the exemption will not pose an unreasonable risk of injury to health or the environment, and (2) that good faith efforts have been made to develop a PCB substitute which does not pose an unreasonable risk of injury to health or the environment.

Timetable:		
Action	Date	FR Cite
NIDDM	05/00/85	

Small Entity: No

Additional Information: SAR No. 2150.

FTS: 8-382-3935.

Analysis: RIA

Agency Contact: Suzanne Rudzinski, Environmental Protection Agency, Pesticides and Toxic Substances, TS-798, Washington, DC 20460, 202 382-3935

RIN: 2070-AB20

35. • REGULATORY INVESTIGATION OF 4,4'-METHYLENE BIS (CHLOROANILINE) (MBOCA)

Priority: Undetermined

Legal Authority: 15 USC 2605/ TSCA 6; 15 USC 2608/ TSCA 9

CFR Citation: 40 CFR 764

Abstract: MBOCA is a curing agent used in the manufacturing of elastomers and surface coatings. It has been shown to cause cancer in laboratory animals. Risks are primarily to workers, many of whom work for small businesses. The Agency is investigating regulatory options for reducing risks from exposure to MBOCA. Several studies are underway to determine the efficacy of various control methods including packaging requirements before proceeding with regulatory action. EPA is exploring various control alternatives, including referral to other agencies under TSCA.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/83	48 FR 22954
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No.

FTS:8-382-3945

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3945

RIN: 2070-AB22

36. ● ASBESTOS ABATEMENT BUILDING OCCUPANT PROTECTION RULE

Legal Authority: 15 USC 2605/TSCA 6

CFR Citation: 40 CFR 764

Abstract: This rule would set standards for performance of Asbestos Abatement practices in buildings. The rule would protect occupants and users of buildings where asbestos abatement is occurring. The rule may be made immediately effective.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Interim Final	06/00/85	
Rule		

Small Entity: Undetermined

Additional Information: SAR No.2243.

FTS:8-382-3844.

Agency Contact: Joseph DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3844

RIN: 2070-AB23

37. • ASBESTOS ABATEMENT WORKER PROTECTION RULE

Legal Authority: 15 USC 2605 /TSCA 6

CFR Citation: 40 CFR 764

Abstract: This rule would establish worker protection provisions for public employees who conduct asbestos abatement work and are not covered by an OSHA rule or a rule developed under an approved state plan. The rule may be made immediately effective.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Interim Final Rule	06/00/85	

Small Entity: Undetermined

Additional Information: SAR No.

FTS:8-382-3844

Agency Contact: Joseph DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3644

RIN: 2070-AB24

38. POLYCHLORINATED
BIPHENYLS (PCBS):
MANUFACTURING, PROCESSING,
DISTRIBUTION IN COMMERCE, AND
USE PROHIBITIONS; EXCLUSIONS
AND USE AUTHORIZATIONS
(REVISION)

Legal Authority: 5 USC 556 /TSCA 6 CFR Citation: 40 CFR 761

Abstract: On July 10, 1984, EPA promulgated a rule for inadvertently generated PCBs and authorizing the limited use of PCBs in heat transfer and hydraulic systems (49 FR 28172). EPA will issue policy statements on, and propose amendments to, the July 10 Rule in response to two petitions for judicial review of the Rule. The policy statements will clarify current provisions of the Rule. The proposed amendments will be based on EPA evaluation of new information submitted by the petitioners and other interested parties.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	A STATE OF THE STA
Final Action	10/00/86	

Small Entity: No

Additional Information: SAR No.2244.

FTS:8-382-3935.

Agency Contact: Suzanne Rudzinski, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-798), Washington, DC 20460, 202 382-3935

RIN: 2070-AB25

39. HEALTH AND SAFETY DATA REPORTING; SUBMISSION OF TESTS AND COPIES OF HEALTH AND SAFETY DATA (REVISION)

Legal Authority: 15 USC 2607 / TSCA 8(d)

CFR Citation: 40 CFR 716

Abstract: This proposal would amend the automatic reporting provision of the Health and Safety Reporting rule under section 8(d) of the Toxic Substances Control Act (TSCA) (40 CFR Part 716 Subpart A) published on September 2, 1982 (47 FR 38780). The amendment will change 40 CFR 716.18(b) to require without separate proposal and comment, reporting of unpublished health and safety studies on chemicals recommended for testing by the Interagency Testing Committee (ITC)

but not designated for action by EPA within 12 months. Two other amendments are also included. One would allow for the removal of ITC-recommended chemicals by the Assistant Administrator for Pesticides and Toxic Substances before the effective date of an amendment adding ITC-recommended chemicals to the section 8(d) rule. The other amendment would modify the procedures for requesting reporting deadline extensions.

Timetable:

Action	Date	F	R	Cite
NPRM	11/19/84	49 F	R	45602
Final Action	02/00/86			

Small Entity: No

Additional Information: SAR No. 1139b.

FTS: 8-382-3436.

Docket No. OPTS 84010

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-3436

RIN: 2070-AA76

40. SECTION 8(C) RECORDS AND REPORTS OF ALLEGATIONS OF SIGNIFICANT ADVERSE REACTIONS TO HEALTH AND THE ENVIRONMENT (REVISION)

Legal Authority: 15 USC 2607(c)/TSCA 8(c)

CFR Citation: 40 CFR 717

Abstract: This amendment will clarify issues relating to coverage of the section 8(c) regulation, Records and Reports of Allegations of Significant Adverse Reactions to Health or the Environment. The amendments address the exemption of coincidental manufactures and clarify how SIC codes relate to processors subject to the rule.

Timetable:

Action	Date	FR Cite
NPRM	12/24/84	49 FR 49865
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 1138a.

FTS: 8-382-3436.

Docket No. OPTS 83001D

Agency Contact: Frank Kover.

Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-3436

RIN: 2070-AA86

41. CHEMICAL INFORMATION RULES; ADDITIONAL AUTOMATIC REPORTING (REVISION)

Legal Authority: 15 USC 2607 / TSCA

CFR Citation: 40 CFR 712

Abstract: Current regulations provide that when the Interagency Testing Committee (ITC) recommends chemicals to EPA for priority consideration in the promulgation of test rules, the chemicals are automatically subject to the Section 8(a) Preliminary Assessment Information rule. This rule will amend the automatic reporting requirement to include for reporting those chemicals the ITC recommends for test rules, but are not designated for EPA's priority consideration. Manufacturers and importers of selected chemical substances must report general production, use, and exposure information with respect to the chemical substance.

Timetable:

Action	Date	10	FR	Cite
NPRM	11/19/84	49	FR	45598
Final Action	02/00/86			

Small Entity: No

Additional Information: SAR No. 1137d.

FTS: 8-382-3436.

Docket No. OPTS 820040.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-3436

RIN: 2070-AA98

42. PARTIAL UPDATING OF CERTAIN TSCA INVENTORY DATA BASE

Priority: Task Force

Legal Authority: 15 USC 2607 / TSCA 8(a)

CFR Citation: 40 CFR 1

Abstract: This proposal would update, under the authority of section 8(a) of TSCA, the production volume and plant

site data for certain substances reported for the TSCA Chemical Substances Inventory. The information is needed by EPA to perform a number of activities associated with the implementation of TSCA. The current Inventory data base was compiled in 1979, based on 1977 data. The obsolescence of the Inventory data base and the lack of an alternative source that can fully satisfy EPA's requirements have formed the basis for the proposed action. EPA proposes that certain manufacturers/importers of certain substances to report changes in production volume, plant site location. and site-limited status on an eventprecipitated basis following the first reporting year during which time every person subject to this rule would be required to report.

Timetable:

Action	Date	18	FR	Cite
NPRM	03/12/85	50	FR	9944
Final Action	12/00/85			

Small Entity: No

Additional Information: SAR No. 2115.

FTS: 8-382-3938.

Agency Contact: Linda Travers, Environmental Protection Agency, Pesticides and Toxic Substances, TS-793, Washington, DC 20460, 202 382-3938

RIN: 2070-AA99

43. SECTION 8 (A) PRELIMINARY ASSESSMENT INFORMATION RULE

Legal Authority: 15 USC 2607a / TSCA 8(a)

CFR Citation: 40 CFR 712

Abstract: This rule adds chemicals to the list of chemicals and designated mixtures subject to the requirements of the TSCA Section 8(a) Preliminary Assessment Information Rule manufacturer reporting (40 CFR Part 712). Manufacturers and importers are required to submit exposure-related data (EPA Form No. 7710-35) on the chemicals. These data will be used to monitor the levels of production, import and/or processing of these substances and the avenues of human and environmental exposure to these substances. It will also support risk assessment and test rule decisions. Individual proposed or final rules will be published at different times

throughout the period of October 1984 to October 1985.

Supplemental Timetable: Urea Formaldehyde

NPRM 11/05/84 (49 FR 44218) Final Action 05/00/85

3,4, Dichlorobenzotrifluoride NPRM 11/05/84 (49 FR 44218) Final Action 06/00/85

Small Entity: No

Additional Information: SAR No. 2178.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20640, 202 382-3436

RIN: 2070-AB08

44. SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULE

Legal Authority: 15 USC 2607(d)/TSCA 8(d)

CFR Citation: 40 CFR 716

Abstract: This rule adds chemicals to the list of chemicals and designated mixtures subject to the requirements of the TSCA Section 8(d) Health and Safety Data Reporting Rule.

Manufacturers, importers, and processors are required to submit unpublished health and safety studies on these substances. The reports and data will be used to support risk assessment analyses and test rule decisions. Reporting Rules in the next year may be issued on 3,4-dichlorobenzotrifluoride and other chemicals.

Timetable:

Action	Date	F	R	Cite
NPRM	11/05/84	49 F	R	44220
Final Action	06/00/85			

Small Entity: No

Additional Information: SAR No. 1139a.

FTS: 8-382-3436.

Docket No. OPTS 84012.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-

RIN: 2070-AB11

45. TSCA SECTION 8(A) COMPREHENSIVE ASSESSMENT INFORMATION RULE (CAIR)

Legal Authority: 15 USC 2607(a) / TSCA

CFR Citation: 40 CFR 712

Abstract: This rule will contain a comprehensive list of questions for industry reporting which will provide necessary information to complete chemical assessments. Each time EPA needs information on a chemical, the Agency will amend the rule to add the chemical. Not all questions will be selected for each chemical added to the rule; only the most relevant questions will be selected for each chemical. The information obtained by this rule will be used by EPA and other Federal Agencies to support assessments of and rulemaking on chemical substances.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	1111

Small Entity: Undetermined

Additional Information: SAR No. 2129.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-3436

RIN: 2070-AB13

46. SECTION 8(D) HEALTH AND SAFETY REPORTING RULE (REVISION)

Legal Authority: 15 USC 2607(d) /TSCA 8(d)

CFR Citation: 40 CFR 716

Abstract: EPA is considering amending the Toxic Substances Control Act (TSCA) Section 8(d) Health and Safety Data Reporting Rule by: removing the rule's sunset provision, limiting a certain reporting exemption, and clarifying the rule's confidentiality provisions. EPA believes that these three amendments will increase the number and usefulness of the health and safety data reports submitted to EPA, and will provide these reports during the same time period that EPA performs its chemical testing. hazard/risk assessment, and risk management determinations.

EPA-TSCA

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Additional Information: SAR No. 1139b.

FTS:8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), Washington, DC 20460, 202 382-3436

RIN: 2070-AB35

47. SECTION 9 REPORT ON 4,4'-METHYLENEDIANILINE (4,4'-MDA)

Legal Authority: 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 764

Abstract: On April 27, 1983, the Agency determined that there may be a reasonable basis to conclude that 4,4MDA presents a significant risk to humans of serious harm from cancer, and announced initiation of a 180-day review of 4,4'-MDA under Section 4(f) of TSCA. The Agency has now concluded that the manufacture and use

of, 4'MDA presents an unreasonable risk to the health of workers workers. A TSCA 9 Report is being prepared to refer this action to the Occupational Health and Safety Administration.

Timetable:

Action	Date	F	R	Cite
ANPRM	09/20/83	48 F	R	42898
Final Action	05/00/85			

Small Entity: No

Additional Information: SAR No. 2176.

FTS: 8-382-3945.

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AB15

48. SECTION 9 REPORT ON ASBESTOS

Legal Authority: 15 USC 2608 /TSCA 9

CFR Citation: 40 CFR 763

Abstract: EPA has determined that the manufacture, processing, distribution in

commerce, use, and disposal of asbestos presents an unreasonable risk. EPA has also determined that the risk may be prevented or reduced to a sufficient extent through action by the Department of Labor (DOL) and the Consumer Product Safety Commission (CPSC). Therefore, EPA has submitted a report to DOL and CPSC describing the risks presented by asbestos and requesting that DOL and CPSC determine whether the risks can be sufficiently reduced by action under their respective authorities.

Timetable:

R Cite		Dat	Action
	5	05/00/	Notice
	7/10	05/00/	

Small Entity: Not Applicable

Additional Information: SAR No. 2248.

FTS:8-382-3844.

Agency Contact: Joseph DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3844

RIN: 2070-AB29

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Toxic Substances Control Act (TSCA)

49. REVIEW OF TSCA SECTION 8(C) ADVERSE REACTIONS REPORTING AND RECORDKEEPING REQUIREMENTS

Legal Authority: 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 717

Abstract: Under Section 8(c) of the Toxic Substances Control Act, manufacturers, processors, and distributors are responsible for recording allegations that their products caused significant adverse reactions to health or the environment. As stated in

the existing rule, EPA will, within 18 months, review the information requirements of the TSCA 8(c) to assess the quality, utility, effectiveness and efficiency of the requirements. This review will be conducted jointly with OPTS and the recommendations, where appropriate, will be implemented through revisions to the 8(c) rule.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/85	STREET, SQUARE,
End Review	12/00/85	

Existing Regulations Under Review

Small Entity: No

Additional Information: REVIEW AUTHORITY: Paperwork Reduction Act.

FTS: 8-382-2741.

Agency Contact: Gary Deutsch, Environmental Protection Agency, Pesticides and Toxic Substances, PM-223, Washington, DC 20460, 202 382-2741

RIN: 2070-AB03

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Toxic Substances Control Act (TSCA)

Completed Actions

COMPLETED RULEMAKINGS 50. GENERAL EXEMPTION POLICY FOR TEST RULES

CFR Citation: 40 CFR 790; 40 CFR 773

 Completed:
 Date
 FR Cite

 Final Action
 10/10/84
 49 FR 39776

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA15

51. PMN EXEMPTION FOR POLYMERS

Priority: Task Force

EPA-TSCA

Completed Actions

CFR Citation: 40 CFR 723

Completed:

Reason Date FR Cite
Final Action 11/21/84 49 FR 46066

Small Entity: No

Agency Contact: Joseph A. DeSantis

202 382-7362 RIN: 2070-AA37

52. LEAKING UNDERGROUND STORAGE TANKS; INITIATION OF

Priority: Major

CFR Citation: 40 CFR 749

REGULATORY ACTION

Completed:

Reason Date FR Cite
Withdrawn 02/00/85

Withdrawn Combined with RINs 2050-AB04, AB14, and AB18

Small Entity: Yes

Agency Contact: Suzanne Rudzinski

202 382-3935 RIN: 2070-AB18 53. STANDARDS FOR EXCLUDING SMALL MANUFACTURERS FROM TSCA 8(A)

CFR Citation: 40 CFR 704

Completed:

 Reason
 Date
 FR Cite

 Final Action
 11/16/84
 49 FR 45425

Small Entity: Yes

Agency Contact: Frank Kover 202 382-

3436

RIN: 2070-AA31

54. SECTION 8(A) RULES FOR POLYBROMINATED BIPHENYLS (PBB) AND TRIS (2,3-DIBROMOPROPYL)PHOSPHATE

CFR Citation: 40 CFR 704

Completed:

Reason Date FR Cite
Withdrawn 02/00/85

Combined with FIN 2070-AA58

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AB16

COMPLETED REVIEWS

55. RULES RESTRICTING THE COMMERCIAL AND INDUSTRIAL USE OF ASBESTOS FIBERS

Priority: Major

CFR Citation: 40 CFR 763

Completed:

Reason Date FR Cite
Withdrawn 02/00/85

Combined with RIN 2070-AB29

Small Entity: Undetermined

Agency Contact: Richard Gross 202 382-3945

RIN: 2070-AA29

[FR Doc. 85-7906 Filed 04-26-85; 8:45 am] BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Water Act (CWA)

56. STATE SLUDGE PROGRAM REGULATIONS

Legal Authority: 33 USC 1256 /CWA 106; 33 USC 1285(g) /CWA 205(g); 33 USC 1288 /CWA 208; 33 USC 1313 /CWA 303; 42 USC 6942 /RCRA 4002

CFR Citation: 40 CFR 501

Abstract: This regulation provides information and general requirements applicable to sludge management, requires States to submit a description of their sewage sludge management program to EPA, and contains the requirements States must follow to obtain approval of their program. This regulation also describes how different Federal laws and regulations apply to sewage sludge management activities.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Final Action	02/00/86	

Small Entity: No

Additional Information: SAR No. 2163.

FTS: 8-382-7356.

Agency Contact: Charles E. Gross, Environmental Protection Agency, Water, (WH-547), Washington, DC 20460, 202 382-7356

RIN: 2040-AA73

57. SIMPLIFYING CONSTRUCTION GRANTS REGULATIONS (REVISION)

Legal Authority: 33 USC 1361 / CWA 201

CFR Citation: 40 CFR 35, Appendix A

Abstract: A revised interim final regulation describing allowable and unallowable costs for construction grant projects was published February 17.

1984. This rule will not be published as a final rule until after Congress acts on reauthorization of the construction grants program.

Timetable:

Action	The Re	Date		FR	Cite
Previous	NPRM	11/06/81	46	FR	55220
NPRM		05/12/82	47	FR	20470

Action	Date	Ca.	FR	Cite
Interim Final Rule	05/12/82	47	FR	20450
Revised Interim Final Rule	02/17/84	49	FR	6224
Final Action	06/00/86			

Current and Projected Rulemakings

Small Entity: No

Additional Information: SAR No. 1722

Docket No. G-81-5.

FTS: 8-382-7278.

Agency Contact: Patricia Power, Environmental Protection Agency, Water, (WH-595), Washington, DC 20460, 202 382-7278

RIN: 2040-AA70

58. COST CONTROL OF CONSTRUCTION GRANT INCREASES REGULATION (REVISION)

Legal Authority: 33 USC 1361 / CWA 201

CFR Citation: 40 CFR 35.2205

Abstract: This rule proposes to specify a maximum allowable project cost which will limit increases on grants for construction of publicly owned treatment works (POTWs). This limit is intended to provide additional incentive for communities to manage their grant funds as efficiently as possible. It will limit the allowable cost increase for grants awarded after the effective date of this rule.

Timetable:

Action	Date	FR Cite
NPRM	02/17/84	49 FR 6113
Final Action	04/00/85	

Small Entity: No

Additional Information: SAR No. 2267.

Docket No. G-82-06.

FTS: 8-382-5843.

Agency Contact: Walter Brodtman. Environmental Protection Agency, Water, (WH-547), Washington, DC 20460, 202 382-5843

RIN: 2040-AA71

59. NPDES NEW SOURCE AND SHORT APPLICATION FORMS (REVISION)

Legal Authority: 33 USC 1311 / CWA 301

CFR Citation: 40 CFR 122

Abstract: This action will develop an NPDES application form for new manufacturing, commercial, mining, and silvicultural operations. Besides obtaining information necessary for setting effluent discharge limitations, it will also help permit writers to determine whether the facility is a new source. This action will also develop a short, two-page application form for use by non-process wastewater dischargers. These dischargers usually contain only materials such as sanitary wastes and non-contact cooling water.

Timetable:

Action	Date		FR	Cite
NPRM	10/01/84	49	FR	38812
Final Action	12/00/85			

Small Entity: No

Additional Information: SAR No. 1725.

FTS:8-426-2970.

Agency Contact: Gail Goldberg, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-2970

RIN: 2040-AA00

60. REQUIREMENTS FOR APPLICATION FOR 301(C) VARIANCES

Legal Authority: 33 USC 1311 / CWA 311

CFR Citation: 40 CFR 125

Abstract: Section 301(c) of the Clean Water Act provides for variances on economic grounds of the strict requirements of BAT controls for non-toxic, non-conventional pollutants. The Agency is considering providing a guidance document which would set out ground rules and national criteria for granting variances from BAT requirements.

Timetable:

Action	Date	FR Cite
Guidance Document	00/00/00	- Christian

Small Entity: Undetermined

Additional Information: SAR No. 1404.

FTS: 8-382-2724.

Agency Contact: Karen Shafer, Environmental Protection Agency, Water, (PM-220), Washington, DC 20460, 202 382-2724

RIN: 2040-AA01

61. WAIVERS FROM BAT FOR NONCONVENTIONAL POLLUTANTS UNDER 301(G) (REVISION)

Legal Authority: 33 USC 1311 / CWA 301

CFR Citation: 40 CFR 125 F

Abstract: Section 301(g) allows NPDES permit applicants to request a waiver from BAT effluent limitations for nonconventional pollutants when the applicant can show that a less stringent permit limit will not interfere with the attainment or maintenance of water quality and will not endanger human health or the environment. This regulation will establish guidelines for evaluating waiver applications.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31462
Final Action	01/00/86	

Small Entity: No

Additional Information: SAR No. 1634.

FTS:8-426-7010.

Agency Contact: Robert Cantilli, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-7010

RIN: 2040-AA02

62. EFFLUENT GUIDELINES FOR ORGANIC CHEMICALS AND PLASTICS AND SYNTHETIC FIBERS

Priority: Major

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1461 / CWA 501

CFR Citation: 40 CFR 414; 40 CFR 416

Abstract: The Agency has proposed BPT, BAT, NSPS and pretreatment standards for the organic chemicals portion of this industry (SIC 2865, 2869). Pollutants include aromatic chlorinated hydrocarbons, phenolic compounds, and metals. EPA also proposed BCT, BAT, BPT, NSPS, and pretreatment standards for the plastics and synthetics portion of this industry (SIC 2821, 2823, 2824). Pollutants of concern include phenols, acrolein, ethylbenzene, vinyl chloride, and metals.

Timetable:

Action	Date	FR	Cite
NPRM	03/21/83	48 FR	11828
Notice	05/00/85		
Final Action	03/00/86		

Small Entity: Undetermined

Additional Information: SAR No. 1415.

FTS:8-382-7190.

Analysis: RIA

Agency Contact: E.H. Forsht, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7190

RIN: 2040-AA05

63. EFFLUENT GUIDELINES FOR OFFSHORE OIL AND GAS INDUSTRY (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 435

Abstract: EPA published a final rule for BPT in 1979; NSPS and BAT standards, which had been proposed in 1975, were deferred and have subsequently been withdrawn. The agency plans to repropose regulations for NSPS and

BAT; propose BCT; and make certain amendments to BPT.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 1649.

FTS:8-382-7161.

Agency Contact: Dennis Ruddy, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7165

RIN: 2040-AA12

64. EFFLUENT GUIDELINES FOR PHARMACEUTICALS (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 439

Abstract: EPA has promulgated revised portions of the previous interim final BPT, BAT, NSPS, PSES, and PSNS effluent limitations and standards for the pharmaceutical manufacturing point source category. Additionally, the Agency is promulgating NSPS regulations to control the discharge of conventional pollutants for new source direct dischargers. The Agency further intends to promulgate limitations for the BCT control level. However, BCT limitations will not be established until the final BCT methodology POTW cost comparison test and industry cost effectiveness test is issued. The Agency has also postponed a final decision on the BAT and NSPS regulations that would control the discharge of the nonconventional COD pollutant.

Timetable:

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Action	Date		FR	Cite
NPRM	11/26/82	47	FR	53584
Final Action BPT, BAT, PSES, PSNS	10/27/83	48	FR	49808
Notice (BCT)	03/09/84	49	FR	8967
Final Action NSPS	07/00/85			
Final Action (BCT)	03/00/86			

Small Entity: No

Additional Information: SAR No. 1427.

FTS:8-382-7182.

Agency Contact: Frank Hund, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7182

RIN: 2040-AA13

65. EFFLUENT GUIDELINES FOR PAINT FORMULATION

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 446

Abstract: The Agency is withdrawing the proposed BAT, NSPS, PSES, and PSNS effluent limitations and standards for the caustic and/or water wash subcategory, and also the pretreatment standards for the solvent wash subcategory. The authority for this decision is provided for under the EPANRDC Settlement Agreement, Paragraph 8. The Agency intends to publish a guidance document which will describe the details supporting its decision to exclude these standards from further regulation.

Timetable:

Action	Date		FR	Cite
NPRM	01/03/80	45	FR	912
Notice of Availability - Guidance Document	09/00/85			

Small Entity: No

Additional Information: SAR No. 1411.

FTS:8-426-2554.

Agency Contact: Robert Dellinger, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 426-2554

RIN: 2040-AA15

66. EFFLUENT GUIDELINES FOR INK FORMULATION

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 447

Abstract: The Agency is withdrawing the proposed BAT, NSPS, PSES, and PSNS effluent limitations and standards for the caustic and/or water wash subcategory, and also the pretreatment standards for the solvent wash subcategory. The authority for this decision is provided for under the EPA-

NRDC Settlement Agreement,
Paragraph 8. The Agency intends to
publish a guidance document which
will describe the details supporting its
decision to exclude these standards
from further regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/03/80	45 FR 928
Notice of Availability - Guidance Document	09/00/85	AND DESTRUCTION

Small Entity: No

Additional Information: SAR No. 1411A.

FTS:8-382-2554.

Agency Contact: Robert Dellinger, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-2554

RIN: 2040-AA16

67. EFFLUENT GUIDELINES FOR GUM AND WOOD (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 454

Abstract: The Agency intends to promulgate the proposed BPT standards for seven subcategories and NSPS standards for four subcategories. However, the Agency will be withdrawing the proposed BAT limitations and the proposed pretreatment standards. Authority for these exclusions is provided under paragraph 8 of the NRDC - EPA settlement agreements. In addition to publishing the final BPT and NSPS standards, the Agency will publish a guidance document describing the basis for the exclusion of the BAT and pretreatment standards.

Timetable:

Action	Date	FR Cite
NPRM	11/29/80	44 FR 68710
Final Action (BPT and NSPS)	12/00/84	
Notice of Availability -	09/00/85	
Guidance Document		

Small Entity: No

Additional Information: SAR No. 1425.

FTS:8-382-7186.

Agency Contact: Richard Williams, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7186

RIN: 2040-AA17

68. EFFLUENT GUIDELINES FOR PESTICIDES

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 455

Abstract: EPA is developing final effluent limitations and standards for BAT, BPT, BCT, NSPS, and Pretreatment (PSES, PSNS) controls for manufacturers and

formulator/packagers of pesticides and related products. Pollutants of concern include active ingredient pesticides. organic solvents, and metals. The Agency also proposes to establish test procedures for the analysis of 66 of the 137 nonconventional pesticide pollutants for which effluent guidelines were proposed in November of 1982 (47 FR 53994). These analytical procedures will be used in supporting the final effluent guidelines and will also be used for filing applications for NPDES permits, state certifications, and for compliance monitoring under the Clean Water Act.

Timetable:

Action	Date	wiki	FR	Cite
NPRM	11/30/82	47	FR	53994
NPRM (Guidance)	02/10/83	48	FR	6250
Notice	06/13/84	49	FR	24492
Notice	08/01/84	49	FR	30752
Notice	01/24/85	50	FR	3366
Final Action	08/00/85			

Small Entity: No

Additional Information: SAR No. 1426.

FTS:8-382-7180

Agency Contact: George Jett, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7180

RIN: 2040-AA18

69. EFFLUENT GUIDELINES FOR METAL MOLDING AND CASTING (FOUNDRIES)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 464

Abstract: The Agency is promulgating BPT, BAT, NSPS, PSES, and PSNS for the aluminum casting, copper casting, iron and steel casting, magnesium casting, and zinc casting subcategories. The industry discharges approximately 1,200 lbs./day of toxic pollutants. Pollutants of concern include zinc, copper, lead, and phenolic compounds.

Timetable:

Action	Date		FR Cite
NPRM	11/15/82	47	FR 51512
Notice	03/20/84	49	FR 10280
Notice	02/15/85	50	FR 6572
Final Action	06/00/85		

Small Entity: Yes

Additional Information: SAR No. 1432.

FTS: 8-382-7189.

Analysis: RFA 06/00/85

Agency Contact: Donald Anderson, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7189

RIN: 2040-AA20

70. EFFLUENT GUIDELINES FOR NONFERROUS METALS (PHASE II)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 421

Abstract: The Agency will promulgate BPT, BAT, BCT, NSPS, PSES, and PSNS for the production and refining of metals from ore for several metals not covered by the Phase I nonferrous regulation. Such metals as beryllium, zirconium, hafnium, platinum, and titanium will be regulated. Principal pollutants considered are primarily toxic metals.

Timetable:

Action	Date	FR	Cite
NPRM	06/27/84	49 FR	26352
Final Action	07/00/85		

Small Entity: No

Additional Information: SAR No. 1911.

FTS:8-382-7126.

Agency Contact: Maria Irizarry, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7126

RIN: 2040-AA27

71. EFFLUENT GUIDELINES FOR ADHESIVES AND SEALANTS

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 463

Abstract: The Agency has decided to exclude portions of the Adhesives and Sealants point source category from toxic pollutant regulation. Authority for this decision is provided under the EPA-NRDC Settlement Agreement, Paragraph 8. The Agency intends to publish a document that will provide a summary of technical findings for this industrial category.

Timetable:

Action	Date	FR Cite
Notice Summary of Technical Findings	06/00/86	

Small Entity: No

Additional Information: SAR No. 1910.

FTS:8-382-7190.

Agency Contact: Elwood Forsht, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7190

RIN: 2040-AA30

72. EFFLUENT GUIDELINES FOR NONFERROUS METALS FORMING

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 471

Abstract: The Agency has proposed BPT, BAT, BCT, NSPS, PSES, and PSNS for the forming (rolling, drawing, etc.) of nonferrous metals other than copper and aluminum. These limitations will apply to wastewater generated by these operations. Pollutants of concern include cadmium, chromium, lead, nickel, zinc, and toxic organics.

Timetable:					
Action	Date		FR	Cite	
NPRM	03/05/84	49	FR	8112	
Notice	02/04/85	50	FR	4872	
Final Action	06/00/85				

Small Entity: No

Additional Information: SAR No. 1908.

FTS: 8-382-7152.

Agency Contact: Janet Goodwin, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7152

RIN: 2040-AA32

73. EFFLUENT GUIDELINES FOR RUBBER PROCESSING (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 415

Abstract: EPA will withdraw BAT and substitute limits for COD and metals equivalent to BPT for nine subcategories. Lead limits for three subcategories were studied and revisions to these limits will be made. Rubber reclaimers covered by subparts H and I have been re-examined for BCT, BAT, and NSPS regulations. National regulations will not be issued for the two rubber reclaimed subcategories.

Timetable:

Action	Date		FR	Cite
NPRM	12/18/79	44	FR	75016
Final Action	06/00/86			

Small Entity: No

Additional Information: SAR No. 1420.

FTS:8-382-7172.

Agency Contact: J. S. Vitalis, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7172

RIN: 2040-AA42

74. EFFLUENT GUIDELINES FOR PULP, PAPER, AND PAPERBOARD (PCB'S) (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 430

Abstract: EPA has promulgated effluent limitations and standards for BPT, BAT, NSPS, PSNS, and PSES levels of control for the Pulp and Paper point source category. BCT limitations will not be established until promulgation of the general methodology for determining appropriate levels of conventionalpollutant control under BCT. The Agency has proposed BAT and NSPS regulations that would limit the discharge of PCBs into waters of the United States from mills in this industrial category where fine and tissue papers are made from deink wastepaper. In response to a court remand of the final 1977 BPT regulation, EPA has also proposed a revised BPT limitation for the conventional-pollutant BOD in the acetate grade production subpart of the dissolving sulfite pulp subcategory. The Agency further intends to promulgate limitations for the BCT technology control level, the control of the pollutant PCB (polychlorinated biphenyls), and the BOD limitation for the acetate grade production in the dissolving sulfite pulp subcategory.

Timetable:

Action	Date		FR	Cite
NPRM (BOD)	03/12/80	45	FR	15952
NPRM (BCT)	10/29/82	46	FR	49176
NPRM (PCB)	11/18/82	47	FR	52066
Notice (BOD)	04/00/85			
Final Action (BOD)	09/00/85			
Final Action (PCB)	09/00/85			
Final Action (BCT)	03/00/86			

Small Entity: No

Additional Information: SAR No. 1969.

FTS:8-382-7137.

Agency Contact: Robert Dellinger, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7137

RIN: 2040-AA63

75. EFFLUENT GUIDELINES FOR ORE MINING AND DRESSING (PLACER MINING)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 144.103; 40 CFR 144.104

Abstract: The Agency is developing BAT and NSPS for mines and mills that beneficiate gold ores by gravity separation methods. These methods include mining of placer deposits, dredge mining, and hydraulic mining operations. These limitations will apply to wastewater generated by these operations and are an addition to those subcategories for which final regulations were issued on December 3, 1982.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	dia marchi
Final Action	03/00/86	

Small Entity: No

Additional Information: SAR NO. 1413.

FTS 8-382-7164.

Agency Contact: B. Matthew Jarett, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7164

RIN: 2040-AA65

76. EFFLUENT GUIDELINES FOR COAL MINING (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 434

Abstract: The Agency will promulgate amendments which limit the discharge of pollutants to U.S. waters from the coal mining industry. This action is a result of a Settlement Agreement executed on August 1, 1983 (National Coal Association, et al., v EPA).

Timetable:

Action	Date		FR	Cite
NPRM	05/04/84	49	FR	19240
Final Action	00/00/00			

Small Entity: No

Additional Information: SAR No. 1414.

FTS:8-382-7141.

Agency Contact: Susan de Nagu, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7141

RIN: 2040-AA66

77. © EFFLUENT GUIDELINES FOR PLASTICS MOLDING AND FORMING (PHTHALATES)

Legal Authority: 33 USC 1311 /CWA 301; 33 USC 1314 /CWA 304; 33 USC 1316 /CWA 306; 33 USC 1317 /CWA 307; 33 USC 1361 /CWA 501

CFR Citation: 40 CFR 463

Abstract: The Agency promulgated BPT, BAT, BCT, and NSPS limitations for the plastics molding and forming industry on December 17, 1984, with the exception of three phthalates in two subcategories. Limitations were reserved for the phthalates because the Agency does not have treatability data for the technology identified to control those pollutants (i.e., activated carbon absorption). The Agency plans to obtain those data through a treatability study and then to propose and promulgate limitations for phthalates, if appropriate. The phthalates in each subcategory are: 1) bis(2-ethylhexyl) phthalate, 2) di-n-butyl phthalate, and 3) dimethyl phthalate.

Timetable:

Action	Date	FR Cite
NPRM	04/00/86	The same of the sa
Final Action	06/00/87	

Small Entity: Undetermined
Additional Information: SAR No. 2213.

FTS: 8-382-7150

Agency Contact: Robert M.
Southworth, Environmental Protection
Agency, Water, (WH-552), Washington,
DC 20460, 202 382-7150

RIN: 2040-AA77

78. • SECONDARY TREATMENT REGULATIONS: PERCENT REMOVAL REQUIREMENTS (REVISION)

Legal Authority: 33 USC 1311 /CWA 301; 33 USC 1314 /CWA 304

CFR Citation: 40 CFR 133

Abstract: This regulation will set forth the final percent removal requirement for conventional secondary treatment and treatment equivalent to secondary treatment. The regulation also provides special consideration for lowering the percent removal requirements for facilities with less concentrated effluents.

Timetable:

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Action	Date		FR	Cite
NPRM	11/16/83	48	FR	52258
Interim Final Rule	09/20/84	49	FR	37006
Notice Additional Comments	09/20/84	49	FR	37010
Final Action	05/00/85			

Small Entity: No

Additional Information: SAR No. 2210.

FTS: 8-382-5843.

Docket No. G-81-3.

Agency Contact: James F. Wheeler, Environmental Protection Agency, Water, (WH-595), Washington, DC 20460, 202 382-5843

RIN: 2040-AA80

79. BEST CONVENTIONAL POLLUTANT CONTROL TECHNOLOGY (BCT) COST TEST AND BCT EFFLUENT GUIDELINES

Priority: Agency Determination

Legal Authority: 33 USC 1314 / CWA 304

CFR Citation: 40 CFR 405; 40 CFR 406; 40 CFR 407; 40 CFR 408; 40 CFR 409; 40 CFR 411; 40 CFR 412; 40 CFR 415; 40 CFR 422; 40 CFR 424; 40 CFR 425; 40 CFR 426; 40 CFR 429; 40 CFR 430; 40 CFR 431

Abstract: EPA is revising the cost reasonableness test for BCT effluent limitations for primary and secondary industries, primarily food processors and light manufacturers. EPA issued a notice withdrawing the existing BCT limitations on February 17, 1982 (47 FR 6835). EPA proposed new BCT limitations for the affected industries, including seafood processing and meat packing, pulp and paper, timber, metal finishing, inorganic chemicals, ore mining, and leather tanning. EPA is making these revisions in response to a court decision. This revision also fulfills the request for review of the program by the President's Task Force on Regulatory Relief.

Timetable:

Action	Date		FR	Cite
NPRM	10/29/82	47	FR	49176
Notice	09/20/84	49	FR	37046
Final Action	03/00/86			

Small Entity: No

Additional Information: SAR No. 1752.

FTS: 8-382-5385.

On September 20, 1984, EPA issued a notice of data availability concerning the proposed rule for best conventional pollutant control technology (BCT). This notice requested comments on new information that EPA is considering using in the final BCT methodology. The new information focuses on the cost of secondary and advanced secondary treatment at publicly owned treatment works. The comment period ended on January 3, 1985. Following analysis of the comments, EPA will publish a final BCT methodology.

Agency Contact: Debra Maness, Environmental Protection Agency, Water, (WH-586), Washington, DC 20460, 202 382-5385

RIN: 2040-AA45

80. GENERAL PRETREATMENT REGULATIONS: DEFINITIONS FOR PASSTHROUGH AND INTERFERENCE (REVISION)

Legal Authority: 33 USC 1317 / CWA 307

CFR Citation: 40 CFR 403

Abstract: The Agency is preparing revisions to the Pretreatment Regulations which will redefine several terms and repromulgate other definitions of passthrough and interference. These revisions will address a remand by the Third Circuit Court of Appeals, and fulfills the request for review of the program by the President's Task Force Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	12/00/85	

Small Entity: No

Additional Information: SAR No. 1900.

FTS: 8-426-4793.

Agency Contact: Craig Jakubowics, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-4793

RIN: 2040-AA46

81. REMOVAL OF OIL AND HAZARDOUS SUBSTANCE DISCHARGES

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 111

Abstract: This regulation sets forth the methods and procedures for the

removal of oil and hazardous substances from inland waters of the United States, excluding the Great Lakes. Key elements of the regulation are voluntary removal guidelines for the proper removal and disposal of oil and hazardous substance discharges and mandatory provisions governing the use of chemical agents applied to discharges.

Timetable:

Action	Date	970	FR	Cite
NPRM	12/23/80	45	FR	84942
Final Action	00/00/00			

Small Entity: Undetermined

Additional Information: SAR No. 1544.

FTS:8-382-2196.

Agency Contact: L. M. Flaherty, Environmental Protection Agency, Water, (WH-548B), Washington, DC 20460, 202 382-2196

RIN: 2040-AA33

82. HAZARDOUS SUBSTANCES POLLUTION PREVENTION FOR FACILITIES SUBJECT TO PERMITTING REQUIREMENTS OF SECTION 402

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 151

Abstract: This regulation's purpose is to prevent spills of hazardous substances into navigable waters. It sets forth requirements for the Spills Prevention Control and Countermeasure Plans for facilities which (a) are not related to transportation, (b) which store, manufacture or otherwise handle hazardous substances at their facilities, and (c) are subject to NPDES permits. The Agency will likely exempt any small facilities which store less than ten times the reportable quantities of spilled, hazardous substances.

Timetable:

Action	Date		FR Cite
NPRM	09/01/78	43	FR 39276
Final Action	00/00/00		

Small Entity: Undetermined

Additional Information: SAR No. 1451.

FTS:8-382-2196.

Agency Contact: L. M. Flaherty, Environmental Protection Agency, Water, (WH-548B), Washington, DC 20460, 202 382-2196

RIN: 2040-AA34

83. DISCHARGE OF OIL (REVISION)

Legal Authority: 33 USC 1321 / CWA 311 CFR Citation: 40 CFR 110

Abstract: This revision will extend applicability to deep water ports and extend reporting requirements for oil to 200 miles offshore. It will provide for U.S. obligations under international MARPOL agreements. It will also provide for exemptions from reporting requirements for permitted dischargers and consider suggestions for exempting vegetable-oil based products from notification and employing a volumetric trigger for notification.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	05/00/86	

Small Entity: No

Additional Information: SAR No. 1579.

For information call the RCRA/Superfund Hotline (800-424-9346); in D.C. Metropolitan Area (382-3000).

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Water, (WH-548B), Washington, DC 20460, 202 382-3000

RIN: 2040-AA48

84. NPDES PERMIT REGULATIONS FOR NONCOMPLIANCE AND PROGRAM REPORTING (REVISION)

Legal Authority: 33 USC 1342 / CWA 402

CFR Citation: 40 CFR 123.45

Abstract: This rule will revise certain program reporting requirements for the National Pollutant Discharge Elimination System (NPDES). It will revise the program requirements for quarterly noncompliance reports (QNCR) on major dischargers which are prepared by EPA Regions and NPDES States. The primary reason for this change in the QNCR is to establish a consistent basis for reporting noncompliance. The change should produce a more accurate and meaningful assessment of permit noncompliance by major dischargers within each State.

Timetable:

Action	Date	Dill.	FR	Cite
NPRM	07/23/84	49	FR	29720
Final Action	06/00/85			

Small Entity: No

Additional Information: SAR No. 2086.

FTS: 8-475-8331.

Agency Contact: Edward S. Bender, Environmental Protection Agency, Water, (EN-338), Washington, DC 20460, 202 475-8331

RIN: 2040-AA67

85. • NPDES REGULATIONS: STORMWATER APPLICATION REQUIREMENTS (REVISION)

Legal Authority: 33 USC 1251 /CWA 402

CFR Citation: 40 CFR 122

Abstract: These revisions to the NPDES permit program application requirements for stormwater discharges are in response to concerns about the difficulty of complying the April 26, 1985 deadline for application submittals. These changes will address the deadline for application submission and the information required within the application.

Timetable:

Date	FR	Cite
700000000000000000000000000000000000000	FR	9362
		3/07/85 50 FR

Small Entity: No

Additional Information: SAR No. 2200.

FTS: 8-426-7010.

Agency Contact: Martha Kirkpatrick, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-7010

RIN: 2040-AA79

86. GENERAL PRETREATMENT REGULATIONS: RESPONSE TO PIRT (REVISION)

Legal Authority: 33 USC 1317 /CWA 307

CFR Citation: 40 CFR 403

Abstract: Revisions to the General Pretreatment Regulations will be proposed to address final recommendations of the Pretreatment Implementation Review Task Force (PIRT) and the need for other adjustments to the regulations.

Timetable:

Action	Date	FR Cite
NPRM	02/00/86	miembie
Final Action	00/00/00	1 1 1

Additional Information: SAR No. 2212.

FTS: 8-426-4793.

Agency Contact: Hans Bjornson, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-4793

RIN: 2040-AA81

87. TECHNICAL SLUDGE REGULATIONS

Legal Authority: 33 USC 1345 / CWA 405 CFR Citation: 40 CFR 503

Abstract: The Agency plans to provide technical criteria and management practices by issuing technical sludge regulations under Section 405 of the Clean Water Act. These regulations will address: Distribution and Marketing, Land Application to Food and Non-food Chain crops, Ocean Disposal, Incineration and Landfilling.

Timetable:

Action	Date	FR Cite
NPRM -	09/00/86	Division in

Small Entity: Undetermined

Additional Information: SAR No. 2162.

FTS: 8-755-0100.

Agency Contact: Patrick Tobin, Environmental Protection Agency, Water, WH-585, Washington, DC 20460, 202 755-0100

RIN: 2040-AA74

88. OCEAN DUMPING CRITERIA (REVISION)

Legal Authority: 33 USC 1401 et seq / MPRSA

CFR Citation: 40 CFR 220 to 229

Abstract: A proposed regulation will be issued to address changes in the regulations required by court action.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00	3	100
Small Entit	y: Undetermined		

Additional Information: SAR No. 1604.

FTS:8-755-0356.

Agency Contact: Jack Lishman, Environmental Protection Agency, Water, (WH-556), Washington, DC 20460, 202 755-9231

RIN: 2040-AA52

89. OCEAN INCINERATION REGULATIONS (REVISION)

Legal Authority: 33 USC 1410 / MPRSA

CFR Citation: 40 CFR 234

Abstract: The Agency plans to provide specific permitting regulations for the ocean incineration of liquid hazardous and nonhazardous wastes. These regulations will be an independent part of the Ocean Dumping Regulations. The existing Ocean Dumping Regulations provide no specific criteria or standards for the review of ocean incineration permit applications.

Timetable:

Action	Date	FR Cite
NPRM	02/28/85	50 FR 8222
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 2140.

FTS: 8-755-0100.

Agency Contact: Patrick Tobin, Environmental Protection Agency, Water, (WH-585), Washington, DC 20460, 202 755-0100

RIN: 2040-AA72

90. COMPREHENSIVE REVISIONS TO OCEAN DUMPING REGULATIONS

Legal Authority: 33 USC 1401 et seq /MPRSA

CFR Citation: 40 CFR 220 to 229

Abstract: These amendments are necessary to clarify the existing regulations, incorporate program experience gained over the past several years, provide additional regulatory and technical guidance in response to the City of New York decision (546 F. 2d 1084), and address the results of the NWF v. Costle decision (629 F. 2d 118) which involved dredged material issues. Regulations will involve multi-media issues, such as how to compare impacts on small entities (i.e., small business and small governmental jurisdictions) seem unlikely, the potential for such impact will be further considered as regulations are developed.

Timetable:

Action	Date	FR Cite
NPRM	08/00/86	OF THE REAL PROPERTY.
Final Action	11/00/87	
Small Entity:	Undetermined	

Additional Information: SAR No. 2189

FTS: 8-755-4911

Agency Contact: Ronald DeCesare, Environmental Protection Agency, Water, (WH-556), Washington, DC 20460, 202 755-4911

RIN: 2040-AA78

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Water Act (CWA)

91. REVIEW OF GENERAL PRETREATMENT PROGRAM INFORMATION COLLECTION REQUIREMENTS

Legal Authority: 33 USC 1342(b) / CWA

CFR Citation: 40 CFR 403

Abstract: The pretreatment program requires designated states, publicly-owned treatment works and their industrial users to collect data, submit reports and maintain records on

pollutant dischargers, compliance actions, and related facilities descriptions. EPA is reviewing the reporting and recordkeeping requirements to determine if improvements can be made, such as increasing efficiency or eliminating unnecessary requirements. Where appropriate, the recommendations will either be incorporated into the amendments to relevant regulations and/or they will appear as part of EPA's revised policy and guidance documents.

Existing Regulations Under Review

Timetable:

Action	Date	FR Cite
Begin Review	10/00/83	The State of
End Review	04/00/85	

Small Entity: Yes

Additional Information:

FTS: 8-382-2709.

REVIEW AUTHORITY: Paperwork Reduction Act (44 USC 3506).

EPA-CWA

Existing Regulations Under Review

Agency Contact: Eric Strassler, Environmental Protection Agency, Water, (PM-223), Washington, DC 20460, 202 382-2709

RIN: 2040-AA68

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Water Act (CWA)

Completed Actions

COMPLETED RULEMAKINGS

92. WATER QUALITY PLANNING AND MANAGEMENT REGULATIONS (REVISION)

CFR Citation: 40 CFR 35 G

Completed:

Reason Date FR Cite

Final Action 01/11/85 50 FR 1774

Small Entity: No

Agency Contact: Ed Richards 202 382-

RIN: 2040-AA37

93. EFFLUENT GUIDELINES FOR PLASTICS MOLDING AND FORMING

CFR Citation: 40 CFR 463

Completed:

Reason Date FR Cite
Final Action 12/17/84 49 FR 49026

Small Entity: No

Agency Contact: Robert M. Southworth 202 382-7156

RIN: 2040-AA29

94. GENERAL SLUDGE REGULATIONS

CFR Citation: 40 CFR 500

Completed:

Reason Date FR Cite
Withdrawn 02/00/85

Combined with RIN 2040-AA73

Small Entity: Undetermined

Agency Contact: Charles E. Gross 202

382-7356

RIN: 2040-AA75

95. OIL POLLUTION PREVENTION REGULATION (REVISION)

CFR Citation: 40 CFR 112

Completed:

Reason Date FR Cite

Action has been 02/00/85 deferred indefinitely

Small Entity: Undetermined

Agency Contact: L. M. Flaherty 202 382-2196

RIN: 2040-AA49

Reason Date FR Cite
Final Action 09/26/84 49 FR 37998

CFR Citation: 40 CFR 122 to 124

Small Entity: No

Completed:

ISSUES (REVISION)

Agency Contact: George Young 202

96. CONSOLIDATED PERMITS: NPDES

426-4793

RIN: 2040-AA35

97. NPDES REGULATIONS: REGULATORY REFORM (REVISION)

Priority: Task Force

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 125

Completed:

Reason Date FR Cite

Withdrawn 02/00/85 Small Entity: No

Agency Contact: George Young 202

426-4793 RIN: 2040-AA50

[FR Doc. 85-7906 Filed 04-26-85; 8:45 am]

BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Atomic Energy Act (AEA)

Current and Projected Rulemakings

98. GUIDANCE FOR OCCUPATIONAL RADIATION EXPOSURE (REVISION)

Legal Authority: 42 USC 2021(h) /AEA 274(h)/Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Abstract: This guidance would update existing (1960) radiation occupational exposure limits for all workers except exposure of uranium miners to radon. It would lower allowable exposure per year and incorporate selected current recommendations of national and international radiation protection advisory bodies.

Timetable:

Action Date FR Cite

ANPRM 09/17/79 44 FR 53785

NPRM 01/23/81 46 FR 7836

Final Action 06/00/85

Small Entity: No

Additional Information: SAR No. 1161.

Docket No. A-79-46.

FTS:8-557-8927.

Agency Contact: Allan Richardson, Environmental Protection Agency, Air and Radiation, (ANR 460), Washington, DC 20460, 703 557-8927

RIN: 2060-AA00

99. TRANSURANIUM ELEMENTS

Legal Authority: 42 USC 2021(h) /AEA 274(h) /Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Abstract: This guidance to Federal Agencies will establish dose rate limits for people exposed to transuranium elements in the general environment.

EPA-AEA

Current and Projected Rulemakings

Guidance is undergoing interagency review.

Timetable:

Action	Date	FR Cite
NPRM	11/30/77	42 FR 60956
Interim Final Rule	09/00/85	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1162.

FTS:8-557-0740.

Agency Contact: Gordon Burley, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 703 557-9710

RIN: 2060-AA01

100. RADIOFREQUENCY RADIATION GUIDANCE

Legal Authority: 42 USC 2021(h) /AEA 274(h) /Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Abstract: This guidance will serve to limit exposure of the general public to radiofrequency radiation, which may pose a potential health risk.

Timetable:

Action	Date	FR	Cite
ANPRM	12/23/82	47 FR	57338
NPRM	09/00/85		
Final Action	09/00/86		

Small Entity: Undetermined

Additional Information: SAR No. 1525.

FTS: 8-557-7380.

Background Information Reports: a)
Biological Effects of Radiofrequency
Radiation, b) the Radiofrequency
Radiation Environment, c) Analysis of
the Radiofrequency Fields Produced by
Broadcast Antennas, and d) Analysis of
Economic Impact of Federal Radiation
Protection Guidance (to Limit Exposure
of the Public to Radiofrequency
Radiation).

Agency Contact: Norbert Hankin, Environmental Protection Agency, Air and Radiation, (ANR-461), Washington, DC 20460, 703 557-7380

RIN: 2060-AA02

101. ENVIRONMENTAL PROTECTION STANDARDS FOR HIGH-LEVEL RADIOACTIVE WASTE

Priority: Major

Legal Authority: 42 USC 2021 / AEA 274

CFR Citation: 40 CFR 191

Abstract: EPA is developing environmental standards which state the public health and environmental requirements to be met for disposal of high-level radioactive waste. These consist of general design and site selection principles as well as numeric performance requirements for high-level waste repositories. DOE and NRC will use EPA's regulation to set their standards to govern the licensing, design and operation of permanent high-level radioactive waste disposal facilities.

Timetable:

Action	Date	7	FR	Cite
ANPRM	12/06/76	41	FR	53363
NPRM	12/29/82	47	FR	58196
Final Action	06/00/85			

Small Entity: No

Additional Information: SAR No. 1163.

FTS:8-557-8610.

Analysis: RIA

Agency Contact: Dan Egan, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 703 557-8610

RIN: 2060-AA03

102. ENVIRONMENTAL PROTECTION STANDARDS FOR LOW-LEVEL RADIOACTIVE WASTE

Legal Authority: 42 USC 2021(h) /AEA 274(h) /Reorganization Plan No. 3 of 1970

CFR Citation: 40 CFR 193

Abstract: The Agency intends to set generally applicable standards for the disposal of low-level radioactive wastes, possibly to include some natural and accelerator produced radioactive wastes. The Agency is considering a criteria for declaring certain wastes as below regulatory concern as part of this activity.

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Action	Date		FR	Cite
ANPRM	08/31/83	48	FR	39563
NPRM	02/00/86			
Final Action	01/00/87			

Small Entity: No

Additional Information: SAR No. 1727.

FTS:8-557-8610.

Agency Contact: G. Lewis Meyer, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 703 557-8610

RIN: 2060-AA04

103. RESIDUAL RADIOACTIVITY

Priority: Major

Legal Authority: 42 USC 2201 / AEA 274; 42 USC 2021 / AEA 274

CFR Citation: 40 CFR 194

Abstract: The Agency is determining what standards and/or guidance is needed to control radiation exposure levels to the public from residual radioactivity after cleanup of sites and facilities where radionuclides were used and where unrestricted use will be allowed. This action may also control radiation exposure levels to the general public from materials contaminated with radionuclides which will be recycled into general commerce.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/85	7000
NPRM	07/00/86	
Final Action	12/00/87	

Small Entity: Undetermined

Additional Information: SAR No. 2073.

FTS: 8-557-8927.

Analysis: RIA

Agency Contact: Stanley Lichtman, Environmental Protection Agency, Air and Radiation, ANR-460, Washington, DC 20460, 703 557-8927

RIN: 2060-AB31

[FR Doc. 85-7906 Filed 04-28-85; 8:45 am]

BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Safe Drinking Water Act (SDWA)

Current and Projected Rulemakings

104. NATIONAL PRIMARY DRINKING WATER REGULATIONS: MAXIMUM CONTAMINANT LEVELS FOR VOLATILE ORGANIC CHEMICALS FOUND IN DRINKING WATER

Legal Authority: 42 USC 300 / SDWA

CFR Citation: 40 CFR 141

Abstract: EPA has proposed Recommended Maximum Contaminant Levels (RMCLs) and Primary Drinking Water Regulations to certain volatile synthetic organic compounds (VOCs). These VOCs have been most commonly found in drinking water drawn from groundwater sources. These chemicals include such compounds as trichloroethylene, tetrachloroethylene, and vinyl chloride. Aeration and granular activated carbon (GAC) systems are treatment technologies that can reduce these contaminants to a low level. Preliminary estimates show that average residential monthly bills for affected systems could rise from \$1 -\$14 depending on the size of the drinking water system and the type of technology selected. The Agency will promulgate RMCLs (i.e. nonenforceable health goals) before it promulgates the Maximum Contaminant Levels (MCLs) (i.e., enforceable standard). Monitoring and reporting requirements for these VOCs as well as other unregulated VOCs will be proposed.

Timetable:

Action	Date		FR	Cite
Previous ANPRM	07/14/76	41	FR	23991
ANPRM	03/04/82	47	FR	9350
NPRM	06/12/84	49	FR	24330
NPRM RMCLs	06/12/84	49	FR	24330
NPRM MCLs	05/00/85			
Final Action RMCLs	05/00/85			

Small Entity: Undetermined

Additional Information: SAR No. 1567.

FTS: 8-382-7575.

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-7575

RIN: 2040-AA53

105. NATIONAL PRIMARY DRINKING WATER REGULATIONS: INORGANIC AND ORGANIC COMPOUNDS AND MICROBIOLOGICAL CONTAMINANTS AND TURBIDITY (REVISION)

Legal Authority: 42 USC 300 / SDWA

CFR Citation: 40 CFR 141

Abstract: The monitoring requirements and MCLs in the National Interim Primary Drinking Water Regulations will be comprehensively reviewed for inorganic and organic compounds, microbiological contaminants and turbidity and radionuclides. EPA will conduct an assessment of exposure, analytical methods, potential health effects, and the performance and costs of treatment technologies. The Agency will promulgate Recommended Maximum Contaminant Levels (RMCLs) as non-enforceable health goals, before it promulgates the maximum contaminant levels (MCLs) as enforceable standards.

Timetable:

Action	Date	FR Cite
ANPRM	10/05/83	48 FR 45502
NPRM RMCLs	06/00/85	
NPRM MCLs	06/00/86	
Final Action RMCLs	06/00/86	

Small Entity: Yes

Additional Information: SAR No. 1755.

FTS:8-382-7575.

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-7575

RIN: 2040-AA55

106. NATIONAL PRIMARY DRINKING WATER REGULATIONS: FLUORIDE (REVISION)

Legal Authority: 42 USC 300 / SDWA

CFR Citation: 40 CFR 141

Abstract: The Agency will assess the maximum contaminant level (MCL) for fluoride in the National Interim Primary Drinking Water Regulations to determine if it reflects potential health effects and the performance and cost of available treatment technologies. Based on statutory requirements and recent technical information, the Agency is considering numerous options.

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Action	Date		FR	Cite
ANPRM	12/01/81	46	FR	58345
ANPRM	10/05/83	48	FR	45502
NPRM (RMCLs)	04/00/85			
NPRM (MCLS)	10/00/85			
Final Action (MCLs)	03/00/86			

Small Entity: Undetermined

Additional Information: SAR No. 1756.

FTS:8-382-7575.

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-7575

RIN: 2040-AA56

107. UNDERGROUND INJECTION CONTROL PROGRAM: FEDERALLY ADMINISTERED PROGRAMS (PHASE II)

Legal Authority: 42 USC 300 / SDWA 1422

CFR Citation: 40 CFR 147

Abstract: EPA is required to prescribe an Underground Injection Control (UIC) program in states that do not have an approved UIC program. The Phase I UIC regulation will implement UIC programs in twenty-two states. This regulation will provide UIC programs for seven states and four Indian lands that are not included in the Phase I regulation.

Timetable:

Action	Date		FR	Cite
NPRM	05/11/84	49	FR	20238
Final Action	00/00/00			

Small Entity: No

Additional Information: SAR No. 2012.

FTS: 8-382-5530.

Agency Contact: John B. Atcheson, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-5530

RIN: 2040-AA69

108. 9 UNDERGROUND INJECTION CONTROL PROGRAM: INDIAN LANDS

Legal Authority: 42 USC 300 /SDWA

CFR Citation: 40 CFR 147

Abstract: EPA is required to prescribed an Underground Injection Control (UIC) program in States that do not have an

EPA-SDWA

Current and Projected Rulemakings

approved UIC program. In addition, all Indian lands not under the jurisdiction of an approved State program must be covered by a Federal program. The program is to take into consideration the unique conditions and the tribal concerns for each nation.

Timetable:		
Action	Date	FR Cite
Interim Final Rule	09/00/85	The sales
Final Action	12/00/85	
Cmall Entitue	No	

Small Entity: No

Additional Information: SAR No. 2131

FTS: 8-382-5530

Agency Contact: John B. Atcheson, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-5530

RIN: 2040-AA76

[FR Doc. 85-7906 Filed 04-26-85; 8:45 am]

BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Noise Control Act (NCA)

Current and Projected Rulemakings

109. WITHDRAWAL OF PRODUCTS
FROM THE AGENCY'S REPORTS
IDENTIFYING MAJOR NOISE
SOURCES AND WITHDRAWAL OF
PROPOSED RULES

Legal Authority: 42 USC 4904(b)(1) / NCA 5(b)(1); 42 USC 4905 / NCA 6(a)(1)

CFR Citation: 40 CFR 51

Abstract: This action withdraws certain products from the Agency's report identifying major noise sources issued under authority of Section 5(b)(1) of the Noise Control Act of 1972. These products are: Truck Transport Refrigeration Units, Power Lawn Mowers. Pavement Breakers, Rock Drills, Wheel and Crawler Tractors and Buses. This action also withdraws proposed noise regulations for Wheel and Crawler Tractors, and Buses, issued under the authority of Section 6(a)(1) of the Act.

Timetable:

Action	Date	F	R	Cite
NPRM	12/01/82	47 F	R	54108
Final Action	00/00/00			

Small Entity: No

Additional Information: SAR No. 2046.

FTS: 8-382-7748.

No CFR parts pertain. This action withdraws proposals which were not codified.

Agency Contact: Robert C. Rose, Environmental Protection Agency, Air and Radiation, Washington, DC 20460, 202 382-7748

RIN: 2060-AB24

110. MOTOR CARRIERS ENGAGED IN INTERSTATE COMMERCE: NOISE EMISSION STANDARDS (REVISION)

Legal Authority: 42 USC 4917 / NCA 18

CFR Citation: 40 CFR 202

Abstract: This action proposes to amend the noise emission regulations for motor carriers engaged in interstate commerce. The amendment aligns the noise emission standards of this regulation with those of the regulation for newly manufactured medium and heavy trucks. The proposed revised standards apply only to trucks manufactured on or after January 1, 1978 (post-1977), that have a Gross Vehicle Weight Rating (GVWR) or a Gross Combination Weight Rating (GCWR) greater than 10,000 pounds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2045.

FTS: 8-382-7748.

Agency Contact: Robert C. Rose, Environmental Protection Agency, Air and Radiation, Washington, DC 20460, 202 382-7748

RIN: 2060-AB20

[FR Doc. 85-7906 Filed 04-26-85; 8:45 am]

BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Resource Conservation and Recovery Act (RCRA)

111. FINAL CODIFICATION RULE FOR THE 1984 AMENDMENTS

Legal Authority: 42 USC 6901

CFR Citation: 40 CFR 260 to 271; 40 CFR 122 to 124

Abstract: The purpose of this rule is to codify in regulations those requirements specified by the 1984 amendments to RCRA which take effect immediately upon enactment. The new regulatory provisions will, by large, follow the language of the statute. The intent of this package is not to substantively elaborate on these statutory provisions, but rather to introduce the new

statutory language verbatim, to the extent possible, into the existing regulatory framework. In general, the need for such codification is several fold. First, by placing the new statutory requirements in the context of our existing regulatory standards, we can eliminate confusion in the regulated community. Second, by providing public notice of these changes through publication in the Federal Register, the Agency ensures that there will be sufficient notice for enforcement purposes. Finally, these regulations provide a framework to support the

Current and Projected Rulemakings

development of elaborate guidance documents and future rulemakings.

More specifically, this rule addresses such areas as minimum technology requirements for land disposal facilities; corrective action for prior releases at solid waste management units; (cont)

Timetable:

Action Date FR Cite
Final Action 05/00/85

Small Entity: No

Additional Information: SAR No. 2187.

FTS -382-5864.

ABSTRACT CONT: banning the placement of bulk liquid hazardous waste and nonhazardous waste liquids in landfills; the ban on disposal in certain salt dome formations, caves, and underground mines; and the loss of interim status for facilities failing to submit Part B applications within specific deadlines.

Agency Contact: Mike Cook, Deputy Director, Environmental Protection Agency, Solid Waste and Emergency Response, WH-562, Washington, DC 20460, 202 382-5864

RIN: 2050-AB35

112. O CONTAINERIZED LIQUIDS IN LANDFILLS

Legal Authority: 42 USC 6905 /RCRA 3004/RCRA 3005; 42 USC 6912(a) /RCRA 3004/RCRA 3005; 42 USC 6924 /RCRA 3004/RCRA 3005; 42 USC 6925 /RCRA 3004/RCRA 3005; 42 USC 6908 /RCRA 3004/RCRA 3005

CFR Citation: 40 CFR 264.314; 40 CFR 265.314

Abstract: The Agency will promulgate final regulations consistent with the Hazardous and Solid Waste Act of 1984. The final regulation will 1) minimize the placement of containers in landfills, 2) minimize the placement of free liquids in containers, and 3) prohibit the use of absorbents that biodegrade and release liquids when compressed.

Timetable:

Action	Date	FR Cite
Final Action	02/00/86	O EL SIN

Small Entity: No

Additional Information: SAR No. 2207.

FTS:8-382-4682

Agency Contact: Paul Cassidy, Environmental Protection Agency, Solid Waste and Emergency Response, (WH 565F), Washington, DC, 202 382-4682

RIN: 2050-AB12

113. PROHIBITION OF UNDERGROUND INJECTION OF WASTES

Priority: Agency Determination

CFR Citation: 40 CFR Not yet determined

Abstract: The Hazardous Waste Disposal Amendments of 1984 Sections 201 F&G require the Administrator to investigate the disposal of Hazardous Waste through underground injection wells, and to determine whether such practices are protective of human health and the environment.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/86	STATE OF THE PARTY NAMED IN
Interim Final Rule	09/00/87	
Final Action	08/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2211.

FTS: 8-382-5530.

Agency Contact: John B. Atcheson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-550), Washington, DC 20460, 202 382-5530

RIN: 2050-AB34

114. © CRITERIA FOR CLASSIFICATION OF SOLID WASTE DISPOSAL FACILITIES AND PRACTICES

Priority: Major

Legal Authority: 42 USC 6907 (a)(3) / RCRA 3000 as amended by HSWA; 42 USC 6944(a) / RCRA 3000 as amended by HSWA

CFR Citation: 40 CFR 257

Abstract: The Hazardous and Solid Waste Amendments of 1984 require EPA, by November 8, 1987, to submit a report to Congress on the adequacy of the RCRA 1008(a) and 4004 Criteria in protecting human health and the environment from ground-water contamination, and on the need for additional authorities to enforce the Criteria. EPA must revise the criteria by March 31, 1988, for facilities that may receive hazardous household waste or small quantity generator waste. The revisions will include ground-water monitoring, location restrictions, and corrective action, as appropriate.

Timetable:

Action	Date	FR Cite
NPRM	02/00/87	
Final Action	03/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2224

FTS-382-4489

Agency Contact: Michael Flynn, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-

565E), Washington, DC, 202 382-4489

RIN: 2050-AB21

115. • AIR EMISSION REGULATIONS FOR TREATMENT, STORAGE, AND DISPOSAL AREA SOURCES

Legal Authority: RCRA as Amended by HSWA section 201(N)

CFR Citation: 40 CFR 264

Abstract: Regulations are under development for monitoring and control of air emissions at hazardous waste treatment, storage, and disposal facilities, including open tanks, surface impoundments, and landfills, as may be necessary to protect human health and the environment.

Timetable:

Action	Date	FR	Cite
NPRM	00/00/00	ing uni	(A)

Small Entity: Undetermined

Additional Information: SAR No. 2240.

FTS 629-5671

Agency Contact: James Durham, Environmental Protection Agency, Solid Waste and Emergency Response, (MD-13), Environmental Protection Agency, Research Triangle Park, NC 27711, 919 541-5671

RIN: 2050-AB33

116. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: IGNITABLE HAZARDOUS WASTE

Priority: Undetermined

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.21

Abstract: The current ignitability characteristics deal only with liquids. To eliminate this lack of regulatory coverage, tests and hazard thresholds are being developed for identifying ignitable solid (physical) wastes.

Timetable:

Action	Date	FR Cite
NPRM	03/00/86	piny mos-

Small Entity: Undetermined

Additional Information: SAR No. 2063.

FTS-8-382-4801.

EPA-RCRA

Current and Projected Rulemakings

Agency Contact: Florence Richardson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4801

RIN: 2050-AA77

117. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: MICHIGAN PETITION

Legal Authority: 42 USC 6905, / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This regulation will add 122 chemicals to the list of commercial chemical products defined as hazardous when discarded. Thirty-five of these chemicals would be classified as acutely hazardous wastes, and the remaining 87 would be classified as toxic hazardous waste. In addition, 120 compounds would be classified as hazardous constituents; their presence in other waste could, in the future, serve as a justification for listing hazardous waste streams. This action is in response to a petition filed by the State of Michigan.

Timetable:

Action	Date	otio	FR	Cite
NPRM	12/21/84	49	FR	49784
Final Action	00/00/00			

Small Entity: No

Additional Information: SAR No. 2021.

FTS-8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562-B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA84

118. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: ACUTE HAZARDOUS WASTE MIXTURE RULE (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.33

Abstract: 40 CFR 261.33(e) currently includes disposal of commercial chemical products consisting of a single active ingredient. In addition, under the current regulations, all concentrations

of the product are regulated. This action expands the definition to cover mixtures of acutely hazardous materials as well as establish deminimus concentration limits.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Additional Information: SAR No. 2111.

FTS-8-382-4770.

Agency Contact: David Friedman. Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA85

119. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: LISTING OF COMMERCIAL CHEMICAL PRODUCTS (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.33

Abstract: This regulation will revise the current list of commercial chemical products defined as hazardous waste when disposed. The additional chemicals are derived from incorporating existing information and data from other EPA programs (i.e. Premanufacture Notification).

Timetable:

Action	Date	FR Cite
NPRM	03/00/86	Miller T. T.
Final Action	00/00/00	

Additional Information: SAR No. 2105.

FTS: 8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA87

120. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: NITROTOLUENES/TOLUIDINES MANUFACTURING WASTES

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42

USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the manufacture of nitrotoluenes/Toluidines.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	06/00/87	

Small Entity: No

Additional Information: SAR No. 2155.

FTS: 8-382-4775.

Agency Contact: Wanda Lebleubiswas, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5096

RIN: 2050-AA92

121. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: METHYL BROMIDE MANUFACTURING WASTES

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the manufacture of methyl bromide.

Timetable:

Action	Date	FR Cite
NPRM	04/15/85	
Final Action	07/31/86	

Small Entity: No

Additional Information: SAR No. 2157.

FTS: 8-382-5219.

Agency Contact: Howard Fribush, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5219

RIN: 2050-AA93

122. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DIPHENYLAMINE MANUFACTURING WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002 CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the manufacture of diphenylamine.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	
Final Action	12/00/86	

Small Entity: No

Additional Information: SAR No. 2156.

FTS: 8-382-4775.

Agency Contact: Edwin F. Abrams, Chemical Engineer, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4775

RIN: 2050-AA94

123. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: LINURON AND BROMACIL MANUFACTURE WASTES

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action will expand the list of hazardous wastes by listing wastes from the production of linuron and bromacil.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Final Action	08/00/86	

Small Entity: No

Additional Information: SAR No. 2154.

FTS: 8-382-5096.

Agency Contact: Wanda Le Bleu-Biswas, Environmental Protection Agency, Solid Waste and Emergency Response, [WH-562B], Washington, DC 20460, 202 382-5096

RIN: 2050-AA95

124. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: LISTING OF USED OIL

Priority: Major

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002 CFR Citation: 40 CFR 261.31

Abstract: This action will expand the list of hazardous waste by listing used oil

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	The said
Final Action	11/00/86	
Small Entity:	Undetermined	

Additional Information: SAR No. 2153.

FTS: 8-382-5218.

Analysis: RFA, RIA

Agency Contact: Bob Axelrad.

Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC 20460, 202 382-5218

RIN: 2050-AA96

125. PROPOSED REINTERPRETATION OF MINING WASTE EXCLUSION (SMELTING/REFINING)

Priority: Major

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action will add to 261.4(b)(7) of RCRA the phrase, "but not including wastes from processing beneficiated ores (other than smelter slag and phosphogypsum) or wastes from refining metals." Wastes removed from the exclusion therefore will be subject to Subtitle C regulation if they are hazardous. This action also will relist: aluminum spent potliners, copper acid plant blowdown sludge, lead surface impoundment solids, zinc sludges, and ferrochrome emission control dust/sludge.

Timetable:

Action *	Date	FR Cite
NPRM	06/00/85	Used a la
Final Action	12/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2168.

FTS: 8-382-7917.

Agency Contact: Dr. Dexter Hinckley, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565A, 202 382-7917

RIN: 2050-AA99

126. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: CHLOROTOLUENES PRODUCTION WASTES

Legal Authority: 42 USC 6905 RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action expands the list of Hazardous wastes by listing wastes from the manufacture of chlorotoluenes.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	THE REAL PROPERTY.
Final Action	04/00/87	

Small Entity: No

Additional Information: SAR No. 2205.

FTS:8-475-6678

Agency Contact: Howard M. Fribush, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 475-6678

RIN: 2050-AB06

127. • IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: CARBON DISULFIDE PRODUCTION WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action expands the list of hazardous wastes by listing wastes from the manufacture of carbon disulfide.

Timetable:

Action	Date	FR Cite
NPRM	11/00/86	1000
Final Action	12/00/87	

Small Entity: No

Additional Information: SAR No. 2172.

FTS:8-382-4775

Agency Contact: Edwin F. Abrams, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4775

RIN: 2050-AB07

128. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: LEAD ALKYLS PRODUCTION WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action expands the list of hazardous wastes by listing wastes from the manufacture of lead alkyls.

Timetable:

Action	Date	FR Cite
NPRM	11/00/86	
Final Action	02/00/87	

Small Entity: No

Additional Information: SAR No. 2173.

FTS:8-475-6726

Agency Contact: Richard L. Dailey, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC, 202 475-6726

RIN: 2050-AB08

129. • IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: WOOD PRESERVING WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action expands the list of hazardous waste by listing wood preserving wastes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/86	
Final Action	12/00/87	

Small Entity: No

Additional Information: SAR No. 2174.

FTS:8-382-4788

Agency Contact: Cate Jenkins,

Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC, 202 382-4768

RIN: 2050-AB09

130. • IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: NITROANILINES PRODUCTION WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42

USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action expands the list of hazardous wastes by listing wastes from the manufacture of nitroanilines.

Timetable:

Action	Date	FR Cite
NPRM	08/00/86	
Final Action	09/00/87	

Small Entity: No

Additional Information: SAR No. 2171.

FTS:8-382-4775

Agency Contact: Edwin F. Abrams, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC20460, 202 382-4775

RIN: 2050-AB10

131. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: COAL SLURRY PIPELINE EFFLUENT

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912 (a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will determine if the Agency will or will not list the effluent from coal slurry pipelines as hazardous.

Timetable:

Action	Date	FR Cite
Listing Decision	01/00/86	Section 1

Small Entity: No

Additional Information: SAR No. 2219.

FTS:8-475-6725

Agency Contact: Robert Scarberry, Environmental Protection Agency, Solid Waste and Emergency Response. (WH-562B), Washington, DC 20460, 202 475-6725

RIN: 2050-AB16

132. • IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: PAINT MANUFACTURING WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.31; 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing additional wastes from the manufacture of paint.

Timetable:

Action	Date	FR Cite
NPRM	04/00/86	10000
Final Action	08/00/87	

Small Entity: No

Additional Information: SAR No. 2220.

FTS:8-475-6725

Agency Contact: Robert Scarberry, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 475-6725

RIN: 2050-AB17

133. DIDENTIFICATION AND LISTING OF HAZARDOUS WASTES: PETROLEUM REFINERY WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will determine the need and propose for listing Petroleum Refinery Wastes as hazardous.

Timetable:

Action	Date	FR Cite
Listing Decision	03/00/86	Non-Landy and
NPRM -	09/00/86	

Small Entity: No

Additional Information: SAR No. 2226.

FTS:8-382-4791

Agency Contact: Benjamin Smith, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC, 202 382-4791

RIN: 2050-AB24

134. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: LISTING OF COKE BY-PRODUCT WASTES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will determine whether EPA should list coke by product production wastes as hazardous.

Action	Date	F
Timetable:		150

Listing Decision 01/00/86

Small Entity: No

Additional Information: SAR No. 2227.

FTS:8-475-6725

Agency Contact: Robert Scarberry, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC, 202 475-6725

RIN: 2050-AB25

135. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTE INORGANIC CHEMICALS INDUSTRY PRODUCTION

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912 /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA

CFR Citation: 40 CFR 261.32

Abstract: This action will determine whether to list production wastes from the manufacture of inorganic chemicals.

Timetable:

Action Date FR Cite	
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Listing Decision 01/00/86

Small Entity: No

Additional Information: SAR No. 2235.

FTS 382-4775

Agency Contact: Edwin F. Abrams, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4775

RIN: 2050-AB32

136. ● HAZARDOUS WASTE EXPORTS

Legal Authority: RCRA as Amended by HSWA 245

CFR Citation: 40 CFR 260; 40 CFR 262; 40 CFR 271

Abstract: The primary purpose of the Exports regulation is for EPA to; formally notify foreign governments of exports of hazardous waste to their country, receive confirmation of approval or disapproval and formally notify the U.S. exporter. A notification of approval by EPA must accompany each waste shipment. Only a few hundred shipments of hazardous waste are exported annually, none by small entities.

Timetable:

R Cite

Action	Date	FR Cite
NPRM	07/00/85	Deal Marie
Interim Final Rule	08/00/85	
Final Action	05/00/86	

Small Entity: No

Additional Information: SAR No. 2208.

FTS:8-382-2217

Agency Contact: Carolyn Barley, Environmental Protection Agency, Solid Waste and Emergency Response, (WH 563), Washington, DC, 202 382-2217

RIN: 2050-AB13

137. STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES: WASTE OIL

Priority: Major

Legal Authority: 42 USC 6921 / RCRA 3001; 42 USC 6932 / RCRA 3002

CFR Citation: 40 CFR 266

Abstract: Pursuant to the requirements of the Used Oil Recycling Act (incorporated into RCRA by amendments in 1980 and 1984), the Agency is evaluating what types of regulatory controls should apply to the re-use and re-cycling of used oil. EPA will propose regulations based on these evaluations. In addition, the has proposed on January 11, 1985 interim controls including notification requirements for facilities that blend, distribute, and burn used oil fuel sold to non-industrial boiler owners.

Timetable:

Action	Date		FR	Cite
NPRM	12/18/78	43	FR	58946
RPRM	08/00/85			
Final Action	11/00/85			

Small Entity: Yes

Additional Information: SAR No. 1713.

Docket No. 3012.

FTS:8-382-7917.

Analysis: RIA, RFA

Agency Contact: Michael Petruska, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-7917

RIN: 2050-AA00

138. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: HEXAVALENT CHROMIUM MODIFICATION (REVISION)

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.24

Abstract: This action modifies the hazardous waste characteristics of extraction procedure (EP) toxicity. It amends the existing regulation (which regulates on the basis of total chromium) to a standard based on hexavalent chromium (CR (+6)). Recent studies indicate that Cr(3+) in water will convert to Cr (+6) if the water is chlorinated under conditions employed for disinfection purposes. Pending publication of a report on this study and review of public comments, no action will be taken on this proposal.

Timetable:

Action	Date	FR Cite
NPRM	10/30/80	45 FR 72029
Publication of Report	03/00/86	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1761.

Docket No. 3001.

FTS:8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA06

139. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: REVISE AND EXPAND SOLVENT LISTINGS (REVISION)

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261.31; 40 CFR 261.32

Abstract: These listings will expand the present F001-F005 hazardous waste listings. EPA will also resolve the issue of which solvent mixtures should be regulated.

EPA-RCRA

Current and Projected Rulemakings

Timetable:				
Action	Date	FR Cite		
NPRM	08/00/85			
Final Action	08/00/86			

Small Entity: Undetermined

Additional Information: SAR No. 1858.

Docket No. 3001

FTS:8-382-4797.

Agency Contact: Jacqueline Sales. Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4807

RIN: 2050-AA09

140. IDENTIFICATION AND LISTING
OF HAZARDOUS WASTES:
RESIDUALS FROM PRODUCTION OF
C1-C6 CHLORINATED ALIPHATIC
COMPOUNDS (REVISION)

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002'

CFR Citation: 40 CFR 261.32

Abstract: This action will add to the list of hazardous wastes the organic residuals from the production of chlorinated aliphatic hydrocarbons having chain lengths of one to five. This action also proposes to add additional organic residuals from the production of chlorinated aliphatic hydrocarbons to the list of hazardous waste.

Timetable:

Action	Date		FR	Cite
NPRM	02/10/84	49	FR	5313
Interim Final Rule	02/10/84	49	FR	5308
Final Action	11/00/85			

Small Entity: No

Additional Information: SAR No. 1854.

Docket No. 3001.

FTS:8-382-4761.

Agency Contact: Cate Jenkins, Environmental Protection Agency, Solid Waste and Emergency Response, Washington, DC 20460, 202 382-4788

RIN: 2050-AA11

141. RCRA SMALL QUANTITY GENERATOR RULE (REVISION)

Priority: Major

Legal Authority: 42 USC 6921 / RCRA

CFR Citation: 40 CFR 261.5

Abstract: Currently under Part 261 small generators of less than 1000 kilograms per month are exempt (although for certain more hazardous waste there are lower cut-off points). The Agency has begun a two-year study of alternatives which will result in an amendment to the current rule and proposal of a new set of standards applicable to small quantity generators. Congress, in amending RCRA, has lowered the 1000 kg/mo exemption which causes significantly more small businesses to come under the RCRA regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
Final Action	03/00/86	

Small Entity: Yes

Additional Information: SAR No. 1935.

FTS:8-382-4807.

Analysis: RFA; Final RIA 00/00/00; Draft RFA 00/00/00

Agency Contact: Bernard Stoll, Environmental Protection Agency, Solid Waste and Emergency Response, [WH-562B], Washington, DC 20460, 202 382-4761

RIN: 2050-AA59

142. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DIMETHYLHYDRAZINE MANUFACTURING WASTE

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by adding waste from the manufacture of dimethylhydrazine.

Timetable:

Action	Date	FR Cite
NPRM	12/20/84	49 FR 49556
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 1954. FTS:8-382-4761.

Agency Contact: Cate Jenkins.

Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4788

RIN: 2050-AA61

143. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: ORGANOBROMINE MANUFACTURING WASTES (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the production of ethylene dibromide (EDB).

Timetable:

Action	Date	FR	Cite
NPRM	11/08/84	49 FR	44718
Interim Final Rule	03/00/86		

Small Entity: No

Additional Information: SAR No. 1862.

FTS:8-382-4761.

Agency Contact: Wanda Le Bleu-Biswas, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5096

RIN: 2050-AA62

144. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: TOLUENE DIISOCYANATE MANUFACTURING WASTES

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing additional wastes from the manufacture of toluene diisocyanate.

Timetable:

Action	Date		FR	Cite
NPRM	05/08/84	49	FR	19608
Final Action	10/00/85			

Small Entity: No

Additional Information: SAR No. 1955.

FTS:8-382-4761.

Agency Contact: Wanda Le Bleu-Biswas, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5096

RIN: 2050-AA63

145. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DIMETHOATE, METHOMYL, AND FAMPHUR

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261

Abstract: The Agency is proposing to amend its regulations under RCRA to change the hazard class under which certain discarded commercial chemical products are listed, specifically the categorization of waste dimethoate, methomyl, and famphur.

Timetable:

Action	Date		FR	Cite
NPRM	10/03/83	48	FR	45210
Final Action	04/00/86			

Small Entity: No

Additional Information: SAR No. 1944.

FTS:8-382-4798.

Agency Contact: Alan S. Corson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA64

146. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: CARBAMATE MANUFACTURING WASTES (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous waste by listing wastes from the manufacture of ethylene (bis)dicarbamate. (EDBC).

Timetable:

Action	Date		FR	Cite
NPRM	12/20/84	49	FR	49562
Final Action	04/00/86			

Small Entity: No

Additional Information: SAR No. 1861.

FTS:8-382-4761.

Agency Contact: Howard Fribush, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-4761

RIN: 2050-AA65

147. HAZARDOUS WASTE AS FUELS: ADMINISTRATIVE STANDARDS

Legal Authority: 42 USC 6924 / RCRA 3001, 3002, 3004, 3007, 3010, 3012

CFR Citation: 40 CFR 264

Abstract: Burning of hazardous waste in boilers for the purpose of heat recovery is currently exempt from regulation under RCRA. The Hazardous and Solid Waste Amendments of 1984 require the Agency to regulate the burning and blending of hazardous waste fuels. This regulation will set specifications for used oil fuel and prohibit the burning of hazardous waste and off-spec used oil in residential, commercial and institutional boilers. The regulations will also establish notification manifest and recordkeeping procedures for industrial boilers and furnaces burning hazardous waste and off-spec used oil.

Timetable:

Action	Date	FR Cite
NPRM	01/11/85	50 FR 1684
Final Action	10/00/85	
Notification Requirements	02/00/86	

Small Entity: No

Additional Information: SAR No. 2079.

FTS-8-382-7917.

Contains previous RIN 2050-AA29 (Standards for Owners/Operators of Waste Facilities: Boilers) (Revision)

Agency Contact: Karen Walker, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565A), Washington, DC 20460, 202 382-

RIN: 2050-AA74

7917

148. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: TOXICITY CHARACTERISTIC MODIFICATION

Priority: Major

Legal Authority: 42 USC 6921 / RCRA

CFR Citation: 40 CFR 261

Abstract: A number of chemicals will be selected that pose a health hazard such as CAG carcinogens, pesticides, and compounds found to cause damage (these chemicals and concentration levels will be added to the toxicity characteristics). Using ADI's and CAG risk values, waste concentration values would be derived which would yield hazardous exposure levels. This revision would require that each waste generator assess this waste to determine if the waste exhibits this toxicity characteristic; a positive finding would then require its management as a hazardous waste.

Timetable:

Action	Date	FR
NPRM	10/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2062.

Cite

FTS-8-382-4770.

Analysis: RIA

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA78

149. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DELISTING PROCEDURES (REVISION)

Legal Authority: 42 USC 6921 / RCRA

CFR Citation: 40 CFR 260.22

Abstract: Under the current waste regulations, a listed waste can be excluded (delisted) from the list of hazardous waste if it can be demonstrated that the waste is non-hazardous based entirely on the factors and constituents of concern used by the Agency to list the waste. This amendment would allow the Agency to consider factors other than those for which the waste was listed if it is reasonable to believe that such additional factors could cause the waste to be a hazardous waste.

Timetable:

Tillicanoic,		
Action	Date	FR Cite
NPRM	05/00/85	PATRIAL IS
Final Action	08/00/86	

Small Entity: No

Additional Information: SAR No. 2043.

EPA-RCRA

Current and Projected Rulemakings

FTS-8-382-4805.

Includes previous RIN 2050-AA02.

Agency Contact: Myles Morse, Environmental Protection Agency, Solid Waste and Emergency Response, [WH-565B], Washington, DC 20460, 202 382-4805

RIN: 2050-AA81

150. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: TEST METHODS FOR HAZARDOUS WASTE (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001; 42 USC 6924 / RCRA 3004; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action updates the RCRA manual of approved test methods (test methods for Evaluating Solid Waste, SW-846) with respect to methods for ground water and incinerator monitoring. This action would codify the guidance given to the regulated community by requiring that these methods be used in all aspects of the RCRA program. At present the tests are required, as appropriate, for hazardous waste definition and for incinerator stack monitoring (for example, ground water monitoring and petitions for exclusion from regulation).

Timetable:

Action	Date		FR	Cite
NPRM	10/01/84	49	FR	38786
Final Action	05/00/86.			

Small Entity: No

Additional Information: SAR No. 2068.

FTS-8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA82

151. SCHEDULE FOR REVIEWING WASTES FOR POSSIBLE LAND DISPOSAL RESTRICTION

Legal Authority: 42 USC 6921 /RCRA 3001; 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 264

Abstract: This action would set forth the Agency's schedule for reviewing hazardous wastes to determine if they should be restricted from land disposal. This schedule will identify when the Agency intends to review each hazardous waste listed in 40 CFR Part 261.

Timetable:

Action	Date		FR	Cite
ANPRM	02/00/84	49	FR	5854
NPRM	10/00/86			

Small Entity: Undetermined

Additional Information: SAR No. 2168.

FTS: 8-382-4770.

This action was split off from RIN 2050-AA30.

Agency Contact: Susan Bromm, Program Manager, Environmental Protection Agency, Solid Waste and Emergency Response, WH-562B, Washington, DC20460, 202 382-4770

RIN: 2050-AA97

152. O CODIFICATION RULE FOR THE L984 RCRA AMENDMENTS

Legal Authority: 42 USC 6901 /RCRA as amended by HSWA

CFR Citation: 40 CFR 260 to 271; 40 CFR 122 to 124

Abstract: The purpose of the rule is to codify those requirements specified by the 1984 amendments to RCRA which take effect immediately upon enactment. The new regulatory provisions will, for the most part, duplicate the language of the statue. The intent of this regulation is not to substantively elaborate on these statutory provisions, but rather to introduce the new statutory language verbatim, to the extent possible, into the existing regulatory framework. The need for the codification rule is threefold:

- (I) By replacing the new statutory requirements in the context of our existing regulatory standards, we can eliminate confusion in the regulated community.
- (2) By providing public notice of these changes through publication in the Federal Register the Agency ensures that there will be a sufficient notice for enforcement purposes.
- (3) These regulations provide a framework to support the development of elaborative guidance documents and future rulemakings.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2187.

FTS:8-382-5864

Agency Contact: Michael Cook, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC, 202 382-5864

RIN: 2050-AB23

153. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: LABORATORY WASTE LISTING

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action will create generic listings for hazardous wastes managed in lab packs (in accordance with 40 CFR Part 264), thereby significantly reducing the recordkeeping and reporting burden on generators of lab packs.

Timetable:

Date	FR Cite
09/00/85	
09/00/86	
	09/00/85

Small Entity: No

Additional Information: SAR No. 2228.

FTS 382-4770

Agency Contact: Susan E. Bromm, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AB26

154. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: EP TOXICITY

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action develops and improves procedures suitable for estimating the mobility of organic toxicants in a landfill leachate if the

waste is codisposed with sanitary refuse.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: No

Additional Information: SAR No. 2231.

FTS 382-4770

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC, 202 382-4770

RIN: 2050-AB29

155. HAZARDOUS WASTE MANAGEMENT: MISCELLANEOUS AND EXPERIMENTAL UNITS

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 266

Abstract: General performance requirements will be established for hazardous waste management units which 40 CFR part 264 does not currently address. These types of facilities include deep mines, silos, salt mines, thermal treatment units, and open detonation units. This action will also create performance requirements for facilities engaging in hazardous waste research activities. EPA's objective is to encourage research and development of hazardous waste management technology while assuring environmental protection.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	
Final Action	09/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1817.

Docket No. 3004.

FTS:8-382-4654.

Agency Contact: Robert Tonetti, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-4654

RIN: 2050-AA23

156. RESTRICTION OF LAND
DISPOSAL OF CERTAIN HAZARDOUS
WASTES: SOLVENTS, DIOXINS AND
ESTABLISHING THE FRAMEWORK
FOR EPA'S LAND DISPOSAL
PROGRAM

Priority: Major

Legal Authority: 42 USC 6924 / RCRA

3004

CFR Citation: 40 CFR 268

Abstract: This rule establishes the framework for EPA's land disposal restrictions program including setting treatment standards for hazardous wastes prior to land disposal, procedures for filing petitions for ban exemptions, criteria for setting effective dates for bans, and procedures for case-by-case effective date extensions. It will also include decisions for solvents wastes (EPA waste codes F001- F005) and dioxin containing wastes (EPA waste codes FO21-FO23 and FO26-FO28).

Timetable:

Action	Date		FR	Cite
ANPRM	02/15/84	49	FR	5854
NPRM	11/00/85			
Final Action	11/00/86			

Small Entity: Undetermined

Additional Information: SAR No. 1878.

Docket No. 3001. FTS:8-382-4770.

Analysis: RIA

Agency Contact: Susan Bromm, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA30

157. STANDARDS FOR OWNERS/OPERATORS OF HAZARDOUS WASTE FACILITIES: LIQUIDS AND LANDFILLS (REVISION)

Legal Authority: 42 USC 6924 / RCRA

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: The Agency will publish a test protocol that will be used to determine the presence of free liquids in waste materials that are to be landfilled. The Agency will also promulgate final rules for containers holding liquid hazardous waste.

Т					

Action		Date	40	FR	Cite
NPRM	100	02/25/82	47	FR	8307
Interim Final Rule		03/22/82	47	FR	12316
Final Action	83	05/00/85			

Supplemental Timetable: Containers

Final Action 02/00/86

Small Entity: No

Additional Information: SAR No. 1843.

Docket No. 3004.

FTS:8-382-4682.

Agency Contact: Paul Cassidy, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-564), Washington, DC 20460, 202 382-4682

RIN: 2050-AA34

158. CONSOLIDATED PERMITS: CLASS PERMITS

Priority: Task Force

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 122; 40 CFR 124; 40 CFR 264; 40 CFR 266

Abstract: This regulation will amend EPA's hazardous waste management permitting regulations by establishing a class permit application form for use by facilities whose only activity subject to RCRA permitting consists of storing in above-ground tanks or containers hazardous wastes that have been generated on-site. Promulgation of this rule would expedite the permitting process for this class of facility. This is the first RCRA class/permit the Agency will issue.

Timetable:

Action	Date	FR	Cite
NPRM	07/20/84	49 FR	29524
Final Action	09/00/85		

Small Entity: No

Additional Information: SAR No. 1844.

Docket No. 3005.

FTS:8-382-7292.

Agency Contact: Stephen Glomb, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-7917

RIN: 2050-AA36

159. STANDARDS FOR STORAGE OR TREATMENT OF HAZARDOUS WASTE IN TANK SYSTEMS

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: The storage or treatment of hazardous waste in tanks systems raises considerable concern regarding potential risk to health or the environment posed by migration of the waste. The purpose of this action is to develop a more comprehensive regulatory strategy for the proper management of tank systems for storing or treating hazardous waste.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 1957.

FTS:8-382-3081.

Agency Contact: William Kline, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-3081

RIN: 2050-AA57

160. STANDARDS FOR OWNERS/OPERATORS OF WASTE FACILITIES: CORRECTIVE ACTION FINANCIAL RESPONSIBILITY

Priority: Major

Legal Authority: 42 USC 6924 / RCRA 3004/HSWA 208

CFR Citation: 40 CFR 264 H

Abstract: This rule would require owners and operators of hazardous waste disposal facilities to demonstrate financial responsibility for corrective action. Failures to undertake corrective action by owners or operators will result in increasing degradation of groundwater resources and increased clean-up costs to the public. Firms with low net worth may not be able to obtain or afford other financial assurance mechanisms as they are currently structured in 40 CFR Part 264, Subpart H. The Agency is examining the effects of a national fund and restructured financial assurance instruments.

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Action		D

Action	Date	FR	Cite
ANPRM	07/26/82	47 FR	32279
NPRM	10/00/85		
Interim Final Rule	04/00/86		
Final Action	04/00/87		

Small Entity: Yes

Additional Information: SAR No. 1948.

FTS: 8-382-4761.

Analysis: RIA, RFA

Agency Contact: Carole Ansheles, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC 20460, 202 382-4761

RIN: 2050-AA69

161. HAZARDOUS WASTE AS FUELS: TECHNICAL STANDARDS

Priority: Major

Legal Authority: 42 USC 6924 / RCRA

3004, 3005

CFR Citation: 40 CFR 264

Abstract: Burning of hazardous waste in boilers for the purpose of heat recovery is currently exempt from regulation under RCRA. The Hazardous and Solid Waste Amendments of 1984 require the Agency to develop technical standards for the burning of hazardous waste fuels. This regulation will establish acceptable situations for use of hazardous waste fuel in industrial boilers and certain industrial furnaces. It will also establish prohibitions, operating parameters, and permit procedures.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	Name of the last
Final Action	11/00/86	

Small Entity: No

Additional Information: SAR No. 2078.

FTS-8-382-7917.

Contains previous RIN 2050-AA29.

Analysis: RIA

Agency Contact: Robert Holloway, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565A), Washington, DC 20460, 202 382-7917

RIN: 2050-AA72

162. LAND DISPOSAL LINER AND LEAK DETECTION REGULATION

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: These amendments to the Agency's interim status and permitting rules may include requirements pertaining to double liner and leachate collection systems for certain units, liner retrofitting, leak detection systems, construction quality, assurance plans, removable coupons, and leachate level monitoring.

Timetable:

Action	Date	FR Cite
NPRM	04/00/86	
Final Action	04/00/87	

Small Entity: No

Additional Information: SAR No. 2080.

FTS-8-382-4654.

Includes previous RINs 2050-AA21, 2050-AA50, and 2050-AA52.

Analysis: RIA

Agency Contact: Robert Tonetti, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-505), Washington, DC 20460, 202 382-4654

RIN: 2050-AA76

163, STANDARDS FOR OWNERS AND OPERATORS OF WASTE FACILITIES: CLOSURE AND POST-CLOSURE CARE (REVISION)

Legal Authority: 42 USC 6924 /RCRA 3004; 42 USC 6925 /RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: The Agency is planning revisions to the existing Subpart G and H regulations in accordance with the terms of the American Iron and Steel Institute (AISI) litigation. In addition, the revisions will clarify ambiguous language in the current regulations. Failure to promulgate these revisions directly violates the AISI settlement agreement. Failure to clarify ambiguous language will create problems as the Agency implements those closure and post closure requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	09/00/85	Partition No.

Small Entity: No

Additional Information: SAR No. 2165.

FTS: 8-382-4670.

Agency Contact: Susan Hughes, Environmental Protection Agency, Solid Waste and Emergency Response, WH562B, Washington, DC 20460, 202 382-4670

RIN: 2050-AB00

164. ● ALTERNATE CONCENTRATION LIMITS (ACL)

Legal Authority: 42 USC 6924 /RCRA3004

CFR Citation: 40 CFR 264

Abstract: Alternative concentration limits (ACLs) provide a variance for RCRA permits that allows for some leakage of hazardous constituents. The present regulations do not allow for the use of man-made hydrogeologic barriers as part of an ACL demonstration. This regulatory amendment would explicitly allow such use.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/86	

Small Entity: No

Additional Information: SAR No. 2223.

FTS-382-4495

Agency Contact: Vernon Myers, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC, 202 382-4495

RIN: 2050-AB20

165. FINANCIAL RESPONSIBILITY FOR CORRECTIVE ACTION: PRIOR RELEASES

Priority: Major

Legal Authority: 42 USC 6901 /RCRA 3004,HSWA 206

CFR Citation: 40 CFR 264

Abstract: The current RCRA regulations require owners/operators of hazardous waste management facilities to demonstrate financial responsibility for the costs of closure and post closure (if applicable) activities. The HSWA require that owners/operators seeking a RCRA permit also demonstrate financial responsibility for completing corrective actions for prior releases. OSW plans to write implementing regulations using the financial

instruments in the current hazardous waste regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	L. Bristolery
Final Action	01/00/87	

Small Entity: No

Additional Information: SAR No. 2225.

FTS:8-382-4761

Agency Contact: Carole Ansheles, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC, 202 382-4761

RIN: 2050-AB22

166. ● USE OF APPENDIX VIII FOR GROUNDWATER MONITORING

Legal Authority: 42 USC 3251/RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: The Appendix VIII of 40 CFR Part 26l is a list of hazardous constituents presently referenced in 40 CFR Part 264 and 265 for use in groundwater monitoring. This proposed amendment would modify the list for the purposes of this use.

Timetable:

Action	Date	FR Cite			
NPRM	08/00/86				
Final Action	10/00/87				
Final Action					

Small Entity: No

Additional Information: SAR No. 2229.

FTS 382-4645

Agency Contact: Dr. Robert W. April, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC, 202 382-4654

RIN: 2050-AB27

167. CONSOLIDATED PERMITS: MINOR MODIFICATIONS TO EXISTING RCRA PERMITS (REVISION)

Legal Authority: 42 USC 6925 / RCRA

CFR Citation: 40 CFR 270.42

Abstract: Existing regulations allow EPA to make specified minor modifications to existing RCRA permits without going through the draft permit and public participation procedures required to make more substantial changes to permits. Under the settlement agreement in NRDC v EPA.

EPA is proposing an amendment which would expand the kinds of permit modifications that qualify as minor modifications and thus are exempt from most procedural requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/15/84	49 FR 9850
Final Action	02/00/86	

Small Entity: No

Additional Information: SAR No. 1805.

Docket No. 3005.

FTS:8-382-4500.

Agency Contact: Brain Wilson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, 202 382-4534

RIN: 2050-AA37

168. CONSOLIDATED PERMITS: DURATION OF PERMITS FOR HAZARDOUS WASTE FACILITIES (REVISION)

Legal Authority: 42 USC 6925 / RCRA 3005; 42 USC 6926 / RCRA 3006

CFR Citation: 40 CFR 123; 40 CFR 264; 40 CFR 270.50

Abstract: Existing EPA regulations provide that EPA-issued permits for hazardous waste treatment, storage and disposal facilities are effective for a fixed term not to exceed ten years. Under the settlement agreement in NRDC v EPA, EPA is proposing to revise the regulation by making permits effective for the designed operating life of the facility. Permit terms for land disposal facilities would include the post-closure care period as well. EPA would also increase opportunities for the Agency to modify permits during their term. Section 3005(e) of RCRA was amended to prohibit the issuance of Lifetime permits. The Agency is proceeding to develop regulations on permit modifications.

Timetable:

Action	Date		FR	Cite
NPRM	02/08/83	48	FR	5872
Final Action	05/00/85			

Small Entity: No

Additional Information: SAR No. 1806.

Docket No. 3005.

FTS:8-382-4535.

Agency Contact: Bryan Wilson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, 202 382-4534

RIN: 2050-AA38

169. AMENDMENT TO STATE PROGRAM CAPABILITY REQUIREMENTS

Legal Authority: 49 USC 6926 / RCRA

CFR Citation: 40 CFR 271.16

Abstract: This action will amend 40 CFR 271.16 to require a State either to have administrative penalty authority or to request that EPA use its administrative penalty authority when warranted. The new requirements would apply to States that have received final authorization by operation of the "money target" rule, which will provide that a State has a year (two years of a statute must be changed) to comply with federal regulations promulgated after the State obtained final authorization.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	THE REAL PROPERTY.

Small Entity: No

Additional Information: SAR No. 2158.

FTS: 8-382-4823.

Agency Contact: Anthony M.
Montrone, Environmental Protection
Agency, Solid Waste and Emergency
Response, WH-527, Washington, DC
20460, 202 382-4823

RIN: 2050-AB01

170. • STREAMLINING APPROVAL OF STATE PROGRAM REVISIONS

Legal Authority: 42 USC 6926 /RCRA

CFR Citation: 40 CFR 271

Abstract: The Hazardous and Solid Waste Amendments of 1984 (HSWA) result in a number of amendments to the Federal regulations at various intervals. Currently, each time any Federal regulatory amendment is made, authorized States must revise their programs in accordance with one of two procedures in 40 CFR 271.21 -- depending on whether the revision was considered "substantial" or "non-substantial"—in order to retain

authorization. This revision to 40 CFR
Part 271.21 would streamline the
process for EPA review and approval of
proposed State program revisions by
eliminating the "substantial" distinction
and replacing the two review
procedures with one.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	STATE OF THE PARTY.
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2206.

FTS-382-2201

Agency Contact: Truett V. DeGeare, Environmental Protection Agency, Solid Waste and Emergency Response, (WH563), 202 382-2201

RIN: 2050-AB11

171. GUIDELINE FOR FEDERAL PROCUREMENT OF PAPER AND PAPER PRODUCTS CONTAINING RECOVERED MATERIALS

Legal Authority: 42 USC 6962 / RCRA

CFR Citation: 40 CFR 250

Abstract: This action is a requirement and necessary precedent to the implementation of affirmative recycled paper procurement programs. It would encourage the recovery of post consumer recovered materials and reduce the volume of solid waste.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	03/00/86	

Small Entity: No

Additional Information: SAR No. 2011.

FTS: 8-382-2550.

Agency Contact: Pat Fox.

Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565 A), Washington, DC 20460, 202 465-6672

RIN: 2050-AA68

172. HAZARDOUS WASTE
MANAGEMENT SYSTEM: INTERIM
STATUS STANDARDS FOR OWNERS
AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE AND
DISPOSAL FACILITIES: CONFORMING
CHANGES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 265

Abstract: This rulemaking action makes several conforming changes to the Part 265 interim status standards to provide consistency with the Part 264 permitting requirements. The regulation modifies the following portions of the interim status standards for surface impoundments, landfills, and land treatment units:

A. Surface Impoundments - General Operating Requirements

B. Landfill Closure and Post-closure Care

C. Surface Impoundments - Ignitable or Reactive Waste

D. Landfills - Special Requirements for Containers

E. Land Treatment - Interpretation of "Treatment."

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	Barrier

Small Entity: No

Additional Information: SAR No. 2159.

FTS: 8-382-4654.

Agency Contact: Kent Anderson, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565E, Washington, DC 20460, 202 382-4654

RIN: 2050-AA98

173. • NOTIFICATION FORM FOR UNDERGROUND TANKS

Legal Authority: 42 USC 6992 /RCRA 9002

CFR Citation: 40 CFR 280

Abstract: The HSWA requires owners of underground storage tanks holding regulated substances to notify state agencies by March 7, 1986 of the existence of these tanks; specifying the age, size, type, location, and use of the tank. EPA is required to prescribe a notification form to receive the

Current and Projected Rulemakings

information. EPA will develop a rule that identifies those who must notify, the procedure for filing the notifications, and their content. The rule will also prescribe a form that must be used by tank owners unless the state where the tank is located has its own form that incorporates the same information.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2209.

FTS-382-7917

Agency Contact: Virginia Garelick, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC, 202 382-7917

RIN: 2050-AB14

174. • LEAKING UNDERGROUND STORAGE TANKS: PERFORMANCE STANDARDS FOR NEW TANKS

Priority: Major

Legal Authority: 42 USC 6993 /RCRA 9003

CFR Citation: 40 CFR Not yet determined

Abstract: This regulation will establish performance standards for new tanks holding petroleum and other hazardous substances. These new tank regulations will at least include new tank design, construction, installation, release detection, and compatibility standards. EPA will conduct a regulatory flexibility analysis to determine the impacts of this rule on small business entities. This rule will, for the first time, establish national performance standards for new underground tanks storing regulated substances, including petroleum products. It will apply to underground tanks storing hazardous wastes, which are already regulated under Subtitle C of RCRA.

Timetable:

Action	Date	FR Cite
NPRM	02/00/86	
Final Action	02/00/87	

Small Entity: Undetermined

Additional Information: SAR No. 2202

FTS:8-382-7917

Agency Contact: David O'Brien,
Environmental Protection Agency, Solid
Waste and Emergency Response (WH-

Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-7917

RIN: 2050-AB04

175. • LEAKING UNDERGROUND STORAGE TANKS: REGULATIONS FOR EXISTING TANKS

Priority: Major

Legal Authority: 42 USC 6993 /RCRA

CFR Citation: 40 CFR "Not yet determined"

Abstract: This regulation will establish, under Subtitle I of RCRA, requirements for leak detection, prevention, and closure of underground tanks holding petroleum and other regulated substances. Because of the large size of the regulated community, this rule could impact a significant number of small business entities and a Regulatory Flexibility Analysis would be conducted by EPA. Promulgation of this rule, will, for the first time, establish national requirements for the storage of regulated substances, including, petroleum products in underground tanks. It will not apply to underground tanks storing hazardous wastes, which are currently regulated under Subtitle C of RCRA.

Timetable:

Action	Date	FR Cite
NPRM	02/00/86	The state of the s
Final Action	02/00/87	
6 H F 111	THE PARTY OF	

Small Entity: No

Additional Information: SAR No. 2221.

FTS 382-7917

Agency Contact: David O'Brien, Environmental Protection Agency, Solid Waste and Emergency Response, (WH565), Washington, DC, 202 382-7917

RIN: 2050-AB18

176. INTERPRETIVE RULE FOR THE LUST INTERIM PROHIBITION

Legal Authority: 42 USC 6993 /RCRA as amended by HSWA section 9003(g)

CFR Citation: 40 CFR "Not yet determined"

Abstract: This interpretive rule will present EPA's interpretation of the

terms of the Interim Prohibition. Terms such as "operational life", "compatibility", and "cathodic protection" will be defined in this document. In addition, guidance will be provided on how to comply with the provisions of the Interim Prohibitions. Examples will be provided of design features and systems which are acceptable under the prohibition as well as those that are not acceptable.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/85	E TOUR

Small Entity: No

Additional Information: SAR No. 2222.

FTS:8-475-6673

Agency Contact: Stephen Nacht, Environmental Protection Agency, Solid Waste and Emergency Response, (WH 565), Washington, DC 20460, 202 475-6673

RIN: 2050-AB19

177. © REQUIREMENTS FOR AUTHORIZATION OF STATES: UNDERGROUND STORAGE TANK PROGRAMS

Legal Authority: 42 USC 3251 /RCRA 9004 as amended by HSWA

CFR Citation: 40 CFR "Not yet deter-

Abstract: The Hazardous and Solid Waste Amendments of 1984 (HSWA) allow EPA to approve State underground storage tank programs to operate in lieu of the Federal program. This rule will establish the requirements for the EPA approval of such State programs.

Timetable:

Action	Date	FR Cite
NPRM	03/00/86	
Final Action	02/00/87	

Small Entity: No

Additional Information: SAR No. 2234.

FTS:8-382-2210

Agency Contact: Truett V. DeGeare, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-382-2210), Washington, DC 20460, 202 382-2210

RIN: 2050-AB31

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Resource Conservation and Recovery Act (RCRA)

178. REVIEW OF GROUNDWATER MONITORING

Legal Authority: 42 USC 6921 / RCRA

CFR Citation: 40 CFR 265

Abstract: EPA is reviewing the interim status groundwater monitoring requirements for hazardous waste facilities that manage wastes in surface impoundments, in landfills or through land treatment. One purpose of this review is to determine whether the groundwater monitoring procedures succeed in identifying which facilities are adversely affecting groundwater. Another purpose is to review how useful the data is for EPA and other agencies. EPA will determine whether the resource burdens imposed on these facilities are justified by the expected benefits of the monitoring program.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	The state of
End Review	05/00/85	STREET,

Small Entity: No

Additional Information: SAR No. 1810.

FTS: 8-382-4761

REVIEW AUTHORITY: Paperwork Reduction Act.

Reduction Act.

Agency Contact: Bernard Stoll,

Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC 20460, 202 382-4761

RIN: 2050-AA89

179. REVIEW OF STANDARD LANDFILLS FOR OWNERS/OPERATORS OF WASTE FACILITIES

Priority: Task Force

Legal Authority: 42 USC 6924 / RCRA

CFR Citation: 40 CFR 264

Abstract: At the request of the President's Task Force on Regulatory Relief, EPA is reviewing all land requirements for hazardous waste storage, treatment and disposal facilities. EPA will complete a RIA of alternatives, environmental benefits, costs and impacts before promulgating final land disposal regulations. EPA intends to use this analysis in making modifications to the liner standard [RIN 2050-AA76). There will be a final report on this review, available when the proposed rule is published in the Federal Register 4/86. The review will not be completed until the final rule is published 4/87.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/83	relian
End Review	02/00/87	

Small Entity: Yes

Additional Information:

FTS: 8-382-2791.

REVIEW AUTHORITY: EO 12291, Regulatory Flexibility Act.

Agency Contact: Cliff Rothenstein, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-

RIN: 2050-AA50

Existing Regulations Under Review

180. REVIEW OF STANDARDS FOR OWNERS/OPERATORS OF WASTE FACILITIES: INCINERATORS

Priority: Task Force

Legal Authority: 42 USC 6924 / RCRA

3000

CFR Citation: 40 CFR 264

Abstract: At the request of the President's Task Force on Regulatory Relief, EPA is reviewing all incineration requirements for hazardous waste incineration facilities. EPA will complete an RIA on regulatory alternatives, environmental benefits, risks, costs and impacts of the present regulations prior to any revisions or final regulations.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/82	Helinala
End Review	07/00/85	

Small Entity: Yes

Additional Information:

FTS:8-382-7927.

REVIEW AUTHORITY: EO 12291, Regulatory Flexibility Act.

Analysis: Final RIA

Agency Contact: Dale Ruhter,

Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-2791

RIN: 2050-AA53

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Resource Conservation and Recovery Act (RCRA)

Completed Actions

COMPLETED RULEMAKINGS 181. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: DEFINITION OF SOLID WASTE (REVISION)

CFR Citation: 40 CFR 261.2; 40 CFR 261.6

Completed:

 Reason
 Date
 FR Cite

 Final Action
 01/04/85
 50 FR 614

Small Entity: No

Agency Contact: Matthew Straus 202 382-4770

RIN: 2050-AA03

182. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: CHLORINATED DIOXINS AND CHLORINATED DIBENZOFURANS (REVISION)

CFR Citation: 40 CFR 261.31; 40 CFR 261.32

Completed:

Reason Date FR Cite
Final Action 01/14/85 50 FR 1978

Small Entity: No

Agency Contact: Judith Bellin 202 382-

RIN: 2050-AA10

EPA-RCRA

Completed Actions

183. PERSONS MANAGING RECYCLED HAZARDOUS WASTES (REVISION)

CFR Citation: 40 CFR 261.6(b)

Completed:

Reason Date FR Cite

Combined with Definition of

Solid Waste (RIN 2050-AA03)

Small Entity: No

Agency Contact: Matthew Straus 202

382-4761

RIN: 2050-AA56

184. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DEFINITION OF HOUSEHOLD WASTE (REVISION)

CFR Citation: 40 CFR 261.4(b)(1)

Completed:

 Reason
 Date
 FR Cite

 Final Action
 11/13/84
 49 FR 44978

Small Entity: No

Agency Contact: Filomena Chau 202

382-4797

RIN: 2050-AA60

185. STANDARDS FOR HAZARDOUS WASTE GENERATORS: "SATELLITE" ACCUMULATION OF HAZARDOUS WASTE (REVISION)

CFR Citation: 40 CFR 262.34

Completed:

 Reason
 Date
 FR Cite

 Final Action
 12/20/84
 49 FR 49568

Small Entity: No

Agency Contact: Chaz Miller 202 382-

4535

RIN: 2050-AA13

186. STANDARDS FOR HAZARDOUS WASTE GENERATORS: ALTERNATE MANIFEST (REVISION)

Priority: Task Force CFR Citation: 40 CFR 262 Completed:

Reason Date FR Cite

02/27/85

Postponed due to priorities established by

the Reauthorization

Small Entity: No

Agency Contact: John Thompson 202

382-4697

RIN: 2050-AA16

187. STANDARDS FOR OWNERS/OPERATORS OF WASTE FACILITIES: STORAGE OF IGNITABLE AND REACTIVE WASTE; BUFFER ZONE REQUIREMENTS (REVISION)

CFR Citation: 40 CFR 260; 40 CFR 264;

40 CFR 265 Completed:

Reason Date FR Cite

Postponed 02/27/85 indefinitely due to change in program priorities.

Small Entity: No

Agency Contact: Angela Wilkes 202

382-7938

RIN: 2050-AA32

188. INTERIM STATUS: EXPANSION AND MODIFICATION OF FACILITIES (REVISION)

CFR Citation: 40 CFR 122; 40 CFR 265; 40 CFR 267

Completed:

completed.

Reason Date FR Cite

Postponed work 02/27/85 on this action due to RCRA reauthorization

Small Entity: No

Agency Contact: Deborah Wolpe 202

382-2222

RIN: 2050-AA35

189. ENFORCEMENT OF STATE PERMITS (REVISION)

CFR Citation: 40 CFR 123

Completed:

Reason Date FR Cite

Postponed due 02/27/85 to RCRA reauthorization Small Entity: No

Agency Contact: Deborah Wolpe 202

382-2222

RIN: 2050-AA40

190. EXISTING PORTION CONCEPT IN LAND DISPOSAL REGULATIONS (REVISION)

Priority: Major

CFR Citation: 40 CFR 265

Completed:

Reason Date FR Cite

Combined with 02/27/85 various other RCRA regulations

Small Entity: Undetermined

Agency Contact: Robert Tonetti 202

382-4654

RIN: 2050-AA58

191. STANDARD FOR OWNERS AND OPERATORS OF WASTE FACILITIES: CLOSURE/POST-CLOSURE CARE AND COST ESTIMATES AND FINANCIAL RESPONSIBILITY (REVISION)

CFR Citation: 40 CFR 264; 40 CFR 265 G 40 CFR 265 H

Completed:

Reason Date FR Cite

Combined with 02/27/85 RIN 2050-AA70

Small Entity: No

Agency Contact: Carol Ansheles 202 382-4761

RIN: 2050-AA70

192. LAND DISPOSAL: GROUND-WATER PROTECTION

CFR Citation: 40 CFR 264

Completed:

Reason Date FR Cite

Combined with 02/27/85 RIN 2050-AB27 -

Small Entity: No

Agency Contact: Burnell Vincent 202 382-4658

304-4030

RIN: 2050-AA91

EPA-RCRA

Completed Actions

193. CONSOLIDATED PERMITS: CONSTRUCTION BAN (REVISION)

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124

Completed:			
Reason	Date	FR Cite	
Section 3005(a) of RCRA was amended to prohibit this regulation	02/27/85	To be Torres	

Small Entity: No

Agency Contact: Deborah Wolpe 202

382-2222

RIN: 2050-AA39

[FR Doc. 85-7908 Filed 04-26-85; 8:45 am]

BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Air Act (CAA)

194. NAAQS FOR SULFUR OXIDES

Priority: Major

Legal Authority: 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.4

Abstract: EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for sulfur dioxide. The Agency will revise the standards where appropriate to protect public health and welfare.

Timetable:

Action	Date		FR	Cite
ANPRM	10/02/79	44	FR	56730
NPRM	05/00/85			
Final Action	07/00/86			

Small Entity: Undetermined

Additional Information: SAR No. 1002.

Docket No. OAQPS-79-7.

FTS:8-629-5655.

Analysis: RIA

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research

Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA61

195. NAAQS FOR PARTICULATE MATTER (REVISION)

Priority: Major

Legal Authority: 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.6

Abstract: Particulate matter is one of the major pollutants in the ambient air. EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for particulate matter. The Agency proposes to revise the standards to better protect public tealth and welfare.

Timetable: Action Date FR Cite ANPRM 10/02/79 44 FR 56730 NPRM 03/20/84 49 FR 10408 Final Action 00/00/00

Small Entity: No

Additional Information: SAR No. 1003.

Docket No. A-79-29. FTS:8-629-5655.

Analysis: RIA; Final RIA 00/00/00

Agency Contact: Bruce Jordan,

Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA62

196. NAAQS FOR CARBON MONOXIDE (REVISION)

Priority: Major

Legal Authority: 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.8

Abstract: Carbon monoxide is a major source of air pollution which endangers people with heart and central nervous system diseases, pregnant women and other people (5-12% of U.S. population in all). EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for CO. The Agency will revise the standards where appropriate to protect public health and welfare.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/78	43 FR 56250
NPRM	08/18/80	45 FR 55066
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1001.

Docket No. OAQPS-79-7.

FTS:8-629-5655.

Analysis: RIA

Current and Projected Rulemakings

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA63

197. NAAQS FOR NITROGEN DIOXIDE (REVISION)

Priority: Major

Legal Authority: 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.11

Abstract: EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for nitrogen dioxide. The Agency has proposed to retain the current annual ambient air quality standard for nitrogen dioxide.

Timetable:

Action	Date		FR	Cite
NPRM	02/23/84	49	FR	6866
Final Action	00/00/00			

Small Entity: No

Additional Information: SAR No. 1004.

Docket No. OAQPS 78-9.

FTS: 8-629-5655.

Analysis: RIA

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA64

198. NEW SOURCE REVIEW (REVISION)

Legal Authority: 42 USC 6910 / CAA 110

CFR Citation: 40 CFR 51; 40 CFR 52

Abstract: This action would revise EPA's new source requirements for new major stationary sources in PSD and Nonattainment areas. EPA is taking this action to implement a settlement agreement with Chemical

Manufacturer's Association and other parties who challenged the regulation amendments promulgated on August 7, 1980.

Timetable:

Action	Date	FR Cite
NPRM	08/25/83	49 FR 38742
Final Action	08/00/85	

Small Entity: No

Additional Information: SAR No. 1845.

FTS:8-629-5591.

Agency Contact: Kirt Cox.

Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, 919 541-5591

RIN: 2060-AA68

199. STACK HEIGHT REGULATIONS (REVISION)

Legal Authority: 42 USC 7410 / CAA 110; 42 USC 7423 / CAA 123; 42 USC 7601 / CAA 301

CFR Citation: 40 CFR 51

Abstract: The U.S. Court of Appeals recently ordered EPA to revise the Stack Height Regulations (40 CFR 51) promulgated on February 8, 1982, at 47 FR 5864. Sierra Club and NRDC v. EPA, No. 82-1384 et al. (D.C. Circuit October 11, 1983). EPA and NRDC have requested an extension of the final promulgation date until 5/13/85.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	05/00/85	

Small Entity: No

Additional Information: SAR No. 2103.

FTS: 8-629-5540.

Agency Contact: David Stonefield, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, 919 541-5540

RIN: 2060-AB30

200. AMBIENT AIR QUALITY SURVEILLANCE (REVISION)

Legal Authority: 42 USC 7410 / CAA 110; 42 USC 7601 / CAA 301; 42 USC 7619 / CAA 319

CFR Citation: 40 CFR 58

Abstract: This action will revise Part 58 to clarify and incorporate changes to the regulations deemed appropriate as a result of the past four years of

experience. One of the principal revisions will propose allowing 120 days after the end of each quarter instead of the current 90 days for the submittal of National Air Monitoring System (NAMS) air quality and precision data to EPA. The 90 days were too short a time period to properly validate the air quality data. Another revision will propose to use the 1980 census data and urbanized area boundaries instead of the 1970 values for network design and evaluation purposes.

Timetable:

Action	Date		FR	Cite
NPRM	03/08/85	50	FR	9538
Final Action	10/00/85			

Small Entity: No

Additional Information: SAR No. 2102.

FTS: 8-629-5651.

Agency Contact: Stanley F. Sleva, Environmental Protection Agency. Air and Radiation, MD-14, Research Triangle Park, NC 27711, 919 541-5651

RIN: 2060-AB47

201. RESTRUCTURE CFR PARTS 51, 52 (REVISION)

Legal Authority: 42 USC 7410 / CAA 110 CFR Citation: 40 CFR 51; 40 CFR 52

Abstract: This rule will revise 40 CFR 51, which specifies the requirements for the adoption, preparation, and submittal of state implementation plans. The revisions will delete obsolete provisions, reduce reporting requirements, and clarify portions. References to Part 51 within Part 52 will be similarly revised. Certain portions of Part 51 such as the PSD provisions will not be restructured at this time.

Timetable:

Action	Date	FR Cite
NPRM Final Action	10/11/83	48 FR 46152

Small Entity: No

Additional Information: SAR No. 1503.

Docket No. A-81-25.

FTS: 8-629-5697.

Agency Contact: Joe Sableski,

Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, 919 541-5697

RIN: 2060-AB49

202. QUALITY ASSURANCE PROCEDURES, APPENDIX F, PROCEDURE 1

Legal Authority: 42 USC 7411 / CAA 111, 42 USC 7414 / CAA; 42 USC 7601 / CAA

Current and Projected Rulemakings

CFR Citation: 40 CFR 60, Appendix F

Abstract: This rule would add quality assurance requirements on gas continuous emission monitoring systems (CEMs) used for compliance. The purpose is to improve data quality and strengthen the basis for decisions made with regard to quality assurance.

Timetable:

Action	Date	FR	Cite
NPRM	03/14/84	49 FR	9676
Final Action	06/00/85		

Small Entity: No

Additional Information: SAR No. 1741.

Docket No. A-80-29.

FTS:8-629-2415.

Agency Contact: Darryl von Lehmden. Environmental Protection Agency, Air and Radiation, (MD-77), Research Triangle Park, NC 27711, 919 541-2415

RIN: 2060-AA09

203. NSPS: STATIONARY INTERNAL COMBUSTION ENGINES

Legal Authority: 42 USC 7411 / CAA 111
CFR Citation: 40 CFR 60, Subpart FF

Abstract: These regulations will require the application of best available demonstrated technology to control nitrogen oxide emissions from stationary diesel and dual-fuel internal combustion engines. Some small oil drilling companies and municipal electric generation facilities may be affected by this standard. EPA will issue separate standards for gas and gasoline-fueled stationary I.C. engines later. The Agency is considering exempting engines with a displacement of less than 560 cubic inches per cylinder.

Timetable:

Action	Date		FR	Cite
NPRM	07/23/79	44	FR	43152
Final Action	00/00/00			

Small Entity: Yes

Additional Information: SAR No. 1008.

Docket No. OAQPS-79-5.

FTS:8-629-5578.

Agency Contact: Doug Bell,

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA11

204, NSPS: SOLVENT DEGREASING

Legal Authority: 42 USC 7411 / CAA 111 CFR Citation: 40 CFR 60, Subpart JJ

Abstract: Some new issues have arisen. and EPA is deciding whether to go forward with this rule.

Timetable:

Action	Date	FR	Cite
NPRM	06/11/80	45 FR	39766
Final Action	00/00/00		

Small Entity: Yes

Additional Information: SAR No. 1010.

Docket No. OAQPS 78-12.

FTS:8-629-5624.

Agency Contact: Fred L. Porter, Environmental Protection Agency, Air and Radiation, (MD-13), Research

Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA12

205. NSPS: PERCHLOROETHYLENE DRY CLEANING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart OO

Abstract: Some new issues have arisen, and EPA is deciding whether to go forward with this rule. Some small perchloroethylene facilities may be affected by this standard.

Timetable:

Action	Date		FR	Cite
NPRM	11/25/80	45	FR	78174
Decision on need for standard expected by	07/00/85			

Small Entity: Yes

Additional Information: SAR No. 1119.

Docket No. A-79-30.

FTS:8-629-5624.

Agency Contact: Doug Bell,

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA14

206. NSPS: VOLATILE ORGANIC LIQUIDS STORAGE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart AAA

Abstract: This standard will control volatile organic compound emissions from the storage of organic liquids. It will affect new, modified or reconstructed VOL storage vessels (including petroleum liquid storage vessels) with capacities of 10.000 gallons or more.

Timetable:

Action	Date	FR Cite
NPRM	07/23/84	49 FR 29698
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 1612.

Docket No. A-80-51.

FTS:8-629-5578.

Agency Contact: Doug Bell,

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA23

207. NSPS: RUBBER PRODUCTS INDUSTRY-TIRE MANUFACTURING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart BBB

Abstract: This standard will control VOC (volatile organic compound) emissions from solvent application during undertread/sidewall cementing, tread end cementing, bead cementing and green tire coating in rubber tire manufacturing plants. It will require use of less solvent or installation of a 75% efficient emission reduction system.

Timetable:

Action	Date	FR	Cite
NPRM	01/20/83	48 FR	2676
Final Action	04/00/85		

Small Entity: No

Additional Information: SAR No. 1615:

Docket No. A-80-9.

FTS:8-629-5578.

Agency Contact: Gilbert Wood,

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA24

208. NSPS: SYNTHETIC ORGANIC CHEMICAL INDUSTRY: AIR **OXIDATION PROCESS**

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart III

Abstract: This regulation will control emissions of volatile organic compounds from the manufacture of synthetic organic chemicals via air oxidation processes.

Timetable:

Action	Date	FR Cite
NPRM	10/21/83	48 FR 48932
Final Action	02/00/86	

Small Entity: No

Additional Information: SAR No. 1618.

FTS:8-629-5578.

Agency Contact: Doug Bell.

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA30

209. NSPS: SOLVENT DEGREASING(111D)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This action will require States to control organic solvent cleaners to reduce emissions of specific organic solvents designated under a separate NSPS action (SAR 1010). This action may impact any manufacturing operations that employ organic solvent cleaners to remove grease and oils from parts prior to assembly. Some new issues have arisen and EPA is deciding whether to go forward with this rule.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	Allers and
Small Entity	: Yes	

Additional Information: SAR No. 1695.

FTS:8-629-5624.

Agency Contact: Fred L. Porter.

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA33

210. NSPS: DISTILLATION **OPERATIONS**

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation will control emissions of volatile organic compounds from modified and reconstructed facilities at petroleum refineries and synthetic organic chemical plants.

Timetable:

Action	Date	FR Cite
NPRM	12/30/83	48 FR 57538
Final Action	02/00/86	

Small Entity: No

Additional Information: SAR No. 1733.

FTS:8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA35

211. NSPS: PETROLEUM REFINERY, FCC REGENERATORS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This standard will require control of sulfur dioxide from fluidized catalytic cracking units.

Timetable:

Action	Date	FR Cite
NPRM	01/17/84	49 FR 2058
Revised NPRM	08/00/85	
Final Action	06/00/86	

Small Entity: No

Additional Information: SAR No. 1736.

FTS:8-629-5624.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA36

212. NSPS: POLYMER AND RESIN MANUFACTURE

Legal Authority: 42 USC 7411 / CAA 111 CFR Citation: 40 CFR 60

Abstract: This rule will control volatile organic compound (VOC) emissions in exhaust streams from polymerization processes in the manufacture of organic polymers and resins.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	09/00/86	

Small Entity: No

Additional Information: SAR No. 1691.

Docket No. A-82-19.

FTS:8-629-5578.

Affected Sectors: Multiple

Agency Contact: Gilbert Wood, Environmental Protection Agency. Air and Radiation. (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA37

213. NSPS: BASIC OXYGEN FURNACES (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60 N

Abstract: This action revises the existing NSPS which controls particulate emissions during air blowing in basic oxygen process furnaces in steel mills. The revision will extend coverage to charging and tapping cycles. This revision will ensure better control of particulate emissions from secondary sources and will remove some ambiguities in the existing standards for primary sources.

Timetable:

Action	Date	FR Cite
NPRM	01/20/83	48 FR 2658
Final Action	05/00/85	

Small Entity: No

Additional Information: SAR No. 1671.

Docket No. A-79-06.

FTS:8-629-5624.

Agency Contact: Doug Bell,

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA72

214. NSPS: KRAFT PULP MILLS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111
CFR Citation: 40 CFR 60, Subpart BB

Abstract: EPA has reviewed this standard and is proposing to make five changes. These revisions would: (1) Exempt black liquor oxidation systems from the standards; (2) revise the existing total reduced sulfur (TRS) standard for smelt dissolving tanks; (3) revise the units of the TRS standard for smelt dissolving tanks; (4) delete the requirement to monitor the combustion temperature in lime kilns, power boilers, or recovery furnaces; and (5) change the frequency of excess emission reports from quarterly to semi-annually.

Timetable:

Action	Date		FR	Cite
NPRM	01/19/84	48	FR	2448
Final Action	10/00/85			

Small Entity: No

Additional Information: SAR No. 1959.

FTS: 8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, N.C. 27711, 919 541-5578

RIN: 2060-AA97

215. NSPS: SEWAGE TREATMENT PLANTS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA has reviewed this standard and determined that revisions to the monitoring, recordkeeping and reporting requirements are warranted. The review assessed the performance and cost of control systems as well as experience in implementing the existing standard, EPA will issue a notice in the Federal Register announcing the results of its review and proposing revisions to the standard.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 2028.

FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB05

216. NSPS: NON-METALLIC MINERALS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Current and Projected Rulemakings

Abstract: The regulation will control particulate emissions from crushing, grinding and handling facilities used in 18 non-metallic mineral industries. Separate standards had earlier been considered for some of these industries such as gypsum manufacture (SAR No. 1673).

Timetable:

Action	Date	FR Cite
NPRM	08/31/83	48 FR 39566
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 1880.

FTS: 8-629-5624.

Agency Contact: Doug Bell,

Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, N.C. 27711, 919 541-5624

RIN: 2060-AB11

217. NSPS: WOOL FIBERGLASS INSULATION

Legal Authority: 42 USC 7411 / CAA 111 CFR Citation: 40 CFR 60

Abstract: This regulation will control particulate emissions from wool fiberglass insulation manufacturing facilities that use the rotary spin forming process.

Timetable:

Action	Date	FR Cite
NPRM	02/07/84	49 FR 4590
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1915.

FTS: 8-629-5624.

Agency Contact: Doug Bell,

Environmental Protection Agency, Air and Radiation, ESES (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AB21

218. NSPS: AUTOMOBILE AND LIGHT-DUTY TRUCK COATING OPERATIONS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111 CFR Citation: 40 CFR 60

Abstract: EPA is revising the NSPS for automobile and light-duty truck coating operations which was promulgated in December 1980 to reflect additional operational data of the best demonstrated prime coat system. This revision of the standard does not reflect a change in the basis of the prime coat standard, but a better understanding of the performance of the prime coat system upon which the standard was originally based.

Timetable:

Action	Date	FR Cite
NPRM	07/29/82	47 FR 32743
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2044.

FTS: 8-629-5624.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB22

219. NSPS: ON-SHORE PRODUCTION FOR VOLATILE ORGANIC COMPOUNDS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation will control volatile organic compounds from new, modified and reconstructed facilities at natural gas processing plants.

Timetable:

Action	Date	FR Cite
NPRM	01/20/84	49 FR 2656
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 2109.

Contains previous RIN 2060-AA34 NSPS: On-Shore Production.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB26

220. NSPS: ON-SHORE PRODUCTION FOR SULFUR DIOXIDE

Legal Authority: 42 USC 7411 / CAA 111 CFR Citation: 40 CFR 60

Abstract: This regulation will control sulfur dioxide compounds from new, modified and reconstructed facilities at natural gas processing plants.

Timetable:

Action	Date	FR	Cite
NPRM	01/20/84	49 FR	2636
Final Action	09/00/85		

Small Entity: No

Additional Information: SAR No. 2110.

Split from previous RIN 2060-AA34--NSPS: On-Shore Production.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB27

221. NSPS: FOSSIL FUEL-FIRED STEAM GENERATORS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111; 42 USC 7601(a)

CFR Citation: 40 CFR 60

Abstract: These revisions to the existing NSPS for large fossil fuel-fired steam generators would establish sulfur dioxide compliance, emission monitoring, and reporting requirements on a 30-day rolling average basis.

Timetable:

Action	Date	FR	Cite
NPRM	10/21/83	48 FR	48960
Final Action	00/00/00		

Small Entity: No

Additional Information: SAR No. 2083.

FTS: 8-629-5578.

Contains previous RIN 2060-AA25 (NSPS: Non-Fossil Fuel Fired Boilers Revision).

Agency Contact: Fred Porter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB29

222. NSPS: INDUSTRIAL BOILERS, S02

Priority: Major

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: Industrial boilers are a major stationary source of sulfur dioxide. EPA is developing performance standards for industrial boilers to achieve continuous emission reduction. The Agency will base emission limits upon the best available system of control, taking costs, environmental impacts and energy requirements into account.

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Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	11/00/86	

Small Entity: No

Additional Information: SAR No. 2075.

FTS: 8-629-5578.

Split from previous RIN 2060-AA22 (NSPS: Industrial Boilers)

Analysis: RIA

Agency Contact: Fred Porter. Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB33

223. NSPS: INDUSTRIAL BOILERS--PARTICULATE MATTER AND NOX

Legal Authority: 42 USC 7411 / CAA 111 CFR Citation: 40 CFR 60

Abstract: Industrial boilers are a major stationary source of Particulate Matter and Nitrogen Oxide emissions. EPA is developing performance standards for industrial boilers to achieve continuous emission reduction. The Agency will base emission limits upon the best available system of control, taking costs, environmental impacts and energy requirements into account.

Timetable:

Action	Date		FR	Cite
NPRM	06/19/84	49	FR	25102
Final Action	09/00/85			

Small Entity: No

Additional Information: SAR No. 2076

Split from previous RIN 2060-AA22 (NSPS: Industrial Boilers)

Agency Contact: Fred Porter,

Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB35

224. • NSPS: CEMENT PLANTS (REVISION)

Legal Authority: 42 USC 7411 /CAA 111 CFR Citation: 40 CFR 60

Abstract: EPA has completed review of this action. As a result, the Agency intends to revise the standards to require installation of continuous opacity monitors on all kilns and

clinker coolers subject to the standard after August 17, 1971.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	NI VITERIOR
Final Action	08/00/86	

Small Entity: No

Additional Information: SAR No. 2186

FTS: 8-629-5624

Agency Contact: Doug Bell,

Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AB38

225. NSPS: REPORTING REQUIREMENTS FOR OPACITY

Legal Authority: 42 USC 7414 / CAA 111 CFR Citation: 40 CFR 60

Abstract: This regulation would require

that owners and operators of affected facilities that are subject to opacity standards in 40 CFR 60 record and report the opacity of emissions at specific times. The intent of this rule is to ensure that adequate opacity data are obtained and recorded.

Timetable:

Action	Date	FR Cite
NPRM -	07/31/84	49 FR 30676
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2070.

FTS: 8-629-5578.

Agency Contact: Shirley Tabler, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB42

226. NSPS: GAS TURBINES (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: A comprehensive study is now in process which will result in proposal and promulgation of some clarifications/changes to the existing regulation and which will extend the NSPS to cover large industrial gas turbines.

Timetable:

Date	FR	Cite
10/06/83	48 FR	45701
01/00/86		
03/00/87		
	10/06/83 01/00/86	10/06/83 48 FR 01/00/86

Small Entity: No

Additional Information: SAR No. 1117.

FTS: 8-629-5595.

Agency Contact: Kenneth Durkee, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5595

RIN: 2060-AB43

227. NSPS: FIRED PROCESS HEATERS

Legal Authority: 42 USC 7411 / CAA 111 CFR Citation: 40 CFR 60

Abstract: This regulation will control emissions of nitrogen oxides from fired process heaters in the refining and chemical manufacturing industries. EPA is considering exempting facilities that have less than an as yet undetermined amount of heat input per hour.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	and the later
Final Action	09/00/86	

Small Entity: No

Additional Information: SAR No. 2101.

FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency. Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB45

228. NSPS: SOCMI REACTOR **PROCESSES**

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: The scope of the SOCMI reactor processes NSPS includes all reactor processes (other than air oxidation reactor processes) used to manufacture 182 synthetic organic chemicals produced in quantities of at least 100 million lb/yr. These largevolume chemicals account for about 90 percent of the total domestic chemical production from the SOCMI. Furthermore, production of these largevolume chemicals is expected to have the greatest impact on nationwide VOC

emissions, since the magnitude of

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emissions from reactor process units are generally proportional to chemical production rates.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	08/00/86	

Small Entity: No

Additional Information: SAR No. 2164.

FTS:8-629-5691.

Agency Contact: Les Evans, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5691

RIN: 2060-AB55

229. • NSPS: SURFACE COATING OF PLASTIC PARTS FOR BUSINESS MACHINES

Legal Authority: 42 USC 7411 /CAA 111 CFR Citation: 40 CFR 60

Abstract: This action would limit volatile organic compounds emissions from new, modified, and reconstructed plants that coat plastic parts for business machines.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	September 1
Final Action	12/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 2236.

FTS:8-629-5671.

Agency Contact: Susan Wyatt, Environmental Protection Agency, Air and Radiation, (MD-13), Environmental Protection Agency, Research Triangle Park, NC 27711, 919 541-5671

RIN: 2060-AB66

230. M NSPS: POLYMERIC COATING OF SUPPORTING SUBSTRATES

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation would limit volatile organic compounds emissions from new, modified, and reconstructed plants that coat polymeric compounds onto supporting substrates.

Timetable:

Action	Date		FR	Cite
ANPRM	08/17/84	49	FR	32868
NPRM	01/00/86			

Action	Date	FR Cite
Final Action	03/00/87	mend usen
Small Entity:	Undetermined	

Additional Information: SAR No. 2237.

FTS:8-629-5671.

Agency Contact: Susan Wyatt, Environmental Protection Agency, Air and Radiation, (MD-13), Environmental Protection Agency, Research Triangle Park, NC 27711, 919 541-5671

RIN: 2060-AB67

231. NSPS: RESIDENTIAL WOOD COMBUSTION

Priority: Major

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60

Abstract: A comprehensive study is in progress to determine the type and quantity of emissions from residential wood combustion devices. This study will assess the performance and costs of current technology utilized to control these emissions plus economic and technical developments within the industry.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/85	do thinking
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2238.

FTS:8-629-5595.

Agency Contact: Kenneth R. Durkee, Environmental Protection Agency, Air and Radiation, (MD-13), Environmental Protection Agency, Research Triangle Park, NC 27711, 919 541-5595

RIN: 2060-AB68

232. DECISION ON REGULATION OF CADMIUM

Legal Authority: 42 USC 7422 / CAA 122

CFR Citation: 40 CFR 61

Abstract: EPA is currently reviewing relevant available information on emissions of cadmium into the ambient air that may be either by itself or in combination with cadmium intake from food and drinking water reasonably anticipated to endanger public health. EPA will issue a decision on the necessary regulatory action for public comment before it becomes final.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	17 10
Final Action	06/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1869. FTS:8-629-5645.

Agency Contact: David Patrick, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5645

RIN: 2060-AA38

233. NESHAPS: ARSENIC FROM SMELTERS AND OTHER SOURCES

Legal Authority: 42 USC.7412 / CAA 112 CFR Citation: 40 CFR 61 N; 40 CFR 61 O; 40 CFR 61 P

Abstract: EPA proposed standards for inorganic arsenic emissions from existing and new primary copper smelters and glass manufacturing plants. In addition, EPA proposed not to develop standards for inorganic arsenic emissions from primary lead smelters, secondary lead smelters, primary zinc smelters, zinc oxide production plants, cotton gins, and arsenic chemical manufacturing plants.

Timetable:

Action	Date		FR	Cite
NPRM	07/20/83	48	FR	33112
Final Action	04/00/85			

Small Entity: No

Additional Information: SAR No. 1684.

FTS:8-629-5624.

Agency Contact: Linda Chaput, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA41

234. NESHAPS: BENZENE IN COKE OVENS/BY-PRODUCTS PLANTS

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: This regulation will control benzene emissions generated by the processing of gaseous and liquid streams at coke by-product plants. The emission sources to be controlled include process equipment, storage vessels, and fugitive emissions. The standards will consist of equipment

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specifications, work practices, design specifications, and emission limits.

Timetable:

Action	Date	FF	R Cite
NPRM	06/06/84	49 FF	23528
Final Action	10/00/85		

Small Entity: No

Additional Information: SAR No. 1685.

FTS:8-629-5578.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA42

235. NESHAPS: COKE OVEN
EMISSIONS FROM BY-PRODUCT
COKE OVEN CHARGING, DOOR
LEAKS, AND TOPSIDE LEAKS ON
WET-COAL CHARGED BATTERIES
(REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61 G

Abstract: This regulation will control emissions of organic pollutants designated as hazardous under section 112. It will require improved maintenance and operation to limit visible emissions from wet-coal-charged coke oven batteries. The standards apply to charging, and leaks from doors, lids or offtakes for all existing or new sources.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	
Final Action	01/00/87	

Small Entity: No

Additional Information: SAR No. 1686.

Docket No. A-79-15.

FTS:8-629-5624.

Agency Contact: Robert Ajax, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA48

236. NESHAPS GENERAL PROVISIONS (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61 A

Abstract: This action proposes to amend the emission testing, monitoring, and recordkeeping provisions of the National Emission Standards for Hazardous Air Pollutants. The proposed amendments will eliminate repetition in the subparts and add procedures and criteria to determine if: (1) proposed source changes constitute modification or reconstruction; and (2) equipment and/or procedures meet the relevant standards.

Timetable:

Action	Date		FR	Cite
NPRM	06/06/84	49	FR	23568
Final Action	08/00/85			

Small Entity: No

Additional Information: SAR No. 1681.

Docket No. A-130.

FTS:8-629-5578.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA79

237. NESHAPS: VINYL CHLORIDE (REVISION)

Legal Authority: 42 USC 7412 / CAA 112 CFR Citation: 40 CFR 61

Abstract: EPA has completed its review of the technological basis and administrative aspects of the current standard, which was promulgated in 1976. Conclusions of the review are the basis of (1) proposed administrative and clarifying revisions, (2) announced decisions pertaining to other aspects, and (3) withdrawal of the June 2, 1977, proposed revisions.

Timetable:

Action	Date	FR Cite
NPRM	01/09/85	50 FR 1182
Final Action	03/00/86	

Small Entity: No

Additional Information: SAR No. 1971.

FTS: 8-629-5671

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, N.C., 27711, 919 541-5578

RIN: 2060-AB06

238. NESHAPS: MERCURY (REVISION) Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: EPA has reviewed this standard and determined that revisions to the monitoring, recordkeeping, and reporting requirements are warranted. The review assessed the technological basis and administrative aspects of the existing standard. EPA has issued a notice in the Federal Register announcing the results of its review and proposing revisions to the standard.

Timetable:

Action	Date		FR Cite
NPRM	12/26/84	49	FR 50146
Final Action	02/00/86		BERT BUT

Small Entity: No

Additional Information: SAR No. 2137.

FTS:8-629-5578.

Agency Contact: Gilbert H. Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB44

239. NESHAPS: ASBESTOS (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: The Agency is analyzing possible changes in the emission standards for asbestos mills and manufacturing operations, and the possible addition of monitoring requirements for these sources. Possible changes in the exemptions for specified demolition and renovation operations in existing standards are also being analyzed. The Agency is considering changes in reporting requirements for demolition and renovation operations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/86	
Final Action	08/00/87	

Small Entity: No

Additional Information: SAR No. 1714.

FTS 8-629-5601.

Agency Contact: James Crowder, Chief. Standards Support Section, Environmental Protection Agency, Air and Radiation, MD-13, RTP, North Carolina, 919 541-5601

RIN: 2060-AB51

240. DECISIONS ON REGULATING VARIOUS AIR POLLUTANTS

Legal Authority: 42 USC 1857 et seq /

CFR Citation: 40 CFR 60

Abstract: The Agency is reviewing the health effects, sources, emissions to the ambient air, and the public exposure of these pollutants. The Agency will publish the decisions whether these pollutants should be controlled as a specified air pollutant under the Clean Air Act or other regulatory mechanisms in order to protect the public health.

Supplemental Timetable: Acrylonitrile

Decision on Regulation 03/00/85

Carbon Tetrachloride

Decision on Regulation 06/00/85 Chlorobenzenes

Decision on Regulation 07/00/85 Chlorofluorocarbon-113 (F-113)

Decision on Regulation 02/00/85

Decision on Regulation 09/00/85 Chromium

Decision on Regulation 04/00/85

Epichlorohydrin

Decision on Regulation 07/00/85

Ethylene Dichloride
Decision on Regulation 09/00/85

Ethylene Oxide
Decision on Regulation 07/00/85

Hexachlorocyclopentadine

Decision on Regulation 07/00/85 Manganese

Decision on Regulation 03/00/85
Methyl Cloroform

Decision on Regulation 02/00/85
Methylene Chloride (Dichloromethane)

Decision on Regulation 11/00/85 Nickel

Decision on Regulation 07/00/85 Perchloroethylene (tetrachloroethylene) Decision on Regulation 07/00/85

Trichloroethylene

Decision on Regulation 07/00/85 Vinylidene Chloride

Decision on Regulation 03/00/85

Small Entity: No

Additional Information: SAR No. 2181.

FTS 8-629-5655.

Agency Contact: David Patrick, Chief, Pollutant Assessment Branch, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AB56

241. • NESHAPS: RADIONUCLIDES: URANIUM MILLS

Priority: Major

Legal Authority: 42 USC 7412 /CAA 112

CFR Citation: 40 CFR 61

Abstract: EPA is studying uranium mills and tailings to determine if standards under Section 112 of the CAA are appropriate, and, if so, the format for proposed standards. Methods of control of RN-222 releases will be studies for the active period of mill operation. Other radioactive releases during operation and all releases after closure are controlled by other EPA standards. Information was solicited through an ANPRM on October 31, 1984.

Timetable:

Action	Date	FI	R Cite
ANPRM	10/31/84	49 FF	43196
NPRM	05/00/86		
Final Action	04/00/87		

Small Entity: Undetermined

Additional Information: SAR No. 2217

FTS: 8-557-8977

Agency Contact: Terrence A.

McLaughlin, Environmental Protection
Agency, Air and Radiation, (ANR-460),
Washington, DC 20460, 703 557-8977

RIN: 2060-AB57

242. • NESHAPS: RADIONUCLIDES: UNDERGROUND URANIUM MINES

Legal Authority: 42 USC 7412 /CAA 112

CFR Citation: 40 CFR 61

Abstract: NESAHPs for underground uranium mines, proposed in April 1983 were withdrawn in October 1984 when EPA concluded that the proposed standard was not authorized under the CAA. An ANPRM was published at that time to announce that EPA was considering work practice standards. On December 11, 1984 a court order, was issued to compel EPA to either promulgate standards in 120 days or delist radionuclides as hazardous air pollutants. EPA intends to comply with the court order.

Timetable:

Action	Date	FR	Cite
ANPRM	10/31/84	49 FR	43915
NPRM	02/21/85	50 FR	7280
Final Action	04/00/85		

Small Entity: No

Additional Information: SAR No. 2199. FTS: 8-557-8977.

Agency Contact: Terrence A.
McLaughlin, Environmental Protection
Agency, Air and Radiation, (ANR-460),
Washington, DC 20460, 703 557-8977

RIN: 2060-AB62

243. DISPERSION TECHNIQUES IMPLEMENTED BEFORE ENACTMENT OF THE CLEAN AIR ACT AMENDMENTS OF 1970

Legal Authority: 42 USC 7410 / CAA 123; 42 USC 7601(a); 42 USC 7423

CFR Citation: 40 CFR 51

Abstract: These regulations set the requirements for an implemented intermittent control system (ICS). If an operator can show that dispersion techniques implemented before December 31, 1970 meet the ICS requirements then the system can be used to reduce emissions in a State Implementation Plan to meet Federal ambient standards. These regulations are optional for States.

Timetable:

Action	Date		FR	Cite
NPRM	09/24/84	49	FR	37542
Final Action	06/00/85			

Small Entity: No

Additional Information: SAR No. 1893.

Docket No. A-79-12.

FTS:8-629-5540.

Agency Contact: Bruce Polkowsky, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, 919 541-5540

RIN: 2060-AA49

244. "GUIDELINE ON AIR QUALITY MODELS" (REVISION)

Legal Authority: CAA 165(e)

CFR Citation: 40 CFR 51.24(1); 40 CFR 52.21(m)

Abstract: This action proposes to revise the "Guideline on Air Quality Models" (issued in April 1978) to reflect changes to the state-of-the-science of modeling and changes to current practice and policies. Revisions to the Guideline were developed in 1980 and public hearings were held. Based on public comments, EPA has conducted studies to resolve some issues. Additional evaluation studies of models, suggested by commenters and performed in accordance with the recommendations of the American Meteorological Society,

are underway. Early results of both are now available and should become part of EPA's guidance. The revised guideline should greatly reduce inconsistencies in the development and revision of emission limitations and in the determination of PSD increment consumption. New modeling procedures allow potentially greater accuracy in modeling results and the attainment of clean air goals at less cost.

Timetable:

Action	Date	FR Cite
NPRM	12/07/84	
Final Action	03/00/86	

Small Entity: No

Additional Information: SAR No. 1941.

FTS: 8-629-5561.

Docket No. A-80-46.

Agency Contact: Joseph Tikvart. Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park, N.C. 27711, 919 541-5561

RIN: 2060-AB13

245. EMISSION STANDARDS, TEST PROCEDURES AND CAFE EQUIVALENCY FACTORS FOR METHANOL-FUELED NEW MOTOR VEHICLES

Legal Authority: 42 USC 7521 / CAA 202, EPCA 301; 42 USC 7601; 15 USC 2001

CFR Citation: 40 CFR 86; 40 CFR 600

Abstract: This rule will develop emission standards and test standards and test procedures applicable to methanol-fueled light-duty vehicles, light-duty trucks and heavy-duty engines. Current regulations apply only to gasoline-fueled and diesel-powered vehicles. The lack of regulations is a hindrance to the development of methanol-fueled vehicles. This rule will also establish a methanol-gasoline equivalency factor for purposes of fuel economy testing.

Timetable:

Action	Date	FR Cite
ANPRM	04/10/84	49 FR 14244
NPRM	08/00/85	
Final Action	06/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 2112.

FTS: 8-374-4227.

Agency Contact: Mike Gold,

Environmental Protection Agency. Air and Radiation, ANR 455, Washington, DC 20460, 313 668-4227

RIN: 2060-AB28

246. IMPORTATION OF MOTOR VEHICLES AND MOTOR VEHICLE ENGINES (REVISION)

Legal Authority: 42 USC 7522 / CAA 203

CFR Citation: 40 CFR 85

Abstract: These revisions would allow only certified vehicles and engines to be imported, except that an individual may import an uncertified version for one time only. The purpose of this action is to improve the effectiveness and administration of EPA's present regulation. EPA will solicit additional comments on other ways these regulations may be revised with a supplemental NPRM.

Timetable:

Action	Date	FR	Cite
NPRM	07/21/80	45 FR	48812
Supplemental NPRM	04/00/85		
Final Action	12/00/85	soils	

Small Entity: Yes

Additional Information: SAR No. 1317.

Docket No. EN-79-9.

FTS:8-382-2499.

Agency Contact: Stanley B. Durkee, Environmental Protection Agency, Air and Radiation, (EN-340F), Washington, DC 20460, 202 382-2499

RIN: 2060-AA54

247. NONCONFORMANCE PENALTIES FOR 1985 MODEL YEAR HEAVY-DUTY ENGINES (HDES)(PHASE I)

Legal Authority: 42 USC 7525(g) / CAA 206; 42 USC 7601(a) / CAA 206

CFR Citation: 40 CFR 86

Abstract: This regulation will allow manufacturers of 1985 HDEs to sell their engines even though they fail to meet 1985 and later model year regulatory requirements for specific pollutants, provided that emissions do not exceed a specified maximum level and that the manufacturer pays a nonconformance penalty for each HDE sold. The penalty will remove any competitive advantage of noncompliance and still provide manufacturers with an incentive to

meet the standard. This regulation is being developed through a regulatory negotiation project. Phase I of this rulemaking will establish a generic structure for nonconformance penalties. Phase II will provide specific levels of nonconformance penalties and what pollutants they apply to.

Timetable:

Action	Date	1/13	FR	Cite
Previous NPRM	02/13/79	44	FR	9485
NPRM	03/06/85	50	FR	9204
Final Action	08/00/85			

Small Entity: No

Additional Information: SAR No. 1571.

FTS:8-382-2500.

Agency Contact: Robert Montgomery, Environmental Protection Agency, Air and Radiation, (EN-340), Washington, DC 20460, 202 382-2500

RIN: 2060-AA56

248. NONCONFORMANCE PENALTIES FOR LIGHT-DUTY TRUCKS (PHASE I)

Legal Authority: 42 USC 7527(g) / CAA 206; 42 USC 301(a) / CAA 206

CFR Citation: 40 CFR 86

Abstract: This regulation will allow manufacturers of 1985 light duty trucks over 6,000 pounds gross vehicle weight to sell their vehicles even though they fail to meet 1985 and later model year regulatory requirements for specific pollutants, provided that emissions do not exceed a specified maximum level and that the manufacturer pays a nonconformance penalty for each truck sold. The penalty will remove any competitive advantage of noncompliance. This regulation is being developed through a regulation negotiation project. Phase I of this rulemaking will establish a generic structure for nonconformance penalties. Phase II will provide specific levels of nonconformance penalties and what pollutants they apply to.

Timetable:

Action	Date		FR	Cite
Previous NPRM	07/12/79	44	FR	40791
NPRM	03/06/85	50	FR	9204
Final Action	08/00/85			

Small Entity: Undetermined

Additional Information: SAR No. 1632.

FTS: 8-382-2500.

Agency Contact: Robert Montgomery, Environmental Protection Agency, Air and Radiation, (EN-340), Washington, DC 20460, 202 382-2500

RIN: 2060-AA58

249. SMALL-VOLUME MANUFACTURERS CERTIFICATION PROCEDURE (REVISION)

Legal Authority: 42 USC 7401 / CAA 206 CFR Citation: 40 CFR 86

Abstract: This action will result in rules to provide for certification of emissions compliance for commercial importers and individuals importing vehicles into the United States. By a separate action, the Manufacturers Operations Division is revising its rules for individual vehicle importation. This action is necessary to provide an appropriate mechanism to import vehicles into the United States under certification regulations and assure their compliance with the exhaust emission standards. Current rules for small-volume manufacturers were not intended to apply to conversion of previously manufactured but uncertified configurations. However, increasingly large numbers of manufacturers who import vehicles for resale have applied for EPA certification as an alternative to individual vehicle importation. This will primarily impact small business organizations involved in importing motor vehicles. The likely impact of these changes will be increased costs to these organizations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	Live State
Final Action	11/00/86	

Small Entity: Yes

Additional Information: SAR No. 2143.

FTS: 8-374-4450.

Agency Contact: Eldert Bontekoe, Environmental Protection Agency, Air and Radiation, ANR-455, 2625 Plymouth Road, Ann Arbor, MI 48105, 313 668-4450

RIN: 2060-AB54

250. • NONCONFORMANCE PENALTIES FOR LIGHT-DUTY TRUCKS (PHASE II)

Legal Authority: 42 USC 7527(g) /CAA 206; 42 USC 301(a) /CAA 206

CFR Citation: 40 CFR 86

Abstract: This regulation will be developed apart from the Phase I Nonconformance Penalties for Light-Duty Trucks regulation. It will provide specific levels of nonconformance penalties and what pollutants they apply to.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	The state of
Final Action	12/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2233.

FTS: 8-382-2500.

Agency Contact: Robert Montgomery, Environmental Protection Agency, Air and Radiation, (EN-340), Washington, DC 20460, 202 382-2500

RIN: 2060-AB65

251. EMISSION PERFORMANCE WARRANTY REGULATIONS (REVISION)

Legal Authority: 42 USC 7541(b) / CAA 207(b)

CFR Citation: 40 CFR 85

Abstract: This rulemaking will address the issue of establishing: (1) test procedures and standards for heavyduty gasoline vehicles, (2) new standards for light-duty vehicles and light-duty trucks, and (3) alternative dynamometer loadings for the loaded short tests. These amendments are necessary so that owners of heavy-duty vehicles will have emissions warranty protection and owners of light-duty vehicles and trucks will be entitled to warranty protection.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	A LA THE LAND
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 2136.

FTS: 8-374-8471.

Agency Contact: Jane Armstrong, Environmental Protection Agency, Air and Radiation, ANR-445, 2625 Plymouth Road, Ann Arbor, MI 48105, 313 668-8471

RIN: 2060-AB53

252. ● VOLUNTARY AFTERMARKET PARTS CERTIFICATION REGULATIONS (REVISION)

Legal Authority: 42 USC 7541 /CAA 207(b)

CFR Citation: 40 CFR 85

Abstract: The U.S. Court of Appeals for the D.C. Circuit has directed EPA to amend the aftermarket parts certification regulations. There were four specific areas which the Court directed EPA to revisit. EPA was directed to develop better procedures for determining adequate grounds for manufacturer denial of a warranty claim; reconsider inclusion of specialty parts into the identification system, and improve the procedure for arbitration of warranty cost claims by vehicle manufacturers' against certified parts manufacturers.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85	TO S	
Final Action	05/00/86		

Small Entity: Undetermined

Additional Information: SAR No. 2145

FTS: 8-374-4289

Agency Contact: Susan O'Conner, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, Michigan 48105, (ANR-455), 313 668-4289

RIN: 2060-AB58

253. • NONCONFORMANCE PENALTIES FOR 1985 MODEL YEAR HEAVY-DUTY ENGINES (HDES) (PHASE II)

Legal Authority: 42 USC 7525(g) /CAA 206; 42 USC 7601(a) /CAA 206

CFR Citation: 40 CFR 86

Abstract: This regulation will be developed separately from the Nonconformance Penalties for 1985 Model Year Heavy-Duty Engines (HDEs) Phase I regulation. It will provide specific levels of nonconformance penalties and what pollutants they apply to.

Timetable:

Date	FR Cite
08/00/85	Mr. arrival
12/00/85	
	08/00/85

Small Entity: No

Additional Information: SAR No. 2232.

Current and Projected Rulemakings

FTS: 8-382-2500.

Agency Contact: Robert Montgomery, Environmental Protection Agency, Air and Radiation, (EN-340), Washington, DC 20460, 202 382-2500

RIN: 2060-AB64

254. FUELS AND FUEL ADDITIVES

Priority: Major

Legal Authority: 42 USC 7545 / CAA 211

CFR Citation: 40 CFR 79

Abstract: These protocols will help determine effects of fuel and fuel additives on public health and emission control devices. They will ensure that motor vehicle fuels and additives will not harm the public health. They will also ensure that they do not damage emission control devices in motor vehicles.

Timetable:

Action	Date	FR Cite
NPRM	01/00/87	

Small Entity: Undetermined

Additional Information: SAR No. 1328.

FTS:8-374-4339.

Agency Contact: Richard A. Rykowski, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4339

RIN: 2060-AA59

255. ● FUEL AND FUEL ADDITIVES: PREVENTATIVE ACTION PROGRAM TO PREVENT SELF-SERVE FUEL SWITCHING

Legal Authority: 42 USC 7545 /CAA 211; 42 USC 7601(a) /CAA 301(a)

CFR Citation: 40 CFR 80.22; 40 CFR 80.23

Abstract: This action will develop a "Preventative Action Program" to be used by gasoline retailers to help prevent self-serve fuel switching.

Retailers will be afforded an affirmative defense to allegations of "allowing" fuel switching if they have effectively implemented this program. This action would also change the language of the fuel switching regulation to prohibit fuel switching in all vehicles designed to use unleaded gasoline, and not just those that still have an "unleaded only" label or fuel inlet restrictor.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 2215

FTS: 8-382-2633

Agency Contact: Richard Kozlowski, Environmental Protection Agency, Air and Radiation, (EN-397F), Washington, DC 20460, 202 382-2633

RIN: 2060-AB59

256. ● FUEL AND FUEL ADDITIVES: GASOLINE LEAD CONTENT

Priority: Major

Legal Authority: 42 USC 7545 /CAA 211; 42 USC 7601(a) /CAA 301(a)

CFR Citation: 40 CFR 80

Abstract: EPA is examining information relevant to a total ban on the use of lead in gasoline. The Agency is considering a set of alternatives ranging from no regulatory action to a ban as soon as January 1, 1988. This rule will have an impact on all refineries, including small refineries. A regulatory flexibility analysis will fully consider the effect of this action on small entities.

Timetable:

Action	Date	FR	Cite
NPRM	03/07/85	50 FR	9386
Final Action	00/00/00		

Small Entity: Yes

Additional Information: SAR No. 2214.

FTS: 8-382-2633.

Analysis: RIA, RFA

Agency Contact: Richard Kozlowski, Environmental Protection Agency, Air and Radiation, (EN-397F), Washington, DC 20460, 202 382-2633

RIN: 2060-AB60

257. FUEL ECONOMY TEST PROCEDURES; PROPOSED PROCEDURES FOR ADJUSTMENT TO TEST RESULTS TO ACCOUNT FOR TEST PROCEDURE CHANGES

Legal Authority: 15 USC 2001 et seq / EPCA 301

CFR Citation: 40 CFR 600

Abstract: In January, 1982, the United States Court of Appeals for the Sixth Circuit issued an order requiring EPA to initiate rulemaking to establish adjustment factors for the 1980-85 Corporate Average Fuel Economy (CAFE) test results. This proposal is in response to the Court Order and will result in adjustments to EPA calculations of CAFE.

Timetable:

Action	Date	FR Cite
NPRM	12/21/83	48 FR 56526
Supplemental NPRM	12/07/84	49 FR 48024
Final Action	05/00/85	

Small Entity: No

Additional Information: SAR No. 2033.

FTS: 8-374-4403.

Agency Contact: Joseph Whitehead, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4403

RIN: 2060-AB19

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Air Act (CAA)

258. NAAQS: LEAD

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50

Abstract: EPA is reassessing the health and welfare information that has become available since the last revision of the standard.

Existing Regulations Under Review

Timetable:

Action Date FR Cite

End Review 02/00/86

Small Entity: No

Additional Information: SAR No. 1919.

Existing Regulations Under Review

Agency Contact: Bruce Jordan.

Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA95

259. NAAQS: OZONE

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50

Abstract: EPA is reassessing the health and welfare information that has become available since the last revision of the standard. EPA plans to publish a proposed rule on 11/00/87.

Timetable:

Action	Date	FR Cite
Fnd Review	08/00/86	J. LINE BOX

Small Entity: No

Additional Information: SAR No. 1920.

FTS: 8-629-5655.

REVIEW AUTHORITY: CAA 109.

Agency Contact: Bruce Jordan. Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA96

260. NSPS: SULFURIC ACID MANUFACTURE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart H

Abstract: EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of sulfuric acid plant control systems as well as the experience of the industry and control agencies in implementing the standards. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	10/00/83	
End Review	06/00/85	

Small Entity: No

Additional Information: SAR No. 2026.

FTS: 8-629-5601. REVIEW AUTHORITY: CAA 111.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB02

261. REVIEW OF INFORMATION REQUIREMENTS IN THE NEW SOURCE PERFORMANCE STANDARDS (NSPS) PROGRAM

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: The NSPS program is a national program to develop and implement standards for emissions from new and modified stationary sources. EPA is reviewing the information requirements of five NSPS and conducting in-depth examinations of one of these standards. The purpose of the study is to assess the quality, utility, effectiveness, and efficiency of the information components. The study will collect data from affected facility owners; regional, state and local authorities responsible for monitoring the program; and primary users of the information. Where appropriate, the recommendations will be incorporated in the NSPS rules and associated Information Collection Requests (ICRs).

Timetable:

Action	Date	FR Cite
Begin Review	01/00/84	NAME OF STREET
End Review	05/00/85	

Small Entity: No

Additional Information: FTS: 8-382-2743.

REVIEW AUTHORITY: Paperwork Reduction Act.

Agency Contact: James Daley, Environmental Protection Agency, Air and Radiation, PM-223, Washington, DC 20460, 202 382-2743

RIN: 2060-AB25

262. NSPS: AMMONIUM SULFATE MANUFACTURE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of ammonium sulfate manufacturing control systems as well as the experience of the industry and control

agencies in implementing the standard. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	05/00/84	ALL PROPERTY.
End Review	05/00/85	
End Heview	05/00/85	

Small Entity: No

Additional Information: SAR No. 2263.

FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB34

263. NSPS: PRIMARY ALUMINUM REDUCTION PLANTS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing this item to determine whether revisions are warranted. The review will assess performance and costs of primary aluminum reduction plant control systems as well as the experience of the industry and control agencies in implementing the standard. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/85	A STATE OF THE PARTY OF THE PAR
End Review	03/00/86	

Small Entity: No

FTS: 8-629-5601.

Additional Information: SAR No. 2264

Agency Contact: James Crowder. Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB36

264. NSPS: SECONDARY LEAD SMELTERS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing the standard to determine whether revisions are warranted. The review will assess performance and costs of secondary lead smelter control systems as well as the experience of the

Existing Regulations Under Review

industry and control agencies in implementing the standard. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	07/00/85	
End Review	07/00/86	

Small Entity: Yes

Additional Information: SAR No. 2265.

FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB39

265. NSPS: ASPHALT CONCRETE PLANTS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of control systems and economic and technological developments in the industry. Of particular interest are asphalt recycling plants which in some cases have experienced "blue haze" emissions. The review will seek information to identify and quantify the "blue haze" constituents and assess control techniques.

Timetable:

Action	Date	FR Cite
Begin Review	11/00/82	
End Review	00/00/00	

Small Entity: No

Additional Information: SAR No. 2266.

FTS: 8-629-5596.

Agency Contact: Kenneth Durkee, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5596

RIN: 2060-AB41

266. • NSPS: SMALL BOILERS

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60

Abstract: A Comprehensive study is in progress to determine whether standards should be developed for small boilers. The study will assess performance and costs of control systems. Pollutants being investigated are nitrogen oxides, sulfur dioxide and particulate matter. The study will also determine what the future growth will be for the various sizes and types of boilers.

Timetable:

Date	FR Cite
01/00/85	di kabasiy
10/00/85	
	01/00/85

Additional Information: SAR No. 2239.

FTS:8-629-5595.

Agency Contact: Kenneth Durkee, Environmental Protection Agency, Air and Radiation, (MD-13), Environmental Protection Agency, Research Triangle Park, NC 27711, 919 541-5595

RIN: 2060-AB69

267. NESHAPS: BERYLLIUM

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: EPA is reviewing the health and technological basis and administrative aspects of the national emission standard for beryllium. EPA will issue a notice in the Federal Register announcing the results of the review.

Timetable:

Action	Date	FR Cite
Begin Review	12/00/81	Marin Marin
End Review	00/00/00	

Small Entity: No

Additional Information: SAR No. 2029.

FTS: 8-629-5595.

REVIEW AUTHORITY: EO 12291.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5595

RIN: 2060-AB07

268. VISIBILITY PROTECTION FOR FEDERAL CLASS I AREAS

Legal Authority: 42 USC 7479 / CAA 169

CFR Citation: 40 CFR 51

Abstract: In response to petitions EPA is reviewing the visibility protection regulations promulgated on December 2, 1980 (45 FR 80084). EPA is reconsidering the concept of "integral vistas," the role of the Federal Land Managers, and new source review requirements. The Agency may decide to initiate changes as a result of this review.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/81	
End Review	06/00/85	

Small Entity: No

Additional Information: SAR No. 1307.

FTS: 8-629-5540. REVIEW AUTHORITY: EO 12291.

Agency Contact: Bruce Polkowsky. Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, 919 541-5540

RIN: 2060-AB09

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Air Act (CAA)

COMPLETED RULEMAKINGS
269. DETERMINATION FOR
INTERSTATE AIR POLLUTION
CONTROL

CFR Citation: 40 CFR 52

Completed:

 Reason
 Date
 FR Cite

 Final Action
 12/10/84
 49 FR 45152

Small Entity: No

Completed Actions

Agency Contact: Larry Wilson 919 541-5540

RIN: 2060-AB52

270. NSPS: GLASS MANUFACTURING CFR Citation: 40 CFR 60, Subpart CC

Completed Actions

Completed:		
Reason	Date	FR Cite
Final Action	10/19/84	49 FR 41030

Small Entity: No

Agency Contact: Gilbert Wood 919 541-

5578

RIN: 2060-AA73

271, NSPS: STEEL PLANTS: ELECTRIC ARC FURNACES AND ARGON-**OXYGEN DECARBONIZATION** VESSELS (REVISION)

CFR Citation: 40 CFR 60, Subpart AA

Completed:

Reason Date FR Cite Final Action 10/31/84 49 FR 43838

Small Entity: No

Agency Contact: Doug Bell 919 541-

5578

RIN: 2060-AA75

272. NSPS: SECONDARY BRASS AND BRONZE PRODUCTION (REVISION)

CFR Citation: 40 CFR 60, Subpart M

Completed:

Reason	Date		FR	Cite
Final Action	10/30/84	49	FR	43616

Small Entity: No

Agency Contact: Doug Bell 919 541-5578

RIN: 2060-AB04

273. NESHAPS: AIRBORNE RADIONUCLIDES

Priority: Major

CFR Citation: 40 CFR 61

Completed:

Reason Date FR Cite Final Action 02/06/85 50 FR 5190

Small Entity: Undetermined

Agency Contact: Terrence McLaughlin 703 557-0704

RIN: 2080-AA47

274. SECOND ROUND NONFERROUS SMELTER ORDER REGULATIONS

CFR Citation: 40 CFR 57

Completed:

FR Cite Reason Date 02/15/85 50 FR 6434 Final Action

Small Entity: No

Agency Contact: Roy Rathbun 202 382-

2887

RIN: 2060-AA81

275. HEAVY-DUTY DIESEL PARTICULATE STANDARDS

Priority: Major

CFR Citation: 40 CFR 86

Completed:

Reason Date FR Cite Final Action 03/15/85 50 FR 10606

Small Entity: No

Agency Contact: Terry Newel 313 668-

4462

RIN: 2060-AA51

276. NOX REGULATIONS FOR LIGHT-**DUTY TRUCKS AND HEAVY-DUTY ENGINES**

Priority: Major

CFR Citation: 40 CFR 86

Completed:

Reason Date FR Cite Final Action 03/15/85 50 FR 10606

Small Entity: No

Agency Contact: Terry Newel 313 668-

4462

RIN: 2060-AA52

277. AMENDMENTS TO SELECTIVE **ENFORCEMENT AUDITING** PROCEDURES FOR LIGHT-DUTY VEHICLES (REVISION)

CFR Citation: 40 CFR 86 G: 40 CFR 86 A

Completed:

Reason Date FR Cite Final Action 12/12/84 49 FR 48474

Small Entity: No

Agency Contact: Stephen Sinkez 202 382-4104

RIN: 2060-AA89

278. LEAD PHASEDOWN (REVISION)

Priority: Major

CFR Citation: 40 CFR 80

Completed:

FR Cite Reason Date Final Action 03/07/85 50 FR 9386

Small Entity: Yes

Agency Contact: Richard Kozlowski

202 382-2633

RIN: 2060-AB50

COMPLETED REVIEWS

279. NSPS: CEMENT PLANTS

CFR Citation: 40 CFR 60

Completed:

Reason Date FR Cite End Review 02/00/85

Small Entity: No

Agency Contact: Kenneth R. Durkee

919 541-5596

RIN: 2060-AB38

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

280. • FUEL AND FUEL ADDITIVES: BANKING OF LEAD RIGHTS

Legal Authority: 42 USC 7545 /CAA 211; 42 USC 7601(a) /CAA 301(a)

CFR Citation: 40 CFR 80

Abstract: EPA is planning to permit banking of lead usage rights for use or trading in future compliance periods. This banking will provide an efficient method of reducing total lead levels while allowing the industry greater flexibility to use more stringent lead levels. This rule should only have a beneficial impact on small entities.

Timetable:

Action	Date	FR Cite
NPRM	01/04/85	50 FR 718
Final Action	04/02/85	50 FR 13116

Small Entity: No

Additional information: SAR No. 2197

FTS: 8-382-2633

Agency Contact: Richard Kozlowski, Environmental Protection Agency, Air and Radiation. (EN-397F), Washington, DC 20460, 202 382-2833

RIN: 2060-AB61

[FR Doc. 85-7906 Filed 04-3E-85; 8:45 ant]

BILLING CODE 6360-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Superfund (CERCLA)

281. NOTIFICATION OF RELEASE OF HAZARDOUS SUBSTANCES AND DETERMINATION OF REPORTABLE QUANTITIES

Legal Authority: 42 USC 9602 / CERCLA 102

CFR Citation: 40 CFR 302

Abstract: EPA is developing reportable quantities for hazardous substances under Section 102 of CERCLA that will trigger the requirements in Section 103 of CERCLA. The rulemaking also amends 40 CFR 117.3 to make the reportable quantities of each hazardous substance under CERCLA 102 the reportable quantity for that substance under CWA 311(b)(2).

Timetable:

Action	Date	FR Cite
NPRM	05/25/83	48 FR 23552
Final Action	04/00/85	

Small Entity: No

Additional Information: SAR No. 1642B.

For further information contact RCRA/Superfund Hotline (800-424-9346); in Metropolitan D.C. Area (382-3000).

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, 202 382-2814

RIN: 2050-AA46

282. ADJUSTMENT OF REPORTABLE QUANTITIES OF HAZARDOUS SUBSTANCES IDENTIFIED AS CARCINOGENS AND CHRONICALLY TOXIC SUBSTANCES (REVISION)

Legal Authority: 42 USC 96021 CERCLA 102; 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 302

Abstract: EPA has developed proposed determinations of reportable quantities under Section 102 of CERCLA that trigger the notification requirements of Section 103 of CERCLA. This rule will amend the regulation on Determination of Reportable Quantities for Hazardous Substances (40 CFR 302) to adjust the reportable quantities for hazardous substances identified as carcinogens and chronically toxic substances. This rule will also amend 40 CFR 117.3 to make these requirements applicable under CWA 311 (b).

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	THE THE
Final Action	09/00/86	

Small Entity: No

Additional Information: SAR No. 2104.

For further information contact the RCRA/Superfund Hotline (800-424-9346); in Metropolitan D.C. (382-3000).

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, 202 382-2814

RIN: 2050-AA80

283. AMENDMENTS TO THE NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 300.61

Abstract: These revisions will streamline the National Contingency Plan (NCP). This regulation will add provisions for consideration of community relations, address the use of environmental standards for determining appropriate response actions, clarify authorities and responsibilities of officials and Agencies involved in response. The agency is also considering different ways to advise the public of the status of Federal clean-up efforts at Federally-owned sites.

Timetable:

Action	Date	FR Cite
NPRM	02/12/85	50 FR 5862
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2065.

FTS-8-382-2441.

Agency Contact: James Lounsbury, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548D), Washington, DC 20460, 202 382-2441

RIN: 2050-AA75

284. NATIONAL PRIORITY LIST (NPL) (REVISION)

Legal Authority: 42 USC 7605(8)(B) / CERCLA 105

CFR Citation: 40 CFR 300.66

Current and Projected Rulemakings

Abstract: This action revises the National Priority List in the National Contingency Plan. CERCLA requires that the National Priorities List be revised at least annually. Periodic revisions will allow EPA to include serious releases of hazardous substances identified as a result of site inspection programs and to delete sites that have been cleaned up.

Timetable:

Action	Date	FR	Cite
Final Action First NPL	09/21/84	49 FR	37070
Update(final)			
NPRM Second NPL	10/15/84	49 FR	40320
Update(NPRM)			
NPRM Third NPL Update(NPRM)	03/00/85		
Final Action Second NPL Update(final)	06/00/85		

Small Entity: Undetermined

Additional Information: SAR No. 2077.

FTS: 8-382-8103.

Agency Contact: Hal Snyder,

Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548E), Washington, DC 20460, 202 382-8103

RIN: 2050-AA79

285. NATURAL RESOURCE CLAIMS PROCEDURE

Legal Authority: 42 USC 9611 / CERCLA

CFR Citation: 40 CFR 306

Abstract: This action prescribes the procedures and circumstances under which natural resources claims may be presented to the Fund to recover the costs of restoration, rehabilitation, replacement or obtaining the equivalent of a damaged natural resource.

Timetable:

Action	Date	FR	Cite
NPRM	03/08/85	50 FR	9586
Final Action	08/00/85		

Small Entity: No

Additional Information: SAR No. 1642D.

FTS:8-382-2184.

Analysis: RIA 00/00/00

EPA-CERCLA

Current and Projected Rulemakings

Agency Contact: William Ross, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548E), Washington, DC 20460, 202 382-4645

RIN: 2050-AA48

286. RESPONSE CLAIMS PROCEDURES

Legal Authority: 42 USC 9611 CFR Citation: 40 CFR 307 Abstract: This action prescribes the procedures and circumstances under which claims may be presented to the FUND to recover the costs of cleanup. The allowable claims and necessary response costs uncovered by a party, other than the government, in carrying out the National Contingency Plan are identified in this regulation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Training The State of the State
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 2160.

FTS: 8-382-4645.

Agency Contact: William Ross, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548E), Washington, DC 20460, 202 382-4645

RIN: 2050-AA90

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Superfund (CERCLA)

COMPLETED RULEMAKINGS 288. NO 287. DESIGNATION OF ADDITIONAL RELEA

CFR Citation: 40 CFR 302

HAZARDOUS SUBSTANCES

Completed:

Reason Date FR Cite

Further action 02/27/85 deferred indefinitely.

Small Entity: No

Agency Contact: Jack Kooyoomjian 202

002 0000

RIN: 2050-AA45

288. NOTIFICATION OF CONTINUOUS RELEASE OF HAZARDOUS SUBSTANCES

CFR Citation: 40 CFR 304

Completed:

Reason Date FR Cite

Further action 02/27/85 deferred indefinitely.

Small Entity: No

Agency Contact: Jack Kooyoomjian 202 382-2814

RIN: 2050-AA47

COMPLETED REVIEWS

289. REVIEW OF INFORMATION REQUIREMENTS IN THE SUPERFUND PROGRAM

Completed Actions

CFR Citation: 40 CFR 303; 40 CFR 304

Completed:

Reason Date FR Cite
End Review 02/00/85

Small Entity: No

Agency Contact: Oscar Morales 202 382-5495

RIN: 2050-AA86

[FR Doc. 85-7906 Filed 04-26-85; 8:45 am] BILLING CODE 6560-50-T

ENVIRONMENTAL PROTECTION AGENCY (EPA)—General

Current and Projected Rulemakings

290. PUBLIC INFORMATION AND CONFIDENTIALITY REGULATIONS (REVISION)

Legal Authority: 5 USC 552; 42 USC 9604

CFR Citation: 40 CFR 2

Abstract: This action would make changes in EPA's procedures for handling requests under the Freedom of Information Act. It also adds a new section on procedures for treating confidential information under CERCLA. EPA will also modify its existing procedures for handling confidential information under RCRA.

Timetable:

Date	FR Cite
05/00/85	
08/00/85	
	05/00/85

Small Entity: No

Additional Information: SAR No. 1791. FTS:8-382-5460.

Agency Contact: Jane Roemer, Environmental Protection Agency, General Counsel and Enforcement Counsel, (LE-132 G), Washington, DC

RIN: 2020-AA03

20460, 202 382-5460

291. NONDISCRIMINATION ON THE BASIS OF HANDICAP FOR PROGRAMS CONDUCTED BY EPA

Legal Authority: 42 USC 794 / Rehabilitation Act 504

CFR Citation: 40 CFR 12

Abstract: The proposed regulation will provide for EPA's compliance with Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of handicap in the Agency's

programs and activities. It will make the Agency's offices accessible to handicapped persons, and effect the necessary changes in the Agency's employment practices.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 00/00/00
 .

Small Entity: No

Additional Information: SAR No. 2049.

FTS: 8-382-4567.

Agency Contact: Nereid Maxey, Environmental Protection Agency, General Counsel and Enforcement Counsel, Office of Civil Rights, (A-105), Washington, DC 20460, 202 382-4567

RIN: 2020-AA05

EPA-GENERAL

Current and Projected Rulemakings

292. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS RECEIVING FINANCIAL ASSISTANT FROM THE EPA

Legal Authority: 42 USC 6101 /Age Discrimination Act of 1979

CFR Citation: 40 CFR 7

Abstract: This action is necessary to add age as a basis for nondiscrimination to EPA's Federally-Assisted Nondiscrimination Regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/01/81 46	FR 2306
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 2218

FTS: 8-382-382-4567

Agency Contact: Nereid Maxey, Environmental Protection Agency, General Counsel and Enforcement Counsel, Office of Civil Rights, (A-105), Washington, DC 20460, 202 382-4567

RIN: 2020-AA07

293. AMENDING NEPA PROCEDURES RELATING TO WASTEWATER CONSTRUCTION GRANTS (REVISION)

Legal Authority: 42 USC 4321 / NEPA CFR Citation: 40 CFR 6 E

Abstract: This action will revise EPA's NEPA implementation procedures relating to wastewater treatment construction grants. It will make them consistent with the amendments for simplifying the construction grants regulations (see SAR No. 1722) and the 1981 Municipal Wastewater Treatment Construction Grant Amendments (P.L. No. 97-117). It will also make minor changes to the NEPA procedures that apply to other EPA programs.

Timetable:

Action	Date		FR	Cite
NPRM	01/07/83	48	FR	1012
Final Action	05/00/85			

Small Entity: No

Additional Information: SAR No. 1835.

FTS:8-382-5910.

Agency Contact: John Gerba, Environmental Protection Agency, Office of the Administrator, (A-104), Washington, DC 20460, 202 382-5910

RIN: 2090-AA04

294. EMISSIONS TRADING POLICY (REVISION)

Legal Authority: 42 USC 7503 / CAA 110

CFR Citation: Not applicable

Abstract: EPA is refining the emissions trading policy governing the use of the bubble, emission offsets, netting, and emission reduction banking. This final policy and accompanying Technical Issues Document will provide states with a framework for incorporating emissions trading activities into their state implementation plans. Through the use of emissions trading industry can substitute more controls where costs are low for less control where costs are high. The final policy will clarify requirements and procedures based on experience under the 1982 interim policy - particularly regarding baselines and modeling for bubbles, as well as bubbles in nonattainment areas with inadequate demonstrations.

Timetable:

Action	Date		FR	Cite
Proposed Policy	04/07/82	47	FR	15076
Reproposed Policy	08/31/83	48	FR	39580
Final Action	07/00/85			

Small Entity: No

Additional Information: SAR No. 1605.

Docket No. G-81-2.

FTS:8-382-2727.

Agency Contact: Ivan Tether, Environmental Protection Agency, Policy Planning and Evaluation, (PM-223), Washington, DC 20460, 202 382-2727

RIN: 2010-AA08

295. LIST OF VIOLATING FACILITIES (REVISION)

Legal Authority: 42 USC 7606 / CAA 306; 33 USC 1368 / FWPCA 508

CFR Citation: 40 CFR 15

Abstract: The Agency will revise 40 CFR Part 15 which authorizes EPA to place facilities on the List of Violating Facilities because of recurring or continuing noncompliance with the Federal clean air or clean water standards. These revisions are required to enhance readability: ensure adequate procedural due process; and reflect organizational changes at the Agency.

		e:

IIIICIGIDICI			
Action	Date	FR	Cite
NPRM	07/31/84	49 FR	30628
Final Action	05/00/85		

Small Entity: No

Additional Information: SAR No. 2014.

FTS: 8-475-8785.

Agency Contact: Allen Danzig, Environmental Protection Agency, Air and Radiation, LE-130A, Washington, DC 20460, 202 475-8785

RIN: 2060-AB17

296. SECTION 404 STATE PROGRAM REGULATIONS (REVISION)

Priority: Agency Determination

Legal Authority: 33 USC 1344 / CWA 404

CFR Citation: 40 CFR 124; 40 CFR 232; 40 CFR 233

Abstract: Under Section 404(g) of the Clean Water Act, EPA is responsible for approving and overseeing assumption of the 404 "dredge and fill" program by States. In response to comments from the States, EPA is revising its State program regulations (formerly part of the Consolidated Permit Regulations), to provide increased incentives and simplified procedures for State assumption of the Section 404 program.

Timetable:

Action	Date	FR	Cite
NPRM	10/02/84	49 FR	39012
Final Action	09/00/85		

Small Entity: No

Additional Information: SAR No. 1973.

FTS: 8-382-5043.

Agency Contact: Suzanne Schwartz. Environmental Protection Agency, Office of the Administrator, (A-104), Washington, DC 20460, 202 382-5043

RIN: 2030-AA00

297. ● DENIAL OR RESTRICTION OF DISPOSAL SITES (REVISION)

Legal Authority: 33 USC 1344 /CWA 404(c)

CFR Citation: 40 CFR 231

Abstract: This action will revise EPA's existing 404(c) regulations, in effect since October 9, 1979. It will establish the procedures to be used when EPA is considering the use of Section 404(c) of

the CWA to prevent the discharge of dredged or fill material into a defined area of the waters of the United States. Section 404(c) gives the Administrator authority to prohibit or withdraw the specification of a site as a disposal site or to deny or restrict use of a disposal site. Prior to 1983, we have taken only one 404(c) action. Since that time, we have initiated six such actions. In the preamble to the 404(c) regulations, we indicated that we would do an evaluation of these regulations within four years of the effective date. We delayed this evaluation in order to carefully consider our recent experiences with these regulations. This review is completed, and we plan to revise the regulations to reflect our findings.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	
Final Action	03/00/86	

Small Entity: No

Additional Information: SAR No. 2196

FTS: 8-382-5043

Agency Contact: Suzanne Schwartz, Environmental Protection Agency, Administration and Resource Management, (A-104), Washington, DC 20460, 202 382-5043

RIN: 2030-AA05

298. REGULATIONS FOR THE FEDERAL CLAIMS COLLECTION ACT

Legal Authority: 31 USC 3711

CFR Citation: 40 CFR 13

Abstract: These regulations will set standards for EPA's debt collection

actions under the Federal Claims Collection Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/85	

Small Entity: No

Additional Information: SAR No. 1825.

FTS: 8-382-5113.

Agency Contact: Joe Dillon, Environmental Protection Agency, General Counsel and Enforcement Counsel, (A-134), Washington, DC 20460, 202 382-5113

RIN: 2020-AA01

299. CONFIDENTIALITY
REGULATIONS: SPECIAL RULES
GOVERNING CERTAIN INFORMATION
UNDER FIFRA (REVISION)

Legal Authority: 5 USC 552 / Freedom of Information Act; 7 USC 136h / FIFRA 10

CFR Citation: 40 CFR 2.307

Abstract: This action would make changes in EPA's procedures for handling business information under FIFRA to reflect amendments to Section 10 of the Act. It would also clarify existing regulations on the treatment of confidential business information under FIFRA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	ENGLIST VA
Final Action	05/00/86	
Constitution	NICE STREET	

Small Entity: No

Additional Information: SAR No. 2195

FTS: 8-382-5460

Agency Contact: Jane Roemer, Environmental Protection Agency, General Counsel and Enforcement Counsel, (LE-132G), Washington, DC 20460, 202 382-5460

RIN: 2020-AA06

300. ● CONSOLIDATED RULES OF PRACTICE GOVERNING THE ADMINISTRATIVE ASSESSMENT OF CIVIL PENALTIES AND THE REVOCATION OF SUSPENSION OF PERMITS

CFR Citation: 40 CFR 22

Abstract: This action is designed to make minor amendments to the Agency's Consolidated Rules of Practice. These amendments may include a period for public notice and comment after the filing of administrative consent decrees, changing the recipient of administrative civil penalties to the Financial Management Division, and requiring respondents to provide information on their ability to pay civil penalties. Other amendments will be solicited.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2216

FTS: 8-475-8783

Agency Contact: Winston Haythe, Environmental Protection Agency, General Counsel and Enforcement Counsel, (LE-130A), Washington, DC 20460, 202 475-8783

RIN: 2020-AA08

ENVIRONMENTAL PROTECTION AGENCY (EPA)—General

Completed Actions

COMPLETED RULEMAKINGS 301. TRAINING AND FELLOWSHIP GRANTS (REVISION)

CFR Citation: 40 CFR 46; 40 CFR 45

Completed:

Reason	Date	FR Cite		
Final Action	10/18/84	49 FR 41004		

Small Entity: Undetermined

Agency Contact: Richard A. Johnson 202 382-5296

RIN: 2010-AA09

302. JUDICIAL REVIEW UNDER EPA-ADMINISTERED STATUTES; RACES TO THE COURTHOUSE

CFR Citation: 40 CFR 23; 40 CFR 100

Completed:

Reason	-	Date	- (*)	FR	Cite
Final Actio	n	02/21/85	50	FR	7268

Small Entity: No

Agency Contact: Alan W. Eckert 202 382-7606

RIN: 2090-AA08

[FR Doc. 85-7906 Filed 94-26-85; 8:45 am]

BILLING CODE 6560-50-T



Monday April 29, 1985

Part XXI

Equal Employment Opportunity Commission

Semiannual Regulatory Agenda

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Ch. XIV

Semiannual Regulatory Agenda

AGENCY: Equal Employment Opportunity Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Equal Employment Opportunity Commission is publishing its semiannual regulatory agenda pursuant to Executive Order No. 12291, 3 CFR 127 (1981 Compilation) and the Regulatory Flexibility Act, 5 U.S.C. Chapter 6. The Agenda contains all regulations which are scheduled for review or development during the next twelve months.

FOR FURTHER INFORMATION CONTACT: Nicholas M. Inzeo, Acting Associate Legal Counsel, Legal Services, Office of Legal Counsel, Equal Employment Opportunity Commission, 2401 E Street, N.W., Washington, D.C. 20507; telephone [202] 634-6592.

SUPPLEMENTARY INFORMATION: The Commission has identified 14 current

and projected rulemakings for inclusion in the agenda. Also listed are six (6) regulatory items which are under review. Two items were added to the agenda since the last semiannual agenda was published; both are existing regulations under review.

Signed at Washington, D.C. this 26th day of February 1985.

For the Commission.

Clarence Thomas,

Chairman, Equal Employment Opportunity Commission.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
10000	Calleadies of Applicant Data for Affirmative Action Purposes	3046-AA0
300	Collection of Applicant Data for Affirmative Action Purposes. Equal Employment Opportunity in the Federal Government; Remedial Relief under Section 717	3046-AA0
2	Equal Employment Opportunity in the Federal Government, hemedial relief section 717	3046-AA0
3	The Equal Pay Act Interpretations	3046-AA1
4	Coordination of regeral Equal Employment Opportunity Programs	3046-AA1
5	Equal Employment Opportunity in the Federal Government	3046-AA1
6	Equal Employment Opportunity in the Federal Government	The Control of the Co
7	Equal Employment Opportunity in the Federal Government	3046-AA1
8	Equal Employment Opportunity in the Federal Government	3046-AA1
9	Equal Employment Opportunity in the Federal Government	3046-AA1
10	Interpretative Bulletin on Employee Benefit Plans	3046-AA1
11	Substantive Regulations on Health Insurance Benefits for Employees Age 65 to 69	3046-AA1
12	Enforcement of Nondiscrimination on the Basis of Handicap in Equal Employment Opportunity Commission Programs	3046-AA2
13	Coverage of Apprenticeship Programs under the Age Discrimination in Employment Act	3046-AA2
14	Procedures for Administrative Exemptions under Section 9 of the Age Discrimination in Employment Act	3046-AA2

Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
15 16 17 18 19 20	*Uniform Guidelines on Employee Selection Procedures. Recordkeeping Regulations Equal Employment Opportunity in the Federal Government Equal Employment Opportunity in the Federal Government Equal Employment Opportunity in the Federal Government *Uniform Guidelines on Employee Selection Procedures	3046-AA00 3046-AA03 3046-AA11 3046-AA12 3046-AA23 3046-AA24

^{*}Indicates priority regulation.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

Current and Projected Rulemakings

1. COLLECTION OF APPLICANT DATA FOR AFFIRMATIVE ACTION PURPOSES

Legal Authority: 29 USC 791 Rehabilitation Act of 1973, as amended

CFR Citation: 29 CFR 1613.706

Abstract: This amendment permits federal agencies to collect handicap information from applicants for employment in order to implement and evaluate special recruitment programs undertaken for affirmative action purposes. Implementation of the final

regulation is dependent on the development of an interagency report form which is in the process of being developed by OPM with the approval of OMB.

Current and Projected Rulemakings

Timetable:				
Action	Date		FR	Cite
Interim Guidelines Interim Guidelines	02/06/81	46	FR	11285
effective Written Comment Period expired	04/07/81			
Final Action	00/00/00			

Small Entity: No

Agency Contact: Clayton G. Boyd, Equal Employment Opportunity Commission, Office of Program Operations, Public Sector Programs, 202 634-6753

RIN: 3046-AA05

2. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT; REMEDIAL RELIEF UNDER SECTION 717

Legal Authority: 42 USC 2000e-16 Section 717 of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1613

Abstract: Proposed amendments provide that an agency or the Commission may award a complainant reasonable attorney's fees and costs and backpay when an allegation of discrimination prohibited by Section 717 is resolved in favor of the complainant. Final regulations have been approved by the Commission and are in interagency coordination pursuant to Executive Order 12067. Changes to the Final regulations as a result of the interagency coordination are now being drafted.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	04/09/80	45	FR	24130
Interim Regulations effective	04/11/80			
In Interagency Coordination	00/00/00			
Final Action	00/00/00			

Small Entity: No

Agency Contact: Nicholas M. Inzeo, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA06

3. THE EQUAL PAY ACT INTERPRETATIONS

Legal Authority: 29 USC 206(d) et seq Equal Pay Act of 1963; 29 USC 201 et seq Fair Labor Standards Act of 1938, as amended; 29 USC 255 Portal-to-Portal Act of 1947

CFR Citation: 29 CFR 1620.1 to 1620.18

Abstract: The Commission proposes interpretations with respect to the enforcement of the Equal Pay Act.

These interpretations would replace those issued by the Department of Labor which appear at 29 CFR Part 800.

Timetable:

Action	Date	FR	Cite
Previous NPRM	09/01/81	46 FR	43848
Comment Period for Prev.	11/02781		
NPRM ended Final Action	06/00/85		

Small Entity: Undetermined

Additional Information: Interagency Coordination will occur under E.O. 12067 before final publication in Federal Register.

Government Levels Affected: Local, State, Federal

Agency Contact: Anthony J. De Marco. Assistant Legal Counsel, Legal Services, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA07

4. COORDINATION OF FEDERAL EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

Legal Authority: EO 12067 Sec 1-303; EO 12067 Sec 1-304

CFR Citation: 29 CFR 1690

Abstract: These amendments to 29 CFR 1690 will implement an agreement reached by EEOC and the Department of Justice with the Office of Management and Budget which clarified the sequence to be followed when agencies are required to seek prepublication clearance of equal employment opportunity rules from EEOC under E.O. 12067, DOJ under E.O. 12250, and from OMB under E.O. 12291 and the Paperwork Reduction Act. In addition to clearance by the EEOC under E.O. 12067, equal employment opportunity rules issued under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972. Section 504 of the Rehabilitation Act of 1973, as amended, or any other

provision of Federal statutory law which prohibits discrimination under any program or activity receiving Federal financial assistance, require clearance from DOJ under E.O. 12250. Technical amendments are being coordinated with affected Federal agencies.

Timetable:

Action	Date	FR Cite
Technical Amendments	00/00/00	FAN

Small Entity: No

Agency Contact: Stuart Frisch, Assistant Legal Counsel, Equal Employment Opportunity Commission, Coordination and Guidance, Office of Legal Counsel, 202 634-7581

RIN: 3046-AA10

5. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Development of interim procedural regulations for the Federal sector requiring that all allegations of reprisal discrimination be processed as regular complaints. Staff draft transmitted to Federal agencies for comments, Sept. 1962.

Timetable:

Action	Date	FR Cite
Draft transmitted to agencies	09/00/82	
Interim Final Rule	05/02/83	48 FR 19705
Final Action	00/00/00	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, 202 634-6753

RIN: 3046-AA13

6. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC

621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Development of interim procedural regulations for processing complaints of discrimination about personnel actions which are appealable to the Merit Systems Protection Board (mixed case complaints). Final Rule under development.

Timetable:

Action	Date	FR Cite
Draft transmitted to agencies	09/00/82	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, 202 634-6753

RIN: 3046-AA14

7. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Development of interim procedural regulations for administratively appealing decisions on grievances where an allegation of discrimination has been raised, Staff draft transmitted to Federal agencies for comments, Sept. 1982.

Timetable:

Action	Date	FR	Cite
Draft transmitted to agencies	09/21/82		THE STATE OF THE S
Interim Final Rule	05/02/83	48 FR	19707
Final Action	00/00/00		
Small Entitue N			

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, 202 634-6753

RIN: 3046-AA15

8. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 29 USC 206(d) et seq Equal Pay Act of 1963; 29 USC 204(f) Fair Labor Standards Act of 1938, as amended; 29 USC 206(d) Fair Labor Standards Act of 1938, as amended

CFR Citation: 29 CFR 1613

Abstract: Development of procedural regulations for processing Federal sector complaints filed under the Equal Pay Act. Under development.

Timetable:

initetable.		Indiana de la constitución de la
Action	Date	FR Cite
Final Action	00/00/00	a Title Blan
Cmall Entitu	No	

Small Entity: No

Agency Contact: Anthony J. De Marco, Assistant Legal Counsel, Legal Services, Equal Employment Opportunity Commission, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA16

9. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Sec 717 of Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act; 6 USC 7121 Civil Service Reform Act of 1978

CFR Citation: 29 CFR 1613

Abstract: The proposed notice of rule making is intended to address the processing of federal sector EEO appeals on the questions of finality, requests to reopen, compliance with, enforcement of, and clarity of Commission decisions.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Robbie Dix, Director, Appeals Division, Equal Employment Opportunity Commission, Office of Review and Appeals, 703 756-6090

RIN: 3046-AA17

10. INTERPRETATIVE BULLETIN ON EMPLOYEE BENEFIT PLANS

Legal Authority: 29 USC 628 The Age Discrimination in Employment Act of 1967

CFR Citation: 29 CFR 1625.10

Abstract: Comprehensive review of interpretations dealing with costs and benefits under employee benefit plans. The Commission is focusing particularly on interpretations on post normal retirement age pension accruals.

Timetable:

Action	Date	FR Cite
Publication of Request for Comments	09/15/83	
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: John J. Pagano, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA18

11. SUBSTANTIVE REGULATIONS ON HEALTH INSURANCE BENEFITS FOR EMPLOYEES AGE 65 TO 69

Legal Authority: 29 USC 621 et seq Age Discrimination in Employment Act of 1967

CFR Citation: 29 CFR 1625

Abstract: Implement Section 4(g) of the Age Discrimination in Employment Act of 1967, as amended, which was enacted by section 116(a) of the Tax Equity and Fiscal Responsibility Act of 1962; and as further amended by the Deficit Reduction Act of 1984.

Timetable:

Action	Date		FR Cite
Interim Final Rule	06/07/83	48	FR 26434
Begin Review	08/06/83	48	FR 26434
End Review	10/31/83		
Final Action	05/00/85		
Final Action Effective	05/00/85		

Small Entity: No

Agency Contact: John J. Pagano, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA19

12. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PROGRAMS

Legal Authority: 29 USC 794 Section 504, Rehabilitation Act of 1973, as amended

CFR Citation: 29 CFR 1615

Abstract: This regulation was approved by the Commission on February 28, 1984. It was submitted to the Department of Justice for review. If it is approved, it will later be published in the Federal Register.

Timetable:

Action	Date	FR Cite
Commission considers Regulations	02/28/84	Town to the first
Justice Department considers Regulation	00/00/00	
Final Action	00/00/00	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: S. Jennifer Johnson, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA20

13. COVERAGE OF APPRENTICESHIP PROGRAMS UNDER THE AGE DISCRIMINATION IN EMPLOYMENT ACT

Legal Authority: 29 USC 628 Age Discrimination in Employment Act of 1967 CFR Citation: 29 CFR 1625.13; 29 CFR 1625.21

Abstract: The Department of Labor on January 9, 1969, published an interpretative guideline which provided that apprenticeship programs were not covered by the ADEA. On July 1, 1979, the Commission assumed responsibility and authority for enforcement of the ADEA. On September 29, 1981, the Commission republished the Department of Labor's guideline, 29 CFR 1625.13. After an exhaustive review of the ADEA and its legislative history, the Commission proposes to rescind 29 CFR 1625.13, as it presently exists, and promulgate a substantive rule providing that apprenticeship programs are covered by the ADEA. The extension of ADEA coverage to apprenticeship programs is consistent with the purpose of the Act. It will allow those forty years of age and older the same opportunities to participate in apprenticeship programs as are currently enjoyed by younger individuals.

Timetable:

Action	Date	FR Cite
OMB Review under E.O. 12291 Proposed	07/13/84	ALL STREET
Regulation sent to OMB for review under E.O. 12291		
Final Action	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: Multiple

Government Levels Affected: Local, State Agency Contact: John J. Pagano. Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, 202 634-6592

RIN: 3046-AA21

14. PROCEDURES FOR ADMINISTRATIVE EXEMPTIONS UNDER SECTION 9 OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT

Legal Authority: 29 USC 628 Age Discrimination in Employment Act

CFR Citation: 29 CFR 1627.15

Abstract: The purpose of the proposed amendment to 29 CFR 1627.15 is to give those covered by the ADEA more specific information about what they should do if they do wish to seek an exemption from any or all of the ADEA's prohibitions. The advantage is that the establishment of a specific procedure will facilitate the processing of exemption requests.

Timetable:

Action	Date	FR Cite
Submission of Staff	06/00/85	
Recommenda- tions to		
Commission		
Final Action	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: John J. Pagano, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, 202 634-6592

RIN: 3046-AA22

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

Existing Regulations Under Review

15. UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES

Priority: Task Force

Legal Authority: 42 USC 2000e et seq Title VII of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1607

Abstract: UGESP Recordkeeping
Provisions. On March 15, 1983, the
Commission voted to review those
portions of the recordkeeping
provisions of the Guidelines which
relate to the maintenance of data
necessary to determine adverse impact.
Pursuant to that vote, the Commission
published in the Federal Register a
notice seeking public comment in

general and on several specific questions about UGESP recordkeeping. 48 Fed. Reg. 34766 (Aug. 1, 1983). Approximately 45 comments were received. The Commission is currently reviewing the comments and is considering further action. On June 12, 1984, the Commission voted to prepare an NPRM concerning certain UGESP recordkeeping requirements. Prior to

publication for comment, co-signatories to UGESP will engage in discussion of recommended changes and other affected agencies will be consulted under E.O. 12067.

Timetable:

Action	Date	FR Cite
End Review	05/00/85	The Charles
NPRM	05/00/85	

Small Entity: No

Agency Contact: Anthony De Marco, Legal Services, Equal Employment Opportunity Commission, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA00

16. RECORDKEEPING REGULATIONS

Legal Authority: 42 USC 2000e et seq Title VII of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1602

Abstract: The Commission proposes to revise its recordkeeping regulations to require certain employers and labor unions to maintain lists of applicants for employment and to retain employment records for two years or until termination of a Commission or court processing. The Commission is considering further revisions to the proposed amendments as the result of a study on the feasibility of a uniform government-wide equal opportunity recordkeeping regulation. The study on the feasibility of a uniform governmentwide EEO regulation is complete and will require further consideration by staff. Commission action on UGESP will require staff to evaluate impact of proposed regulations on 1602 recordkeeping.

Timetable:

Action	Date	FR Cite
NPRM	07/25/78	43 FR 32280
NPRM Comment Period End	09/21/78	
Public Hearing	09/21/78	
Record closed	10/01/78	
End Review	12/00/85	
Final Action	10/00/86	

Small Entity: Yes

Agency Contact: Anthony De Marco, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA03

17. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Comprehensive revision of regulations for processing individual and class EEO complaints in the Federal sector. Under development.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	Di tayalah

Small Entity: No

Agency Contact: S. Jennifer Johnson, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA11

18. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Comprehensive revision of regulations on affirmative action in the Federal sector. Under development.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: S. Jennifer Johnson, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA12

19. ● EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 29 USC 621 et seq Rehabilitation Act of 1973, as amended

CFR Citation: 29 CFR 1613.701 et seq

Abstract: Definitional revisions will eliminate improper processing of

matters more appropriately processed pursuant to other regulations and/or procedures.

Timetable:

Action	Date	FR Cite
Hotion	Date	Lu Olle

Next Action Undetermined

Small Entity: No

Agency Contact: Robbie Dix, Director, Appeals Division, Equal Employment Opportunity Commission, Office of Review and Appeals, 703 756-6090

RIN: 3046-AA23

20. • UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES

Priority: Agency Determination

Legal Authority: 42 USC 2000e et seq Title VII of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1607

Abstract: On March 15, 1983, the Commission voted to review the recordkeeping portions of the Guidelines. During that review process. several questions arose which pertained to the substantive, non-recordkeeping provisions of the Guidelines. Consequently, the Commission decided to review the substantive portions of the Guidelines. The major substantive areas under review are: 1) the purpose of the Guidelines and whether there is still a need for the Guidelines; 2) the theory of adverse impact and the method of determining when such impact is significant; and 3) how to establish test validity. When the review is completed, the Commission will decide whether any regulatory revisions are needed.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	יביו לעודים
End Review	00/00/00	

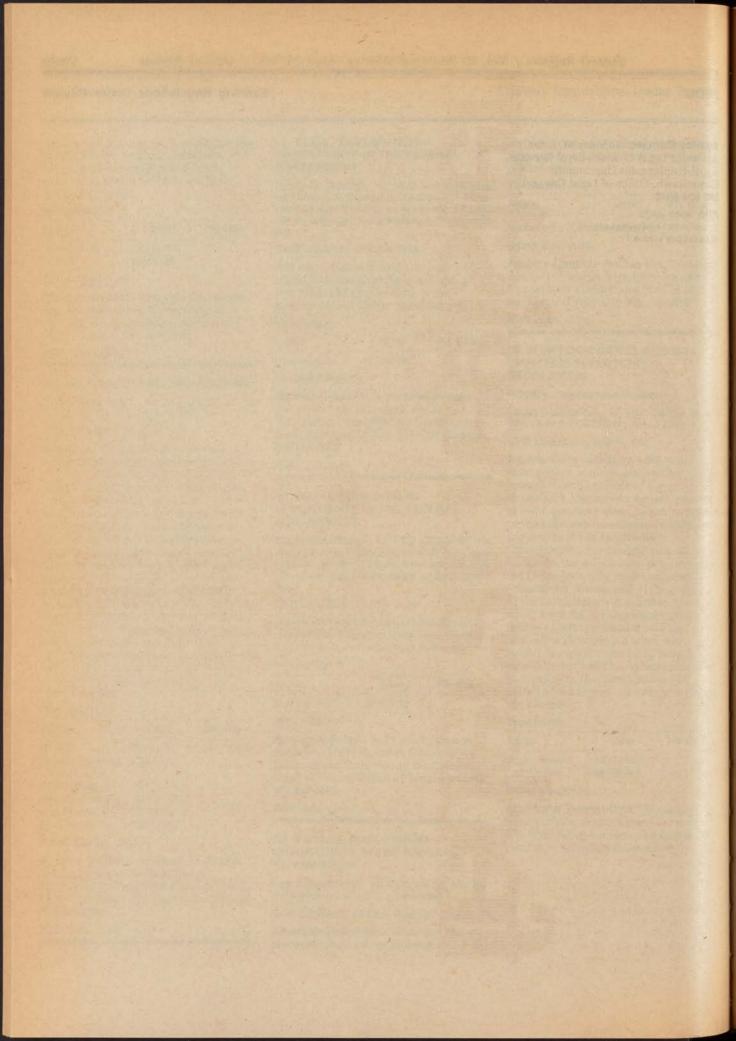
Small Entity: No

Additional Information: This action resulted from splitting previous entry RIN 3046-AA00 Uniform Guidelines on Employee Selection Procedures.

Existing Regulations Under Review

Agency Contact: Nicholas M. Inzeo, Assistant Legal Counsel, Legal Services, Equal Employment Opportunity Commission, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA24 [FR Doc. 85-6377 Filed 04-26-85; 8:45 am] BILLING CODE 6570-06-T





Monday April 29, 1985

Part XXII

Federal Emergency Management Agency

Semiannual Regulatory Agenda



FEMA

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Ch. I

Semiannual Agenda

AGENCY: Federal Emergency Management Agency (FEMA). ACTION: Semiannual agenda.

SUMMARY: Pursuant to section 5 of Executive Order 12291 (Federal Regulation) the Federal Emergency Management Agency is publishing its semiannual agenda for FEMA. The agenda lists regulations that will be under development or review during the period April 1, 1985 to April 1, 1986.

ADDRESS: Rules Docket Clerk, Office of General Counsel, Room 840, 500 C Street, S.W., Washington, D.C. 20472.

FOR FURTHER INFORMATION CONTACT:

For general information contact William L. Harding, Assistant General Counsel,

Legislation and Regulations, Office of General Counsel, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 646-4096. For additional information about a specific regulation contact the person listed as the contact point in the agenda.

SUPPLEMENTARY INFORMATION:

Executive Order 12291, "Federal Regulation," directs each Executive agency to adopt procedures to improve existing and future regulations. Publication of an agenda of significant regulations is called for at least semiannually in order to give the public adequate notice of agency rulemaking activities; also publication of a regulatory flexibility agenda concerning rules likely to have a significant impact on a substantial number of small entities must be published in accordance with 5 U.S.C. 602 and 605.

In fulfillment of requirements imposed by the Executive Order and 5 U.S.C. 601 et seq., this agenda describes current and projected regulations, and regulations which will be under review during the period April 1, 1985 to April 1, 1986. This agenda also contains information on regulations on which action was completed since the last FEMA semiannual agenda published October 22, 1984, 49 FR 42208.

Public comment on the agenda, including that by State and local governments, is invited and should be submitted to the Rules Docket Clerk.

The agenda is not limited to major or significant rules and contains as much information as possible concerning all FEMA regulations to be published in the next 12 months except for routine flood elevation determinations, listing of eligible communities under the National Flood Insurance Program, listing of suspended communities and similar designations.

DATED: February 20, 1985. George Jett, General Counsel.

Current and Projected Rulemakings

Se- quence lumber	Title Title	Regulation Identifier Number
3 19 1	No. 5 - included a Code W. Assisted Communication	3067-AA00
1	Nondiscrimination in Federally-Assisted Programs Part 205 - Federal Disaster Assistance (PL 93-288, Subpart M - Hazard Mitigation).	3067-AA00
2	Federal Disaster Assistance - Subpart N Coastal Barrier Resources Act.	3067-AA24
3		00000 S C C C C C C C C C C C C C C C C
4	Employment of Nondiscrimination on the Basis of Handicap in FEMA Programs Federal Disaster Assistance Sub-Part E Public Assistance	
0	Flood Plain Management Criteria for Flood-Prone Areas	3067-AA57
0	Procedures for Flood Insurance Map Changes.	3067-AA58
,		
0	Flood Insurance Program Arrangements With Insurance Industry	3067-AA6
9	Criteria for Recognition of Flood Protection Structures on Flood Insurance Maps	3067-AA6
10		3067-AA6
11	Duplication of Benefits	3067-AA6
12		3067-AA6
13	Population Protection Planning Program	
14	Uniform Relocation Assistance	3067-AA6
15	State Assistance Programs for Training and Education in Comprehensive Emergency Management	3067-AA7
16	Federal Acquisition Regulations Temporary Relocation Assistance - Superfund	3067-AA7
17	Temporary Relocation Assistance - Superrund	3067-AA7
18	Implementation of Privacy Act	000
19	Production or Disclosure of Information	3067-AA7
20	Reimbursement for Engineering Review of Proposed Projects to Remove Property from Flood Hazard Area Delineation.	3067-AA7
21	Standards of Conduct	3067-AA7
22	National Flood Insurance Program Changes	3067-AA7
23	Riot Reinsurance Program	3067-AA8
24	Crime Insurance Program.	3067-AA8

FEMA

Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41	Preservation of the Mobilization Base Through the Placement of Procurement and Facilities in Labor Surplus Areas Policy Guidance and Delegation of Authorities for Use of Priorities and Allocations to Maximize Domestic Energy Supplies	3067-AA32 3067-AA33 3067-AA34 3067-AA36 3067-AA36 3067-AA43 3067-AA44 3067-AA45 3067-AA45 3067-AA46 3067-AA66 3067-AA66 3067-AA66

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
42 43 44 45	Disaster Assistance - Individual Assistance - Crisis Counseling Claims Under the Military Personnel and Civilian Employees' Claims Act of 1964 Appeals of Cost Comparison Decisions Under OMB Circular A-76 Public Safety Awards to Public Officers	3067-AA20 3067-AA21
46	Public Safety Awards to Public Officers	3067-AA61

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Current and Projected Rulemakings

1. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS

Legal Authority: 42 USC 2000d-1; 29 USC 794; 20 USC 1682; 42 USC 6103; 42 USC 5151; Reorganization Plan No. 3 of 1978; EO 12127; EO 12148

CFR Citation: 44 CFR 7

Abstract: This rule effectuates for FEMA the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975 and section 311 of the Disaster Relief Act of 1974. A draft regulation is undergoing interagency review. The Notice of proposed rulemaking will be issued as soon as interagency clearances are obtained.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	THE PARTY IN
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	06/00/85	
Final Action	07/00/85	
Final Action Effective	09/00/85	

Small Entity: No

Agency Contact: John J. Brosnahan, Director, Office of Equal Opportunity, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-4121

RIN: 3067-AA00

2. PART 205 - FEDERAL DISASTER ASSISTANCE (PL 93-288, SUBPART M - HAZARD MITIGATION)

Legal Authority: 42 USC 5201 CFR Citation: 44 CFR 205,400

Abstract: The proposed rule revision clarifies the hazard mitigation provisions of the Disaster Relief Act of 1974 by specifying general plan requirements and guidelines as well as other procedural requirements. The Hazard Mitigation Requirement is intended to serve as an aid to State and local governments in developing an overall mitigation program to minimize the costs of natural disasters.

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	

Small Entity: No

FEMA

Agency Contact: Laurence W.
Zensinger, Acting Chief, Hazard
Mitigation Branch, Federal Emergency
Management Agency, Disaster
Assistance Programs, Room 713, 500 C
Street, SW, Washington, DC 20472, 202
646-3681

RIN: 3067-AA13

3. FEDERAL DISASTER ASSISTANCE -SUBPART N COASTAL BARRIER RESOURCES ACT

Legal Authority: 16 USC 3501; 16 USC 3505; 42 USC 5201

CFR Citation: 44 CFR 205.500

Abstract: This rule will implement FEMA responsibilities under the Coastal Barrier Resources Act (PL 97-348) which was recently adopted.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	
NPRM Comment Period Begin	03/01/85	
NPRM Comment Period End	05/00/85	

Small Entity: No

Agency Contact: Charles Stuart, General Engineer, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3691

RIN: 3067-AA24

4. EMPLOYMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEMA PROGRAMS

Legal Authority: 29 USC 794 CFR Citation: 44 CFR 16

Abstract: This rule effectuates for FEMA the nondiscrimination requirements of section 504 of the Rehabilitation Act of 1973, as amended in 1978 to include activities conducted directly by Federal agencies. A draft regulation has been prepared and submitted to the Department of Justice and the Equal Employment Opportunity Commission for review.

Timetable:

Small Entity: No

Action	Date	FR Cite
NPRM	06/00/85	The state of the s
NPRM Comment Period Begin	06/00/85	
NPRM Comment Period End	08/00/85	

Agency Contact: John J. Brosnahan, Director, Office of Equal Opportunity, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-4121

RIN: 3067-AA42

5. FEDERAL DISASTER ASSISTANCE SUB-PART E PUBLIC ASSISTANCE

Legal Authority: 42 USC 5201 CFR Citation: 44 CFR 205.70 et seq

Abstract: This proposed rule makes changes in the FEMA disaster assistance regulations implementing the Disaster Relief Act of 1974 (PL 93-288). Changes are made in the eligibility of costs of public assistance to State and local governments. This is being done in recognition of the commitment to the disaster effort now being made by applicants in the form of cost sharing of eligible costs.

Timetable:

Action	Date	FR Cite
NPRM	02/03/84	49 FR 4222
NPRM Comment Period Begin	02/03/84	
NPRM Comment Period End	06/04/84	
Additional Notice	05/15/85	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Charles B. Stuart, General Engineer, Public Assist. Division, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3691

RIN: 3067-AA53

6. FLOOD PLAIN MANAGEMENT CRITERIA FOR FLOOD-PRONE AREAS

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59; 44 CFR 60

Abstract: A rule will be issued that will revise the minimum floodplain management standards that deal with the placement and anchoring of mobile homes in floodprone areas. The rule will be based on comments received in response to an ANPRM (Dec. 13, 1982, 47 FR 55752) and data gathered by a mobile home study that is now underway. Other changes may include revisions to requirements for elevation certificates on new structures and to clarify or eliminate minor

inconsistencies in program requirements.

Timetable:

Action	Date	FR Ci
NPRM	03/18/85	
NPRM Comment Period Begin	03/18/85	
NPRM Comment Period End	05/17/85	
Final Action	08/30/85	
Final Action Effective	10/01/85	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AA57

7. PROCEDURES FOR FLOOD INSURANCE MAP CHANGES

Legal Authority: 42 USC 4001 et seq; E0

CFR Citation: 44 CFR 65; 44 CFR 70

Abstract: Certain procedures for map changes need to be clarified and set forth as rules. These procedures are for revising maps under 44 CFR 65 and 44 CFR 70 and for permitting communities to revise regulatory floodways.

Timetable:

Action	Date	FR Cite
NPRM	12/27/85	
NPRM Comment Period Begin	12/27/85	
NPRM Comment Period End	02/27/86	
Final Action	08/29/86	
Final Action Effective	10/01/86	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AA58

8. FLOOD INSURANCE PROGRAM ARRANGEMENTS WITH INSURANCE INDUSTRY

Priority: Undetermined

Legal Authority: 42 USC 4001 et seq E0

CFR Citation: 44 CFR 61; 44 CFR 62

Abstract: Involvements of private industry will enable program to be carried out under highest insurance standards in use in private sector, benefit the policyholders with better service, the taxpayers with cost containment efficiencies in use in private sector. NFIP will also broaden its marketing base, thereby capturing more premium and improving its underwriting base via greater spread of the risk. Negligible costs are compensated for by increased marketing at no cost to government. Procedures will be provided for this involvement, known as the Write-Your-Own (WYO) program. These procedures will include the standard WYO arrangement, to be published. along with effective date, premium collection and premium refund rules conforming to the customary business practices of WYO companies in their other similar lines of property insurance business (e.g., homeowners); and other insurance business rules, as needed, to conform the provision of flood insurance coverage by WYO companies with their customary business practices.

Timetable:

Date		FR	Cite
12/13/84	49	FR	48652
12/13/84	49	FR	48652
02/15/85			
04/26/85			
06/01/85			
	12/13/84 12/13/84 02/15/85 04/26/85	12/13/84 49 12/13/84 49 02/15/85 04/26/85	12/13/84 49 FR 12/13/84 49 FR 02/15/85 04/26/85

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AA60

9. FLOOD INSURANCE POLICY COVERAGE AND RATE CHANGES

Priority: Undetermined

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 61; 44 CFR 64; 44 CFR 66; 44 CFR 75

Abstract: As a result of a continuing reappraisal of the National Flood Insurance Program, coverage changes will bring the insurance contract more in line with property insurance policies in the private sector, make the program

more responsive to victims of catastrophe flood loss and promote fiscal soundness. There will be an increase in emergency program rates and in the minimum premium. Coinsurance will be implemented for risks incurring repetitive losses. Flood-risk zone designations on flood insurance rate maps will be revised for consistency with the existing rate tables.

Timetable:

Action	Date	FR	Cite
NPRM	03/18/85		
NPRM Comment Period Begin	03/18/85		
NPRM Comment Period End	05/17/85		
Final Action	08/30/85		
Final Action Effective	10/01/85		

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AA62

10. CRITERIA FOR RECOGNITION OF FLOOD PROTECTION STRUCTURES ON FLOOD INSURANCE MAPS

Priority: Undetermined

Legal Authority: 42 USC 4001 et seq; EO

CFR Citation: 44 CFR 65

Abstract: The regulation will establish criteria defining when FEMA will credit flood protection structures with reducing the size of the Special Flood Hazard Area shown, or to be shown, on FEMA flood maps. The criteria will include design, operation and maintenance standards and requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/27/85	
NPRM Comment Period Begin	12/27/85	
NPRM Comment Period End	02/27/86	
Final Action	08/29/86	
Final Action Effective	10/01/86	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AA63

11. DUPLICATION OF BENEFITS

Legal Authority: 42 USC 5155; 42 USC 5201

CFR Citation: 44 CFR 205.10

Abstract: This regulation will address the prevention of and remedies for duplication of benefits between disaster assistance programs under the Disaster Relief Act and other available assistance (insurance, other legislative authorities).

Timetable:

Action	Date	FR Cite
NPRM	12/15/84	0.9
NPRM Comment Period Begin	03/25/85	
NPRM Comment Period End	05/24/85	
Final Action	07/01/85	

Small Entity: Not Applicable

Agency Contact: Donna M. Dannels, Federal Emergency Management Agency, Room 710, 500 C Street, SW, Washington, DC 20472, 202 646-3662

RIN: 3067-AA65

12. RADIOLOGICAL PROTECTION PROGRAM

Priority: Undetermined

Legal Authority: 50 USC App 2253 Sec 201 Federal Civil Defense Act of 1950; Reorganization Plan No. 3 of 1978 (3 CFR 1979, Comp. p. 329); EO 12148

CFR Citation: 44 CFR Chapter I, Subchapter E

Abstract: Review 44 CFR and PL 81-920 Federal Civil Defense Act of 1950, as amended, to determine if a part is needed in 44 CFR pertaining to the development and implementation of a radiological protection program at Federal, State, and local levels of government. The Radiological Protection Program provides for the protection of the citizens and property from the radiological hazards including nuclear attack and technological threats, that are a potential threat to the jurisdiction. Radiation threat of nuclear attack is unique. No alternative to this program is being considered.

FEMA

Funding for this program is provided by FEMA. The major benefit of this program is to provide all levels of government the capability to respond and survive a nuclear attack or peacetime radiological incident.

Timetable:

Illictable.			
Action	Date	FR Cite	
ANPRM	03/00/85		
ANPRM Comment	03/00/85		
Period Begin			
ANPRM Comment	04/15/85		
Period End			
NPRM	06/01/85		
NPRM Comment Period Begin	06/15/85		
NPRM Comment Period End	08/15/85		
Interim Final Rule	01/30/86		
Determination of need to develop	00/00/00		
Regulation will			
be initiated in FY 85			

Small Entity: Not Applicable

Additional Information: If needed, regulatory development of this program will be initiated in FY 85 for possible issuance in FY 86.

Government Levels Affected: Local, State, Federal

Agency Contact: George C. Meyer, Sr. Health Physicist, Federal Emergency Management Agency, 500 C Street, SW. Washington, DC 20472, 202 646-3498

RIN: 3067-AA67

13. POPULATION PROTECTION PLANNING PROGRAM

Priority: Undetermined

Legal Authority: 50 USC App. 2253 Sec 201, Federal Civil Defense Act of 1950; Reorganization Plan No. 3 of 1978 (3 CFR 1979 Comp. 329); EO 12148

CFR Citation: 44 CFR 313

Abstract: The Population Protection
Planning Program is designed to insure
the protection of people and property
from hazards each jurisdiction is likely
to face. It directly supports the
Integrated Emergency Management
System (IEMS) and provides for the
development, exercise and maintenance
of a single emergency operations plan
detailing tasks and procedures for
coping with natural disasters,

technological hazards and nuclear attack with specific procedures on sheltering and evacuation. No alternative to this program is being considered. Funding for this program is provided by FEMA. The major benefit of this program is to provide State and local jurisdictions the capability to respond and recover from a disaster, accident or incident.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/85	Car State
ANPRM Comment Period Begin	03/15/85	
ANPRM Comment Period End	04/15/85	
NPRM	07/30/85	
NPRM Comment Period Begin	09/30/85	
NPRM Comment Period End	10/30/85	
Interim Final Rule	02/15/86	
The regulatory development of this program will be initiated in FY85 for Regulation issuance FY86	00/00/00	

Small Entity: Not Applicable

Government Levels Affected: Local, State, Federal

Agency Contact: John E. Bokel, Chief, Planning Development Branch, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3500

RIN: 3067-AA68

14. UNIFORM RELOCATION ASSISTANCE

Legal Authority: 42 USC 4601 et seq

CFR Citation: 44 CFR 25

Abstract: FEMA will participate as one of the signatory agencies which will issue uniform policies and procedures implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	A THE STATE OF THE
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	09/00/85	

Small Entity: No

Agency Contact: John L. Scheibel, Associate General Counsel, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-4100

RIN: 3067-AA69

15. STATE ASSISTANCE PROGRAMS FOR TRAINING AND EDUCATION IN COMPREHENSIVE EMERGENCY MANAGEMENT

Legal Authority: Reorganization Plan No. 3,1978; EO 12127; EO 12148

CFR Citation: 44 CFR 360

Abstract: This regulation revises existing regulation governing the State Assistance Program for Training and Education in Comprehensive Emergency Management to reflect program and administrative changes occurring since issuance of the regulation in 1981.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	09/00/85	

Small Entity: No

Agency Contact: Joseph L. LeFleur. Superintendent, Emergency Mgmt. Institute, Federal Emergency Management Agency, Emmitsburg, MD 21727, 301 447-6771

RIN: 3067-AA70

16. • FEDERAL ACQUISITION REGULATIONS

Legal Authority: Interim Regulations Authority 48 CFR 1

CFR Citation: 48 CFR 44

Abstract: The Competition in Contracting Act (CICA) Title 7 of the Deficit Reduction Act 1984 becomes effective April 1, 1985. The Act makes changes to basic statutes underlying the Federal Acquisition Regulations (FAR). The FAR and also FEMA Acquisition Regulations have been amended to implement these major changes and corresponding requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	attended to
NPRM Comment	04/01/85	
Period Begin		

Action	Date	FR Cite
NPRM Comment Period End	05/01/85	

Small Entity: No

Agency Contact: Joseph A. Pegnato, Chief, Policy and Evaluation Division, Federal Emergency Management Agency, 500 C Street, SW, Room 728, Washington, DC 20472, 202 646-3743

RIN: 3067-AA71

17. • TEMPORARY RELOCATION ASSISTANCE - SUPERFUND

Legal Authority: 42 USC 9601 et seq

CFR Citation: 44 CFR 220

Abstract: This part prescribes policy and program guidance to be followed when implementing temporary relocation assistance under the Comprehensive Environmental Response, Compensation and Liability Act, 1980 (CERCLA) Superfund.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	ST Shut
NPRM Comment Period Begin	05/00/85	
NPRM Comment Period End	07/00/85	and the same

Small Entity: No

Agency Contact: Kathleen M. Brody, Emergency Management Specialist, Federal Emergency Management Agency, Room 701, 500 C Street, SW, Washington, DC 20472, 202 646-3804

RIN: 3067-AA72

18. MPLEMENTATION OF PRIVACY

Legal Authority: 5 USC 552a; 31 USC 9701

CFR Citation: 44 CFR 6.82; 44 CFR 6.83; 44 CFR 6.85

Abstract: This regulation may revise fee schedule for privacy act requests to reflect inflation factor and consistency with schedules of other Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	09/00/85	
Small Entity: No		

Agency Contact: Linda M. Keener, FOIA/Privacy Act Specialist, Federal Emergency Management Agency, 500 C Street, SW, Room 806, Washington, DC 20472, 202 646-3981

RIN: 3067-AA73

19. PRODUCTION OR DISCLOSURE OF INFORMATION

Legal Authority: 5 USC 552; 31 USC 9701

CFR Citation: 44 CFR 5.42; 44 CFR 5.44; 44 CFR 5.46

Abstract: This regulation may revise fee schedule for FOIA requests to reflect inflation factor and consistency with schedules of other Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	No. of Concession,
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	09/00/85	

Small Entity: No

Agency Contact: Linda M. Keener, FOIA/Privacy Act Specialist, Federal Emergency Management Agency, 500 C Street, SW, Room 806, Washington, DC 20472, 202 646-3981

RIN: 3067-AA74

20. • REIMBURSEMENT FOR ENGINEERING REVIEW OF PROPOSED PROJECTS TO REMOVE PROPERTY FROM FLOOD HAZARD AREA DELINEATION

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 72

Abstract: The regulation will require that the costs expended by FEMA in the engineering review with respect to FEMA's flood insurance study of the effects of proposed projects to modify the hydrologic and/or hydraulic characteristics of a flooding source be reimbursed to the Federal Treasury by the individual, group or community requesting such review.

Timetable:

Action	Date	FR Cite
NPRM	03/18/85	
NPRM Comment Period Begin	03/18/85	

Action	Date	FR Cite
NPRM Comment Period End	05/17/85	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AA75

21. • STANDARDS OF CONDUCT

Priority: Undetermined

Legal Authority: PL 95-521; EO 11222; 5 CFR 735; 5 CFR 737

CFR Citation: 44 CFR 3

Abstract: This will revise the FEMA standards of conduct regulation with emphasis on disclosure of financial interests requirements. These were issued in 1979 when the agency was formed and will now be updated.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	09/00/85	

Small Entity: No

Agency Contact: Lorri L. Jean, Attorney Advisor, Federal Emergency Management Agency, Office of General Counsel, Room 840, 500 C Street, SW, Washington, DC 20472, 202 646-4093

RIN: 3067-AA78

22. ● NATIONAL FLOOD INSURANCE PROGRAM CHANGES

Priority: Undetermined

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59; 44 CFR 60; 44 CFR 61

Abstract: Possible changes to the insurance contract include mobile home changes. The floodplain management provisions of the NFIP dealing with mobile homes may also be revised, along with other floodplain management changes, including possible changes involving standards for application of sec. 1316 of the National Flood Insurance Act of 1968, additional guidance on community probation and suspension, placement of

mechanical and utility equipment, use of best available data, requirements for elevation certificates in unnumbered Azones, floodproofing, variances, functionally dependent uses, residential basements, alluvial fans, openings in elevated building enclosures, and deletion of 44 CFR 76 [State Assistance Program regulations]. Possible revisions to the NFIP premium rate structure include community rating, elevation rating outside Special Flood Hazard Areas and also for the Emergency Program, and a coastal shoreline rating system.

Timetable:

Action	Date	FR Cite
NPRM	12/27/85	duck TE
NPRM Comment Period Begin	12/27/85	
NPRM Comment Period End	02/27/86	
Final Action	08/29/86	
Final Action Effective	10/01/86	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AA79

23. • RIOT REINSURANCE PROGRAM

Legal Authority: 12 USC 1749bbb-17 CFR Citation: 44 CFR 55; 44 CFR 56; 44 CFR 57

Abstract: This removes regulations governing the riot reinsurance program, authority for which terminated in 1983.

Timetable:

Action	Date	FR Cite
NPRM	01/31/85	50 FR 4543
NPRM Comment Period Begin	01/31/85	
NPRM Comment Period End	04/01/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Robert J. DeHenzel, Director, Urban Property Insurance Operation, Federal Emergency Management Agency, 500 C Street, SW, Room 433, Washington, DC 20472, 202 646-3440

RIN: 3067-AA80

24. O CRIME INSURANCE PROGRAM

Legal Authority: 12 USC 1749bbb-17

CFR Citation: 44 CFR 80; 44 CFR 82; 44 CFR 83

Abstract: This revises the Crime Insurance Regulation to introduce a new rating plan for commercial crime insurance policies; revise the list of commercial classifications of businesses; revise the number of premium classes by which applications for crime insurance are rated and amend the protective device requirements for some commercial business to permit a premium modification for specific degrees of protection. The proposed regulations also provide more detailed and helpful instructions for calculating premiums and identifying the classification of businesses. Those revisions are based upon the experience gained in administering the Federal Crime Insurance Program over the past thirteen (13) years.

Timetable:

Action	Date	FR Cite
NPRM	01/29/85	Activities of
NPRM Comment Period Begin	01/29/85	50 FR 3929
NPRM Comment Period End	04/01/85	
Final Action	05/01/85	

Small Entity: No

Agency Contact: Robert J. DeHenzel, Director, Urban Property Insurance Operation, Federal Emergency Management Agency, 500 C Street, SW. Room 433, Washington, DC 20472, 202 646-3440

RIN: 3067-AA81

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

25. PRESERVATION OF THE MOBILIZATION BASE THROUGH THE PLACEMENT OF PROCUREMENT AND FACILITIES IN LABOR SURPLUS AREAS

Legal Authority: EO 10480; EO 12148

CFR Citation: 44 CFR 331

Abstract: This part sets policy and makes assignments with respect to award of contracts, etc. in labor surplus areas for purposes of preserving the mobilization base.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	S. HIW LLE
End Review	02/15/86	

Agency Contact: Audrey Reeg,

Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA32

26. POLICY GUIDANCE AND DELEGATION OF AUTHORITIES FOR USE OF PRIORITIES AND ALLOCATIONS TO MAXIMIZE DOMESTIC ENERGY SUPPLIES

Legal Authority: 50 USC 2061 et seq; PL 94-163, Sec 104

CFR Citation: 44 CFR 330

Abstract: This regulation establishes policy guidance on determination and use of priorities and allocations for materials and equipment to maximize domestic energy supplies pursuant to section 101(c) of the Defense Production

Existing Regulations Under Review

Timetable:		
Action	Date	FR Cite
Begin Review	08/15/85	THE PL
End Review	02/15/86	

Agency Contact: Audrey Reeg, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA33

Small Entity: No

27. USE OF PRIORITIES AND ALLOCATION AUTHORITY FOR FEDERAL SUPPLY CLASSIFICATION (FSC) COMMON USE ITEMS (DMO-12)

Legal Authority: 50 USC App 2061 el seg; EO 10480

CFR Citation: 44 CFR 329

Existing Regulations Under Review

Abstract: This part provides policy guidance concerning the use of priorities and allocations authority in Title I of Defense Production Act for the procurement of common use items in the Federal Supply Classification.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	The same of the same
End Review	04/15/86	

Small Entity: No

Agency Contact: Audrey Reeg. Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA34

28. GENERAL POLICIES FOR STRATEGIC AND CRITICAL MATERIALS STOCKPILING (DMO-11)

Legal Authority: 50 USC 98 et seq

CFR Citation: 44 CFR 328

Abstract: This part sets forth policies for the administration of strategic and critical materials stockpiling under the Strategic and Critical Materials Stock Piling Act.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	A COM
End Review	02/15/86	

Small Entity: No

Agency Contact: Audrey Reeg.

Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA35

29. POLICY ON USE OF **GOVERNMENT-OWNED INDUSTRIAL** PLANT EQUIPMENT BY PRIVATE INDUSTRY (DMO-10A)

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 327

Abstract: This part establishes policy on use by private industry of Government-owned industrial plant equipment to maintain a reserve of such equipment for emergency preparedness.

Timetable:		
Action	Date	FR Cite
Begin Review	08/15/85	AND STREET

02/15/86

Small Entity: No

End Review

Agency Contact: Audrey Reeg,

Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA36

30. POLICY GUIDANCE FOR A NATIONAL EMERGENCY BLOOD PROGRAM

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 326

Abstract: This regulation prescribes objectives, policies and responsibilities of the National Emergency Blood Program.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Audrey Reeg,

Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA37

31. EMERGENCY HEALTH AND MEDICAL OCCUPATIONS

Legal Authority: 50 USC App 2061; EO

CFR Citation: 44 CFR 325

Abstract: This regulation lists emergency health and medical occupations in support of functions under Executive Order Assigning Emergency Preparedness Functions.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	Al Section
End Review	04/15/86	

Small Entity: No

Agency Contact: Audrey Reeg. Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA38

32. NATIONAL SECURITY POLICY **GOVERNING SCIENTIFIC AND ENGINEERING MANPOWER (DMO-5)**

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 324

Abstract: This part provides policy on the training and utilization of the scientific and engineering workforce as it affects national security.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	VE SIER IV
End Review	04/15/86	

Small Entity: No

Agency Contact: Audrey Reeg. Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA43

33. GUIDANCE ON PRIORITY USE OF RESOURCES IN IMMEDIATE POST ATTACK PERIOD (DMO-4)

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 323

Abstract: This regulation states policy on use of resources in a post attack period and provides general guidance for Federal, State and local governments on activities to be accorded priority in use of resources. and lists items essential to national survival.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	all the land
End Review .	04/15/86	

Small Entity: No

Agency Contact: Audrey Reeg. Assistant Associate Director, Federal

Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA44

Existing Regulations Under Review

34. DEFENSE PRODUCTION PRIORITIES AND ALLOCATIONS AUTHORITY

Legal Authority: 50 USC App 2061 et

seq; EO 10480

CFR Citation: 44 CFR 322

Abstract: This regulation establishes policy guidance and delegates authority with respect to priorities and allocation functions in the Defense Production Act.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Audrey Reeg. Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA45

35. MAINTENANCE OF THE MOBILIZATION BASE

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 321

Abstract: This regulation deals with policies concerning the mobilization base for Department of Defense, Department of Energy, and Maritime Administration and includes procedures relating to selection and maintenance of the base.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Audrey Reeg, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA46

36. DISPERSION AND PROTECTIVE CONSTRUCTION: POLICY, CRITERIA RESPONSIBILITIES (DMO-1)

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 320

Abstract: This regulation establishes policy and criteria to encourage

dispersal of facilities important to the national security and that these be located so as to reduce the risk of damage in event of attack.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	07/15/86	

Small Entity: No

Agency Contact: Audrey Reeg, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2653

RIN: 3067-AA47

37. CONTRIBUTIONS FOR CIVIL DEFENSE EQUIPMENT

Legal Authority: 50 USC App 2281(i)

CFR Citation: 44 CFR 301

Abstract: This regulation prescribes procedures and sets terms and conditions under which FEMA provides financial assistance to States and local governments for civil defense equipment, including emergency operations centers.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/85	
End Review	06/00/85	

Small Entity: No

Agency Contact: Joseph Mealy, Chief, Emergency Management System Support, Federal Emergency Management Agency, 500 C Street, SW. Washington, DC 20472, 202 646-3083

RIN: 3067-AA48

38. INDIVIDUAL AND FAMILY GRANT PROGRAM

Legal Authority: 42 USC 5178; 42 USC 5201

CFR Citation: 44 CFR 205. 54

Abstract: The proposed revisions will address the problems of timeliness of grant assistance, introduce methods for speeding up the administrative processes used by FEMA and the States, and hopefully result in a more efficiently administrative program.

Timetable:

Action	Date	FR Cite
Begin Review	08/01/84	N STATE OF
NPRM	12/01/84	

Action	Date	FR Cite
NPRM Comment Period Begin	12/01/84	3101181
NPRM Comment Period End	02/01/85	
Final Action	05/15/85	MINTS TO
Final Action Effective	07/15/85	
End Review	00/00/00	

Small Entity: Not Applicable

Agency Contact: Agnes C. Mravcak, Federal Emergency Management Agency, Room 710, 500 C Street, SW, Washington, DC 20472, 202 646-3660

RIN: 3067-AA64

39. CIVIL DEFENSE: STATE AND LOCAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAMS (EMA)

Legal Authority: 50 USC App. 2253 Sec. 401 Federal Civil Defense Act of 1950; Reorganization Plan No. 3 of 1978, 3 CFR 1979 Comp., p. 329; EO 12148

CFR Citation: 44 CFR 302, (Revision)

Abstract: 44 CFR 302 may be revised to change program requirements.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	and the same
Begin Review	00/00/00	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: John McKay. Acting Chief, Federal Emergency Management Agency, Emergency Management Systems, Dev., 500 C Street, SW, Washington, DC 20472, 202 646-3509

RIN: 3067-AA66

40. ● REVIEW AND APPROVAL OF STATE AND LOCAL EMERGENCY RESPONSE PLANS

Legal Authority: 50 USC 5131; 50 USC 5201; 50 USC App 2253(g); EO 12148

CFR Citation: 44 CFR 350

Abstract: Review existing regulation governing policies and procedures for review and approval of State and local emergency plans and preparedness for the offsite effects of a radiological emergency which might occur at a commercial nuclear power plant.

FEMA

Existing Regulations Under Review

Timetable:		
Action	Date	FR Cite
Begin Review	04/00/85	
End Review	09/00/85	

Small Entity: No

Agency Contact: Marshall Sanders, Chief, Program Development Branch, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-4131

RIN: 3067-AA76

41. PRADIOLOGICAL EMERGENCY PLANNING AND PREPAREDNESS

Legal Authority: EO 12148; EO 12241

CFR Citation: 44 CFR 351

Abstract: Review of regulation which sets out Federal agency roles and assigns tasks regarding Federal assistance to State and local government in their radiological emergency planning and preparedness activities application to radiological accidents at commercial nuclear power facilities.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/85	
End Review	09/00/85	

Small Entity: No

Agency Contact: Marshall Sanders, Chief, Program Development Branch, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-4131

RIN: 3067-AA77

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Completed Actions

COMPLETED RULEMAKINGS 42. DISASTER ASSISTANCE INDIVIDUAL ASSISTANCE - CRISIS COUNSELING

CFR Citation: 44 CFR 205.59

Completed:

Date	FR Cite
03/11/85	A STATE OF
04/10/85	
	03/11/85

Small Entity: No

Agency Contact: Donna M. Dannels 202 646-3662

RIN: 3067-AA11

43. CLAIMS UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

CFR Citation: 44 CFR 11.60 to 11.69

Completed:

Reason	Date	FR Cite
Final Action Final Action Effective	02/28/85 04/01/85	50 FR 8112

Small Entity: No

Agency Contact: George W. Watson 202 646-4091

RIN: 3067-AA20

44. APPEALS OF COST COMPARISON DECISIONS UNDER OMB CIRCULAR A-76

CFR Citation: 44 CFR 14

Completed:

Reason	Date	FR Cite
Withdrawn	02/01/85	

Small Entity: No

Agency Contact: George W. Watson 202 646-4091

RIN: 3067-AA21

45. PUBLIC SAFETY AWARDS TO PUBLIC OFFICERS

CFR Citation: 44 CFR 150

Completed:

Reason	Date	FR Cite
Final Action	10/11/84	49 FR 39844
Final Action Effective	11/13/84	

Small Entity: No

Agency Contact: Richard Buck 202 646-4094

RIN: 3067-AA39

46. CLAIMS

CFR Citation: 44 CFR 311

Completed:

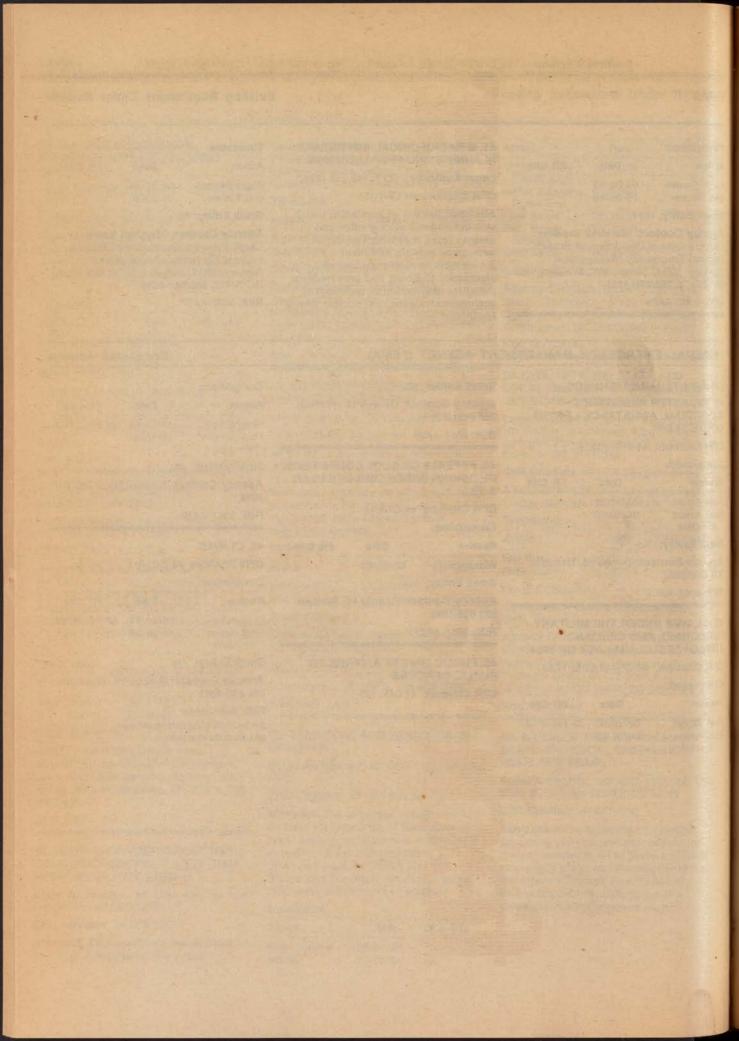
Reason	Date		FR	Cite	
Final Action	09/28/84	49	FR	38267	
Final Action Effective	10/29/84				

Small Entity: No

Agency Contact: George W. Watson 202 646-4091

RIN: 3067-AA61

[FR Doc. 85-6378 Filed 04-26-85; 8:45 am] BILLING CODE 6718-01-T





Monday April 29, 1985

Part XXIII

Federal Mediation and Conciliation Service

Semiannual Regulatory Agenda



FMCS

FEDERAL MEDIATION AND CONCILIATION SERVICE

29 CFR Ch. XII

Unified Agenda of Federal Regulations

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Semiannual agenda required by the Regulatory Flexibility Act of 1980.

SUMMARY: The Federal Mediation and Conciliation Service is redrafting one regulation subject to the Regulatory Flexibility Act during the six month period from April 1985 to October 1985. That regulation is Arbitration Policy and Practice.

FOR FURTHER INFORMATION CONTACT: Daniel P. Dozier, Legal Counsel, 2100 K Street, N.W., Washington, D.C. 20427, (202) 653-5305.

DATED: March 12, 1985. Kay McMurray, Director.

FEDERAL MEDIATION AND CONCILIATION SERVICE (FMCS)

REVIEW OF EXISTING ARBITRATION REGULATION

Legal Authority: 29 USC 172; 5 USC 552; 29 USC 173

CFR Citation: 29 CFR 1404

Abstract: The Federal Mediation and Conciliation Service is in the process of redrafting its existing Arbitration Services regulation at 29 CFR Part 1404. The Service will have completed its

initial draft by October 1985. A proposed rule will be published soon thereafter and public comments solicited.

Timetable:

Action Date FR Cite

End Review 10/00/85

Small Entity: No

Existing Regulations Under Review

Agency Contact: Daniel P. Dozier, Associate General Counsel, Federal Mediation and Conciliation Service, 2100 K Street NW, Washington, DC 20427, 202 653-5305

RIN: 3076-AA01

[FR Doc. 85-6513 Filed 04-26-85; 8:45 am]

BILLING CODE 6732-01-T



Monday April 29, 1985

Part XXIV

General Services Administration

Semiannual Regulatory Agenda



GENERAL SERVICES ADMINISTRATION

41 CFR Chs. 1, 101, 105, and 201

48 CFR Chs. 1 and 5

Unified Agenda of Federal Regulations

AGENCY: General Services Administration.

ACTION: Semiannual agenda.

SUMMARY: This agenda announces the proposed regulatory actions that GSA

plans for the next 12 months and those actions that were completed since October 1984. This agenda was developed under the guidelines in OMB Bulletin No. 85-6, dated December 13, 1984. GSA's purpose in publishing this agenda is to allow interested persons an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT:

William W. Hiebert, Chief, Directives and Reports Management Branch (202) 535-7647.

SUPPLEMENTARY INFORMATION: GSA has five priority regulations designated by

the Agency. These regulations are listed under the category of current and projected rulemakings. Two regulations will have an effect on small businesses or other entities. These are listed under completed rulemakings. None of the regulations listed are considered major under Executive Order 12291, Federal Regulations.

February 27, 1985.

William A. Clinkscales,

Associate Administrator for Policy and Management Systems.

Current and Projected Rulemakings

Se- quence Number	Title	Regula Identif Numb
1	Utilization and Disposal of Personal Property	3090-A
2	Management of Buildings and Grounds	
3	Supply Sources and Related Programs	3090-A
4	General Services Administration Acquisition Regulation (GSAR)- Small Business Technical Advisors	3090-A
5	*General Services Administration Acquisition Regulation Change Competition in Contracting Act of 1984	
6	General Services Administration Acquisition Regulation Change Part 519	3090-A
7	*General Services Administration Acquisition Regulation, Change Part 570	3090-A
8	General Services Administration Acquisition Regulation Change Subpart 46.7	3090-A
9	General Services Administration Acquisition Regulation, Change Receipt of Proposals and Quotations	3090-A
10	General Services Administration Acquisition Regulation, Change Part 515	3090-A
11	General Services Administration Acquisition Regulation Change Part 513	
12	General Services Administration Acquisition Regulation Change Part 501	
13	General Services Administration Acquisition Regulation Change Part 552.103	3090-A
14	General Services Administration Acquisition Regulation, Change 504.8	
15	General Services Administration Acquisition Regulation Change Part 532	3090-A
16	*General Services Administration Acquisition Regulation Change Part 533	3090-A
17	General Services Administration Acquisition Regulation, Change Part 516	3090-A
18	Revision of U.S. Government Bill of Lading Standard Forms	
19	Department of Defense Reservist/Retiree Military Emergency Travel Warrant	
20	Interest Assessment on Overcharges (Receivables)	3090-A
21	Revision of U.S. Government Transportation Request, Standard Form 1169	3090-A
22	Administrative Offset and Interest Assessment on Delinquent Refunds for Totally Unused Tickets	3090-A
23	Change In Forms Sequence; SF 1103 Set, U.S. Government Bill of Lading	
24	Federal Property Management Regulations; Revises the Reporting Requirements for Real Property	3090-A
25	Amend Terms and Conditions Section of Standard Form 1103, U.S. Government Bill of Lading-Original	
26	Collection of Claims Owed the United States	
27	Revision of Standard Form 1170 and General Services Administration Form 7958	
28	Revision of Public Voucher for Transportation Charges, Standard Form 1113	
29	Revision of Voucher and Schedule of Payments Standard Form 1166 Instructions	
30	Use of Cash to Purchase Transportation	
31	National Defense Stockpile Disposal Regulations	
32	Negotiated Sales to Public Agencies	3090-A
33	Disposals to Public Agencies	
34	Holding Agency	3090-A
35	Acceptance of Offers	3090-A
36	Property for Correctional Facilities	
37	Donation of Personal Property	
38	Donation of Abandoned and Forfeited Personal Property	
39	Abandonment or Destruction of Personal Property	3090-A
40	Acquisition and Use of Excess Personal Property	3090-A
41	Utilization, Donation, Sale, Abandonment or Destruction of Hazardous Materials	
42	Transportation and Traffic Management	
43		**************************************
44	Motor Equipment Management	

Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61	Use of Carrier Contractors for Express Small Package Transportation. Change to Federal Travel Regulations (FTR), FPMR 101-7 Supplement (unassigned). Change to Federal Travel Regulations (FTR), FPMR 101-7 Supplement (Unassigned). Change to Federal Travel Regulations (FTR), FPMR 101-7 Supplement (unassigned). Change to Federal Travel Regulations (FTR) (Supplement 14). Revision of Standard Form 121, Annual Report of Utilization and Disposal of Excess and Surplus Personal Property. Instructions for Preparing Standard Form 120. Additional Criteria for Exchange or Sale. Exemption of ADP Procurement Authority based on the Defense Authorization Act of 1982 - Project 82.23T. Obsolescence, Exchange/Sale and Reuse of Federal ADP Equip. Project 82.05/82.06A. Performance Validation of ADP Systems, Project 84.80A. Revision of Acquisition and Management Provisions regarding the Changing Telecommunication Marketplace, including the Detariffing of Customer Premises Equipment (84.06A). Agency Planning - Project 84.32A. Triennial Review of Agency Administration and Operation of Information Management Activities - Project 84.33T. FIRMR Revisions to Implement Public Laws 98-369 and 98-577 - Project 84.64A. FIRMR Implementation of the ADP Dispute Resolution Section of the Competition in Contracting Act of 1984 -	3090-AA16 3090-AA19 3090-AA90 3090-AB08
62 63 64 65 66 67 68	Project 84.63T Listening-in or Recording of Telephone Conversations - Project 84.25A Records Management - Project 85.15A Nondiscrimination in Federal Financial Assistance Programs Federal Advisory Committee Management *Assignment and Utilization of Space Federal Employee Parking *Work Space Management Reforms	3090-AB64 3090-AB79 3090-AC06 3090-AA00 3090-AA62 3090-AA67 3090-AA68 3090-AB50

^{*}Indicates priority regulation.

Completed Actions

	THE RESERVE WAS A SECOND OF THE RESERVE OF THE RESE	
Se- quence Number	Title Title	Regulation Identifier Number
69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94	Vending Facility Program for Blind Persons. General Services Administration Acquisition Regulation (GSAR)- Parts 536 and 552. General Services Administration Acquisition Regulation (GSAR) FAC-84-1. General Services Administration Acquisition Regulation (GSAR)- Rules of GSA Board of Contract Appeals Protests Against Award. General Services Administration Acquisition Regulation (GSAR) Method of Payment. General Services Administration Acquisition Regulation (GSAR) Miller Act. Selective Service System National Emergency Travel Warrant and Department of Defense Reservist/Retiree Military Emergency Travel Warrant. Unused Ticket Refund Procedures Eliminate Requirement to Certify Substitute Document. Cancel Standard Form 1172, Certificate in Lieu of Lost U.S. Government Transportation Request Use of Travel Agencies for Official Travel Conveyance for Historic Monument Purposes Addition of Concurrent 30-Day Federal Agency and Public Use Screening Requirement FPMR Temporary Regulation G - Appearance Reconditioning of Motor Vehicles FPMR Temporary Regulation G- Use of Gasohol in Federal Motor Vehicles FPMR Temporary Regulation Expense Payment System using Contractor-Issued Charge Cards and Travelers Checks Supplement 11 to Federal Travel Regulations (FTR) Changes to Federal Travel Regulations (FTR) FPMR 101-7 (Supplement 12) Use of Contract Airline Service Between Selected City-Pairs Utilization and Donation of Foreign Gifts and Decorations Contracts with the Small Business Administration (SBA) for ADP Requirements - Project 82-17T Forms Management Responsibilities - Project 84.14A Standard and Optional Forms - Project 84.56A Revisions to FIRMR Subpart 201-36.13, Implementation of Federal Information Processing and Federal Telecommunications Standards in Solicitation Documents - Project 84.51T	3090-AB38 3090-AB41 3090-AB42 3090-AB46 3090-AB56 3090-AB57 3090-AB57 3090-AB32 3090-AB32 3090-AB34 3090-AB65 3090-AB7 3090-AB7 3090-AB9 3090-AB9 3090-AB9 3090-AB47 3090-AB48 3090-AB48 3090-AB48 3090-AB13
95	General Services Administration Acquisition Regulation, Change 7	3090-AB77

Completed Actions—Continued

Se- quence Number	Title Title	Regulation Identifier Number
96	General Services Administration Acquisition Regulation, Acquisition Circular 85-2	3090-AB80
97	General Services Administration Acquisition Regulation Acquisition Circular AC-85-1	3090-AB81
98	General Services Administration Acquisition Regulation Change 6	3090-AB90
99	General Services Administration Acquisition Regulation Change 5	3090-AB91
100	General Services Administration Acquisition Regulation, Acquisition Circular 84-8.	3090-AB92
101	General Services Administration Acquisition Regulation, Acquisition Circular 84-7.	3090-AB94
102	General Services Administration Acquisition Regulation, Acquisition Circular 84-2	3090-AB95
103	Civilian Executive Agency Aircraft Information System (AIS)	3090-AB73
104	Changes to Federal Travel Regulations (FTR), FPMR 101-7 (Supplement 13)	3090-AB74

GENERAL SERVICES ADMINISTRATION (GSA)

Current and Projected Rulemakings

ACQUISITION POLICY

1. UTILIZATION AND DISPOSAL OF PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-42; 41 CFR 101-43; 41 CFR 101-44; 41 CFR 101-45; 41 CFR 101-46; 41 CFR 101-48

Abstract: Parts 42-46 and Part 48 prescribe policies and procedures for the utilization and disposal of personal property by Federal agencies. A number of executive agencies have indicated that these parts need to be revised to update, improve, clarify, and streamline these regulations. GSA officials and representatives from the major executive agencies are developing a draft revision of these parts to meet their requirements more adequately.

Timetable:

Action	Date	FR Cite	
Final Action	00/00/85		

Small Entity: No

Agency Contact: Emily Karam, Director of Regulatory Review, General Services Administration, Office of Acquisition Policy (V), Washington, DC 20405, 202 566-1177

RIN: 3090-AA45

2. MANAGEMENT OF BUILDINGS AND GROUNDS

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 101-20

Abstract: Part 101-20 prescribes policies and procedures for the management, operation, protection, and maintenance of Government-owned and leased buildings and grounds required by the Federal agencies to undertake their assigned missions. A number of executive agencies have indicated that this part needs to be revised to update, improve, clarify, and streamline these regulations. GSA officials and representatives from the major executive agencies are developing a draft revision of this part to meet their requirements more adequately.

Timetable:

Action	Date	FR Cite	
Final Action	08/00/85	and the latest the	

Small Entity: No

Agency Contact: Emily Karam, Director of Regulatory Review, General Services Administration, Office of Acquisition Policy (V), Washington, DC 20405, 202 566-1177

RIN: 3090-AA69

3. SUPPLY SOURCES AND RELATED PROGRAMS

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 101-26

Abstract: Part 101-26 prescribes policies and procedures for the procurement of personal property and nonpersonal services by Federal agencies from established Government supply sources. A number of executive agencies have indicated that this part needs to be revised to update, improve, clarify and streamline these regulations. GSA officials and representatives from the major executive agencies are developing a draft revision of this part to meet their requirements more adequately.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/31/83	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Emily Karam, Director of Regulatory Review, General Services Administration, Office of Acquisition Policy (V), Washington, DC 20405, 202 566-1177

RIN: 3090-AA89

4. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR)- SMALL BUSINESS TECHNICAL ADVISORS

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 519

Abstract: The GSAR will be amended to delete mandatory annual review requirements of class set aside determinations and to reflect the function of the GSA Small Business Technical Advisors.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	
Final Action Effective	03/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB39

5. © GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE COMPETITION IN CONTRACTING ACT OF 1984

Priority: Agency Determination

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 501 to 502; 48 CFR 504 to 515; 48 CFR 517; 48 CFR 519 to 520; 48 CFR 522 to 523; 48 CFR 525; 48 CFR 528 to 530; 48 CFR 532; 48 CFR 534; 48 CFR 536 to 537; 48 CFR 542 to 543; 48 CFR 546 to 550; 48 CFR 552 to 553

Abstract: To issue a CSAR amendment to implement and supplement the FAR coverage on the Competition in Contracting Act of 1984. This change will not include coverage on Protests or the Acquisition of Leasehold Interests in Real Property. Separate changes will be issued on these subjects.

Timetable:

Action	Date	FR Cite
NPRM	12/05/84	49 FR 47516
NPRM Comment Period Begin	12/05/84	49 FR 47516
NPRM Comment Period End	01/05/85	of the latest invited in
Final Action Effective	04/01/85	Anso Shares

Small Entity: Undetermined

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 262 523-4754

RIN: 3090-AB75

6. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE PART 519

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 519

Abstract: To issue a GSAR amendment in Part 519, Small Business and Small Disadvantaged Business Concerns, regarding the subcontracting plan reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	THE REAL PROPERTY.
Final Action	06/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB76

7. © GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, CHANGE PART 570

Priority: Agency Determination

Legal Authority: 40 USC 486(c) Sec.

205(c), 63 Stat. 390

CFR Citation: 48 CFR 570

Abstract: To issue a GSAR amendment to implement the Competition in Contracting Act of 1984 in Part 570, Acquisition of Leasehold Interests in Real Property.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	OMPRESENT BEE
Final Action	06/00/85	
Small Entity	: Undetermined	

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB78

8. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE SUBPART 46.7

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 546

Abstract: GSA to issue a GSAR amendment to implement and supplement the FAR Subpart 46.7 by providing agency policies and procedures on the use of Warranties.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	THE MAN TO
Final Action Effective	05/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB82

9. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, CHANGE RECEIPT OF PROPOSALS AND QUOTATIONS

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 515; 48 CFR 552

Abstract: GSA to issue a GSAR amendment which will (1) revise Section 515.411, Receipt of Proposals and Quotations, to require the use of the appropriate Business Service Center for receipt and safeguarding of proposals or quotations (except small purchases) unless an exemption is obtained; (2) amend Part 515 to establish a special Late Proposals provision for Multiple Award Federal Supply Schedules that will preclude an offeror from adding additional items to an offer after the time set for submission of offer; and (3) revise clause 552.210-78. Charges for Packaging and Packing.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	THE REAL PROPERTY.
Final Action	05/00/85	
Effective		

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquistion Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-5754

RIN: 3090-AB83

10. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, CHANGE PART 515

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 515

Abstract: To issue a GSAR amendment in Part 515, Contracting by Negotiation, regarding the establishment of guidance for source selection in competitively negotiated acquisitions.

Timetable:

Date	FR Cite
07/00/85	-
09/00/85	
	07/00/85

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB84

11. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE PART 513

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec 205(c), 63 Stat. 390

CFR Citation: 48 CFR 513

Abstract: To amend Part 513, Small Purchases and Other Simplified Purchase Procedures, to make miscellaneous changes to further implement and supplement the FAR and to clarify various regulatory requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	The state of the state of
Final Action Effective	05/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB85

12. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE PART 501

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 501

Abstract: To issue a GSAR amendment to implement the requirements of the Competition Enhancement Act of 1984 (Pub. L. 98-577) regarding publicizing proposed regulations in Part 501, General Services Administration Acquisition Regulations System.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	05/00/85	No. of Lot

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB86

13. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE PART 552.103

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 552

Abstract: To issue a GSAR amendment to expand the coverage in Part 552.103 regarding the identification of provisions and clauses.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	NAME OF STREET
Final Action Effective	05/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB87

14. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, CHANGE 504.8

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 504

Abstract: GSA to issue a GSAR amendment to amend Subpart 504.8, Contract Files, to provide additional guidance on the reassignment and transfer of contract files.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	DATE OF
Final Action Effective	06/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB88

15. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE PART 532

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 532; 48 CFR 552

Abstract: To issue a GSAR amendment to incorporate into Part 532 Acquisition Circular AC-85-1, Payment Due Dates-Construction Contracts; to revise the payment due date clause used in recurring building service contracts over \$25,000; and to revise the payment due date clause used in Architect-Engineer and other professional service contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	TENT DE L
Final Action Effective	06/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB89

16. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE PART 533

Priority: Agency Determination

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 533

Abstract: To issue a GSAR amendment to implement and supplement the FAR in Part 533, Protests, Disputes, and Appeals, to implement the Competition in Contracting Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Streets, NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB93

17. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, CHANGE PART 516

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 516

Abstract: To issue a GSAR amendment in Part 516, Types of Contracts, to provide supplementary guidance on the use of economic price adjustment clauses and provisions in GSA contracts and designate the approval authority for the use of various type of contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	The same of
Final Action	06/00/85	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB96

OFFICE OF THE COMPTROLLER 18. REVISION OF U.S. GOVERNMENT BILL OF LADING STANDARD FORMS

Legal Authority: 40 USC 486(c); 31 USC 3726

CFR Citation: 41 CFR 101-41

Abstract: This amendment prescribes the use of revised SF 1103, U.S. Government Bill of Lading (GBL); SF 1109, U.S. GBL Continuation Sheet, and SF 1131, U.S. Government Transit Bill of Lading. These revisions will make these transportation documents more efficient and more responsive to data information systems. To accomplish the provisions of this directive, there will be an outlay of resources by GSA to print the forms but this expenditure will be offset by income derived from purchases of these forms by other Federal agencies. The amendment will have no impact on the public.

Timetable:

Action	Date		FR	Cite
NPRM	08/24/81	46	FR	42686
NPRM Comment Period Begin	08/24/81	46	FR	42686
NPRM Comment Period End	10/08/81			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Louis Rosengarten, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3012

RIN: 3090-AA04

19. • DEPARTMENT OF DEFENSE RESERVIST/RETIREE MILITARY EMERGENCY TRAVEL WARRANT

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: The Department of Defense will use travel warrants to obtain transportation for selected Military Reservists and Retirees who are ordered to active duty. Implementation of the travel warrant program will provide a simple and efficient system to procure transportation and pay for services furnished, and will impose no additional burden on the Government or the public since the warrant will be used instead of GTR's.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/85	Name of the

Small Entity: No

Additional Information: RIN 3090-AA05. The Selective Service System National Emergency Travel Warrant part of this rule making was published 10/11/84 49 FR 39918.

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AA05

20. INTEREST ASSESSMENT ON OVERCHARGES (RECEIVABLES)

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This proposed rule will enable GSA to assess interest on overcharges issued to transportation carriers for freight and passenger services furnished for the account of the U.S. It will enhance debt collection procedures and compensate the Government for loss of funds resulting from carrier overbillings.

Timetable:

Action	Date	FR Cite
NPRM	05/12/83	48 FR 21351
NPRM Comment Period Begin	05/12/83	48 FR 21351
NPRM Comment Period End	07/11/83	
Final Action	06/00/85	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AA74

21. REVISION OF U.S. GOVERNMENT TRANSPORTATION REQUEST, STANDARD FORM 1169

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule revises the U.S. Government Transportation Request, SF 1169, to incorporate a reference to 41 CFR 101-41 as part of the contract of carriage. This change will avoid potential legal problems in connection with the use of the GTR.

Timetable:

Action	Date	3-6	FR	Cite
NPRM	04/10/84	49	FR	14147
Final Action	06/00/85			

Small Entity: No

Agency Contact: James F. Fitzgerald, Chief, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3014

RIN: 3090-AB11

22. ADMINISTRATIVE OFFSET AND INTEREST ASSESSMENT ON DELINQUENT REFUNDS FOR TOTALLY UNUSED TICKETS

Legal Authority: 31 USC 3701 to 3711; 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule will enable
Government agencies to collect by
administrative offset when carriers fail
to make refunds for totally unused
passenger tickets in accordance with 41
CFR 101-41.210. It will also permit
agencies to assess interest and
penalties on delinquent refunds due the
Government for totally unused tickets.
It will further improve the efficiency of
Government-wide efforts to collect
debts owed the U.S. as prescribed by
applicable Federal regulations.

Timetable:

Action	Date		FR	Cite
NPRM	05/24/83	48	FR	23283
NPRM Comment Period Begin	05/24/83	48	FR	23283
Extension of Comment Period (end 08/11/83)	07/12/83	48	FR	31890
NPRM Comment Period End	07/25/83			
Final Action	06/00/85			

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AB12

23. CHANGE IN FORMS SEQUENCE; SF 1103 SET, U.S. GOVERNMENT BILL OF LADING

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule proposes to change the sequence of the Standard Form 1103, set U.S. Government Bill of Lading, by positioning one copy of SF 1103-A, Memorandum Copy, as the third form in the set and the remaining SF 1103-A's to be positioned following the SF 1103-B. The purpose of this change is to provide a clearer copy for those agencies that transfer this document to microfilm and to provide a more legible copy for fiscal or administrative use.

Timetable:

Action	Date	FR Cite
NPRM	04/22/83	48 FR 17360
NPRM Comment Period Begin	04/22/83	48 FR 17360
NPRM Comment Period End	05/23/83	
Final Action	06/00/85	The state of the s

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims Branch (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AB15

24. FEDERAL PROPERTY MANAGEMENT REGULATIONS; REVISES THE REPORTING REQUIREMENTS FOR REAL PROPERTY

Legal Authority: EO 12411 CFR Citation: 41 CFR 101-3

Abstract: This regulation revises FPMR 101-3 with changes and additions to the data elements currently collected as part of the World-Wide Real Property Inventory System. It also displays the revised forms to be used when supplying this information. These changes are necessary to monitor government-wide space reduction initiatives mandated by Executive Order 12411 - Government Work Space Management Reforms and Temporary Regulation D-70-Work Space Management Plans.

The General Services Administration has determined this is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or others; or significant adverse effects. Therefore, a Regulatory Impact Analysis has not been prepared. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and the consequence of this rule; has

determined that the potential benefits to society from this rule outweigh the potential (cont)

Timetable:

Action	Date	FR Cite
ACHOIL	Date	FIT CITE

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: costs and has maximized the net benefits.

Agency Contact: Jerome Jackson, Chief, General Services Administration, Reports and Cash Management Branch (BCPR), Washington, DC 20405, 202 566-1260

RIN: 3090-AB31

25. AMEND TERMS AND CONDITIONS SECTION OF STANDARD FORM 1103, U.S. GOVERNMENT BILL OF LADING-ORIGINAL

Legal Authority: 40 USC 486(c); 31 USC 3726

CFR Citation: 41 CFR 101-41

Abstract: This proposed amendment will add a provision to the "Terms and Conditions" section of SF 1103, U.S. GBL-Original, advising users that interest will be assessed on overcharges issued by GSA's Office of Transportation Audits. Due to the passage of a law that permits the Government to collect interest on debts owed to the U.S., steps are being taken to include such a provision in the FPMR's. This provision added to the GBL will serve as a notice to carriers of the Government's intent.

Timetable:

Action	Date		FR	Cite
NPRM	04/10/84	49	FR	14147
Final Action	06/00/85			

Small Entity: No

Agency Contact: Louis Rosengarten, Transportation Specialist, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3012

RIN: 3090-AB33

26. COLLECTION OF CLAIMS OWED THE UNITED STATES

Legal Authority: PL 97-365, Sec 10 CFR Citation: 41 CFR 105-55, (New) Abstract: The regulations will implement the Debt Collection Act of 1982 within the General Services Administration. The regulations are required by Section 10 of the Act and by means of these regulations GSA will be better equipped to pursue claims owed to the Government arising out of GSA activities. Although the benefit will be improved claims collections, there is no way to precisely quantify the costs or benefits at this time.

Timetable:

Action	Date	34	FR	Cite
NPRM	07/26/84	49	FR	30080
NPRM Comment Period Begin	07/26/84	49	FR	30080
NPRM Comment Period End	08/27/84			
Final Action	04/01/85			

Small Entity: No

Agency Contact: David C. Fisher, Jr., Chief Counsel - Administration, General Services Administration, Office of General Counsel, General Law Division, 18th & F Sts., NW, Washington, DC 20405, 202 566-1460

RIN: 3090-AB45

27. REVISION OF STANDARD FORM 1170 AND GENERAL SERVICES ADMINISTRATION FORM 7958

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule revises the Standard Form 1170, Redemption of Unused Tickets, and General Services Administration Form 7958, Certificate of Indebtedness, by incorporating wording prescribed by the Debt Collection Act of 1982. This will improve Governmentwide effort in collecting debts due the United States.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85	STANK!	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures and Claims Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AB68

28. REVISION OF PUBLIC VOUCHER FOR TRANSPORTATION CHARGES, STANDARD FORM 1113

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule revises Public Voucher for Transportation Charges, Standard Form 1113, to eliminate various information blocks because certain agency fiscal control numbers are no longer required. This change will reduce the amount of time agencies spend in processing these documents.

Timetable:

Date	FR Cite
06/00/85	The state of the s
	The second second

Small Entity: No

Agency Contact: Theodore N. Rose, Transportation Specialist, General Services Administration, Review and Assistance Section (BWCP/A), Washington, DC 20405, 202 786-3016

RIN: 3090-AB69

29. • REVISION OF VOUCHER AND SCHEDULE OF PAYMENTS STANDARD FORM 1166 INSTRUCTIONS

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule provides explicit instructions for handling voucher schedules to minimize payment accounting problems and ensure that proper payment information accompanies payment checks to carriers.

Timetable:

Action	Date	FR	Cite	
ANPRM	06/00/85	-	-	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures and Claims Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AB97

30. • USE OF CASH TO PURCHASE TRANSPORTATION

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule clarifies and makes permanent a Temporary Regulation concerning cash purchases of Passenger Transportation and the requirement that agencies need to obtain an exemption from GSA if a violation occurs.

Timetable:

Action	Date	FR Cite	
ANPRM	05/00/85	Courty road	

Small Entity: No

Agency Contact: Betty Brown, Transportation Specialist, General Services Administration, Regulations & Procedure Section (BWCP/R), Washington, DC 20405, 202 786-3011

RIN: 3090-AB98

FEDERAL PROPERTY RESOURCES SERVICE

31. NATIONAL DEFENSE STOCKPILE DISPOSAL REGULATIONS

Legal Authority: 50 USC 98 et seq Strat. & Crit. Materials Stock Piling Act; EO 12155

CFR Citation: 41 CFR 101-14.4

Abstract: These regulations indicate the procedures for disposing of strategic and critical materials that are excess to National Defense Stockpile needs and have been authorized for disposal by Congress, pursuant to the Stock Piling Act of 1979 50 USC 98 et seq. These regulations will be responsive to public sector, intergovernment and intragovernment comments reflecting on the lack of published regulations governing GSA's stockpile disposal policies and procedures.

Timetable:

Action	Date	FR Cite
Final Action	09/30/85	
Small Entity:	No	

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1983

Government Levels Affected: Federal

Agency Contact: Kent N. Knowles, Assistant Commissioner, General Services Administration, Office of Stockpile Transactions (DS), Washington, DC 20405, 202 535-7132

RIN: 3090-AA40

32. NEGOTIATED SALES TO PUBLIC AGENCIES

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.304-9

Abstract: In order to eliminate the possibility of windfall profits and establish uniformity of the terms and conditions in all such negotiated sales of real property, GSA proposes to include a requirement for an excess profits clause in all negotiated sales to public bodies. The excess profits clause will run with the land for a period of three years.

Timetable:

Action	Date	FR Cite
NPRM	07/12/84	
NPRM Comment Period Begin	07/12/84	49 FR 28420
NPRM Comment Period End	08/13/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: James H. Pitts, Director, General Services Administration, Special Programs Division (DRP), Washington, DC 20405, 202 535-7067

RIN: 3090-AB09

33. DISPOSALS TO PUBLIC AGENCIES

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.303-2; 41 CFR 101-47.303-2(b)(1)(2)(3) and (4); 41 CFR 101-47.303-2(d); 41 CFR 101-47.303-2(e) and (e)(1); 41 CFR 101-47.303-2(b); 41 CFR 101-47.303-2(g); 41 CFR 101-47.4906; 41 CFR 101-47.4906-2

Abstract: Executive Order 12372 superseded OMB Circular A-95 and established new procedures for intergovernmental consultation on certain Federal programs and activities. The E.O. places certain requirements on GSA to notify and respond to state review process comments or recommendations concerning real property disposals to public agencies.

Timetable:

Action	Date	FR Cite
Final Action	04/01/85	Physical S

Small Entity: No

Agency Contact: James H. Pitts, Director, Special Programs Division (DRP), General Services Administration, 18th & F Sts., NW, Washington, DC 20405, 202 535-7067

RIN: 3090-AB55

34. • HOLDING AGENCY

Priority: Undetermined

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.302-2

Abstract: Add underground water to the list of property for which the holding agency is designated as the disposal agency.

Timetable:		
Action	Date	FR Cite
Final Action	06/01/85	
Small Entity:	Undetermined	
Agency Cont	act: Mr. Iames	H. Pitts.

Director, General Services Administration, Special Programs Division - DRP, Washington, DC 20405, 202 535-7067

RIN: 3090-AB70

35. • ACCEPTANCE OF OFFERS

Priority: Undetermined

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.305-1(b)

Abstract: In order to ensure that the high bidder at a sealed bid or auction sale will have a reasonable period of time to increase a responsive bid that is less than the property's appraised fair market value.

Timotoble

Action	Date	FR Cite
Final Action	06/01/85	F-II-IE
Small Entity:	Undetermined	

Agency Contact: James H. Pitts, Director, General Services Administration, Special Programs Division, Washington, DC 20405, 202 535-7067

RIN: 3090-AB71

36. PROPERTY FOR CORRECTIONAL FACILITIES

Priority: Undetermined

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 101-47.308-9

Abstract: In order to implement Section 701 of P.L. 98-473 to transfer or convey to the several states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, or any

political subdivision or instrumentality thereof surplus real and related personal property determined by the Attorney General to be required for correctional facility use. Transfers or conveyance under this authority shall be made by the Administrator without monetary consideration to the United States.

Timetable:

Action	Date	FR Cite
Final Action	06/01/85	confliction.

Small Entity: Undetermined

Agency Contact: James H. Pitts. Director, General Services Administration, Special Programs Division, Washington, DC 20405, 202 535-7067

RIN: 3090-AB72

FEDERAL SUPPLY AND SERVICES 37. DONATION OF PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-44.000; 41 CFR 101-44.001; 41 CFR 101-44.105; 41 CFR 101-44.106; 41 CFR 101-44.108; 41 CFR 101-44.112; 41 CFR 101-44.118; 41 CFR 101-44.120; 41 CFR 101-44.200; 41 CFR 101-44.204; 41 CFR 101-44.205; 41 CFR 101-44.207; 41 CFR 101-44.208; 41 CFR 101-44.4701; 41 CFR 101-44.4901-123; .

Abstract: This rule updates GSA's policies and procedures concerning the Federal surplus personal property donation program. It would: (1) prescribe new and revised definitions; (2) implement Title IX of the Education Amendments of 1972; (3) change procedures for donating aircraft, drugs. biologicals, and reagents; (4) clarify cannibalization procedures; (5) add additional terms to the State agency distribution documents; (6) clarify that conditional title, not unrestricted title. passes to a donee at the time it takes possession of the property; (7) prohibit reimbursement to State agencies for certain sales expenses; (8) change reporting requirements; (9) establish an informal appeals procedure; and (10) revise eligibility criteria for educational activities. This amendment is necessary to comply with the provisions of Title IX of the Education Amendments of 1972, section 502(a) of Public Law 94-241, and the Congressional Reports Elimination Act of 1980 (Public Law 96-470). Its intent is to increase the efficiency and effectiveness of the

Current and Projected Rulemakings

donation program. There should be no significant costs to the public as a result of this regulatory action. It has been determined that potential benefits to (cont)

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: society from this rule will outweigh the potential costs.

Agency Contact: George W. Kinney, Director, General Services Administration, Donation Division (FMD), Washington, DC 20406, 703 557-1234

RIN: 3090-AA23

38. DONATION OF ABANDONED AND FORFEITED PERSONAL PROPERTY

Legal Authority: 26 USC 5688(a) CFR Citation: 41 CFR 101-48.2

Abstract: This rule would emphasize that all forfeited distilled spirits, wine, or malt beverages donated to eleemosynary institutions are to be used only by their inpatients for medicinal purposes. Allegations of misuse of these donated spirits have created a need for this regulation. There should be no significant costs to the public as a result of this rule. It has been determined that potential benefits to society from this rule will outweigh potential costs.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: George W. Kinney, Director, General Services Administration, Donation Division [FMD], Washington, DC 20406, 703 557-1234

RIN: 3090-AA24

39. ABANDONMENT OR DESTRUCTION OF PERSONAL PROPERTY

Legal Authority: 40 USC 483(h)

CFR Citation: 41 CFR 101-45.9, (Revision)

Abstract: This revision clarifies procedures for agencies' use in the abandonment and destruction of property.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: The revision to Subchapter H of the Federal Property Management Regulations by the Interagency Subcommittee on Regulatory Review includes the subject revision to abandonment or destruction of personal property. The General Services Administration's Proponent of this amendment to subchapter H is the Office of Acquisition Policy (V).

Agency Contact: John Hansley, Property Marketing Specialist, General Services Administration, Office of Federal Supply and Services, Sales Division (FMS), Washington, DC 20406, 703 557-0814

RIN: 3090-AA28

40. ACQUISITION AND USE OF EXCESS PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43

Abstract: A number of miscellaneous changes will be made to clarify procedures for the acquisition and use of excess personal property by federal agencies and other authorized recipients.

Timetable:

Action Date FR Cite
Final Action 06/01/85

Small Entity: No

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Utilization Division (FMU), Washington, DC 20406, 703 557-

RIN: 3090-AA30

41. UTILIZATION, DONATION, SALE, ABANDONMENT OR DESTRUCTION OF HAZARDOUS MATERIALS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43; 41 CFR 101-44; 41 CFR 101-45; 41 CFR 101-46; 41 CFR 101-48; 41 CFR 101-49

Abstract: Revisions and additions to existing rules are proposed to establish a separate regulatory section concerning the utilization, donation, sale, abandonment or destruction of hazardous materials.

Timetable:

Action	Date	FR Cite
End Review	12/01/84	Finder
Final Action	07/01/85	

Small Entity: No

Additional Information: Proposals are to be circulated among Federal agencies on an information basis before rulemaking consideration.

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Utilization Division (FMU), Washington, DC 20406, 703 557-0807

RIN: 3090-AA42

42. TRANSPORTATION AND TRAFFIC MANAGEMENT

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-40, Amendment G

Abstract: The revision to 41 CFR 101-40 will update policy and procedures that apply to the management of transportation matters affecting the Federal civilian executive agencies.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: John B. Millington. Supervisory Traffic Management Specialist, General Services Administration, Travel&Transportation Regulations Div (FTA), Office of Federal Supply and Services, Washington, DC 20406, 703 557-1256

RIN: 3090-AA73

43. COST EFFECTIVE PROCUREMENT OF PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-26.100-2; 41 CFR 101-26.102-1(a); 41 CFR 101-26.301(b); 41 CFR 101-26.401-3; 41 CFR 101-26.501(b); 41 CFR 101-26.505-3

Abstract: Review regulations and determine changes needed to assure the most cost effective means of support are available in meeting agencies' needs for goods and services.

Timetable:

Date	FR Cite
04/00/85	# F3 115

Small Entity: No

Additional Information: The proposed regulation, title: Waivers from the Use of GSA Supply Sources, is withdrawn because the proposed legislation on "Industrial Funding" was not enacted.

Agency Contact: Robert Renner, Director, Regulations Management Division, General Services Administration, Regulations Management Division (FEY), Office of Management, Washington, DC 20406, 703 557-7990

RIN: 3090-AA95

44. MOTOR EQUIPMENT MANAGEMENT

Legal Authority: 40 USC 491; 40 USC 486(c)

CFR Citation: 41 CFR 101-38

Abstract: The revision to 41 CFR 101-38 updates policy and procedures that apply to the management of the Federal Motor Vehicle Fleet affecting the Federal executive agencies and incorporates certain paragraphs from 101-25, 101-26, and 101-39 that apply to the Federal fleet.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment	04/00/85	
Period Begin		
NPRM Comment	06/00/85	
Period End		
Final Action	09/00/85	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: John B. Millington, Supervisory Traffic Management Specialist, General Services Administration, Travel and Transportation Regulations Div., (FTA), Washington, DC 20406, 703 557-1256

RIN: 3090-AB00

45. INTERAGENCY FLEET MANAGEMENT SYSTEMS

Legal Authority: 40 USC 491; 40 USC 486(c)

CFR Citation: 41 CFR 101-39

Abstract: The revision to 41 CFR 101-39 updates policy and procedures that apply to the operation and management of Interagency Fleet Management Systems.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	06/00/85	
Final Action	09/00/85	

Small Entity: No

Agency Contact: John B. Millington, Supervisory Traffic Management Specialist, General Services Administration, Travel and Transportation Regulations Div., (FTA), Washington, DC 20406, 703 557-1256

RIN: 3090-AB02

46. USE OF CARRIER CONTRACTORS FOR EXPRESS SMALL PACKAGE TRANSPORTATION

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-40, (FPMR) Temp. Reg. A-23

Abstract: This supplement reflects the extension of the DHL Airways, Inc., contract for next-day transportation service on small packages to and from approximately 25,000 points in the United States, including Alaska and Hawaii. This contract is mandatory for use by Federal civilian agencies and optional for cost-reimbursable contractors and legislative and judicial branches of the Government.

Timetable:

Action	Date	FR C	te
Final Action	04/00/85	W. W. C.	
Small Entity:	No		

Agency Contact: John B. Millington, Supervisory Traffic Management Specialist, General Services Administration, Travel&Transportation Regulations Div (FTA), Washington, DC 20406, 703 557-1256

RIN: 3090-AB63

47. ● CHANGE TO FEDERAL TRAVEL REGULATIONS (FTR), FPMR 101-7 SUPPLEMENT (UNASSIGNED)

Legal Authority: 40 USC 486(c); 5 USC 5707

CFR Citation: 41 CFR 101-7

Abstract: FTR change transmitted by GSA Bulletin FPMR A-40, Supplement (unassigned). FTR change implements new and/or revised high rate geographical areas and applicable maximum reimbursement rates for subsistence expenses incurred during official travel.

Timetable:

Action	Date	FR Cite
Final Action	05/28/85	TO THE REAL PROPERTY.

Small Entity: No

Agency Contact: Audrey E. Rish, Supervisory Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Division, Washington, DC 20406, 703 557-1253

RIN: 3090-AB99

48. CHANGE TO FEDERAL TRAVEL REGULATIONS (FTR), FPMR 101-7 SUPPLEMENT (UNASSIGNED)

Legal Authority: 40 USC 486(c); 5 USC 5707

CFR Citation: 41 CFR 101-7

Abstract: FTR Change transmitted by GSA Bulletin FPMR A-40, Supplement (unassigned). This FTR change will implement those provisions of OMB Circular A-126 which pertain to use of Government aircraft for official travel. Also included will be revised policies and procedures for use of rental cars in lieu of Government-contract rental vehicles under GSA Federal Supply Schedule Contracts.

Timetable:

Action	Date	FR Cit
Final Action	09/00/85	

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Audrey E. Rish, Supervisory Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Division, Washington, DC 20406, 703 557-1253

RIN: 3090-AC00

49. © CHANGE TO FEDERAL TRAVEL REGULATIONS (FTR), FPMR 101-7 SUPPLEMENT (UNASSIGNED)

Legal Authority: 40 USC 486(c); 5 USC 5724c; EO 11609; EO 12466

CFR Citation: 41 CFR 101-7

Abstract: FTR change transmitted by GSA Bulletin FPMR A-40, Supplement (unassigned). FTR change will implement Presidential regulatory authority governing agency authority to contract with third party relocation companies to provide relocation services for transferred employees. Will replace guidelines issued by GSA and published in the Federal Register, August 27, 1984 (49 FR 33937-33940). (Transmitted by GSA Bulletin FPMR A-40, Supplement 11.)

Timetable:

Action	Date	FR Cite
Final Action	05/30/85	Distance No.

Small Entity: No

Agency Contact: Audrey E. Rish, Supervisory Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Division, Washington, DC 20406, 703 557-1253

RIN: 3090-AC01

50. CHANGE TO FEDERAL TRAVEL REGULATIONS (FTR) (SUPPLEMENT 14)

Legal Authority: 40 USC 486(c); 5 USC 5724b; EO 11609; EO 12466

CFR Citation: 41 CFR 101-7

Abstract: FTR change transmitted by GSA Bulletin FPMR A-40, Supplement 14. This FTR change implements the Relocation Income Tax (RIT) allowance authorized by Pub. L. 98-151 and Pub. L. 98-473. The RIT allowance is authorized for transferred employees whose effective date of transfer is on or after November 14, 1983, and who incurred additional Federal, State, and local income taxes as a result of reimbursement by the Government for

certain relocation expenses incident to their transfers.

Timetable:

Action	Date	FR Cite
DEN DING THE RES	-14-24-	

Final Action 04/30/85

Small Entity: No

Agency Contact: Audrey E. Rish, Supervisory Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Division, Washington, DC 20406, 703 557-1253

RIN: 3090-AC02

51. • REVISION OF STANDARD FORM 121, ANNUAL REPORT OF UTILIZATION AND DISPOSAL OF EXCESS AND SURPLUS PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43

Abstract: This proposed regulation provides for miscellaneous revisions to the Standard Form 121, Annual Report of Utilization and Disposal of Excess and Surplus Personal Property.

Instructions for preparing the form have been revised to reflect the changes in the form.

Timetable:

Action	Date	FR Cite
Final Action	06/01/85	Marine with

Small Entity: No

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Utilization Division (FMU), Washington, DC 20406, 703 557-0807

RIN: 3090-AC03

52. ● INSTRUCTIONS FOR PREPARING STANDARD FORM 120

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43

Abstract: This proposed regulation would update the listing of GSA regional offices to reflect current information and would amend the instructions for preparing Standard Form 120 to require standardized document and item numbers in FEDSTRIP/MILSTRIP format.

Timetable:

Action	Date	FR Cite
Final Action	05/01/85	7.5

Small Entity: No

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Utilization Division (FMU), Washington, DC 20406, 703 557-0807

RIN: 3090-AC04

53. • ADDITIONAL CRITERIA FOR EXCHANGE OR SALE

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 101-46

Abstract: This proposed regulation would introduce a definition of replacement, expand the one year use requirement for exchange/sale property, and introduce a special authorization for Federal museums to exchange historical items.

Timetable:

Action	Date	FR Cite
Final Action	06/01/85	

Small Entity: No

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Utilization Division (FMU), Washington, DC 20406, 703 557-0807

RIN: 3090-AC05

OFFICE OF INFORMATION RESOURCES MANAGEMENT

54. EXEMPTION OF ADP PROCUREMENT AUTHORITY BASED ON THE DEFENSE AUTHORIZATION ACT OF 1982 - PROJECT 82.23T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-1; 41 CFR 201-32

Abstract: This directive will address Department of Defense exemptions to GSA Government-wide ADP regulations.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: The FIRMR at section 201-1.102-3 paragraph (a) states the Department of Defense exclusion, see 49 FR 20998, May 17, 1984.

Agency Contact: Roger W. Walker, Chief, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA16

55. OBSOLESCENCE, EXCHANGE/SALE AND REUSE OF FEDERAL ADP EQUIP. PROJECT 82.05/82.06A

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-11; 41 CFR 201-30; 41 CFR 201-32; 41 CFR 201-33

Abstract: This project will update and revise ADP reutilization management procedures. The intent is to reduce obsolescent ADP equipment in the Government inventory and reduce paperwork through interagency sharing and reutilization. Exchange/sale procedure for contracting activities will be added. A single FIRMR amendment will be issued.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	(
Proposal for Agency comment	03/00/85	
Final Action	09/00/85	

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA19

56. PERFORMANCE VALIDATION OF ADP SYSTEMS, PROJECT 84.80A

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-2; 41 CFR 201-24; 41 CFR 201-30

Abstract: Benchmarks are costly and difficult to use in the ADP acquisition selection process. In September 1982 GSA contracted with FEDSIM for a technical study of benchmarking and alternative performance evaluation techniques. Completed in May 1984 the study concluded that in some circumstances more cost-effective alternative performance validation techniques are indicated and recommended a revision to Federal regulations to discourage the use of benchmarking as a performance validation tool for low dollar ADP acquisitions. GSA plans to amend the FIRMR to allow agencies more freedom in selecting and using appropriate capability and performance validation techniques based on an assessment of the inherent risks of the technique and how those risks impact agency mission.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	The latest of th
NPRM	02/22/85	50 FR 7356
Proposal for Agency comment	03/22/85	
Final Action	04/00/85	

Small Entity: No

Additional Information: This project was originally titled "Benchmarking in the Selection of Automatic Data Processing." The objective was to raise the dollar threshold and develop criteria for benchmark use. The project was retitled "Performance Validation of ADPE Systems" when GSA review of the FEDSIM study indicated that selection and use of any performance validation technique (including benchmarking) should primarily be a function of the risks associated with the technique and the impact on agency mission and not just a function of the dollar value of the acquisition.

Agency Contact: Carolyn A. Thomas, Program Analyst, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA90

57. REVISION OF ACQUISITION AND MANAGEMENT PROVISIONS REGARDING THE CHANGING TELECOMMUNICATION MARKETPLACE, INCLUDING THE DETARIFFING OF CUSTOMER PREMISES EQUIPMENT (84.06A)

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 201-37 Abstract: This project revises FIRMR Provisions relating to Federal Telecommunications acquisition and management. It will include changes brought about by the Federal Communications Commission Computer II inquiry and the divestiture of AT&T. This regulation will provide an overview of GSA regulations and policies impacting Government-wide telecommunication management and will specifically address the need for requirements definition and analysis for local and intercity service. It will revise "major change" requirements and state what GSA needs from agencies if GSA is expected to provide services or if GSA is reviewing service for individual agency acquisitions. All obsolete provisions will be eliminated.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	2000
Final Action	09/00/85	

Small Entity: No

Additional Information: The

telecommunication parts of the FIRMR as published in the Federal Register Jan. 30, 1985, are a restatement of the telecommunication provisions of the FPR and FPMR. No policy changes were made. This action revises the FIRMR to make telecommunication regulations current, clear, and concise.

Agency Contact: John F. Stewart, Supervisory Communications Specialist, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0834

RIN: 3090-AB08

58. AGENCY PLANNING - PROJECT 84.32A

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-16; 41 CFR 201-17

Abstract: Federal agency information resources managers must do a better job of planning. This proposed FIRMR temporary regulation will provide more comprehensive guidance to Federal agencies on the subject of planning and how to do it effectively. The regulation shall also define and obtain from the agencies additional data elements (not provided in current planning documents) that are essential to improving information resources management and agency planning.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Regulatory development will be delayed approximately six months pending issuance of OMB policy relative to information systems and technology planning.

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB58

59. TRIENNIAL REVIEW OF AGENCY ADMINISTRATION AND OPERATION OF INFORMATION MANAGEMENT ACTIVITIES - PROJECT 84.33T

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 201-19

Abstract: This proposed FIRMR temporary regulation will establish the Federal Information Resources
Management (IRM) Review Program. It will prescribe the policies and procedures that Federal agencies and the General Services Administration will follow in carrying out the review responsibilities of the Paperwork Reduction Act (44 U.S.C. 3513). The review program's purpose is to ensure that Federal agencies are carrying out their information management activities in an efficient, effective, and economical manner.

Timetable:

Action	Date	FR	Cite
NPRM	08/27/84	-	-
NPRM Comment Period Begin	08/27/84	49 FR	33906
NPRM Comment Period End	09/30/84		
Final Action	04/00/85		

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc of Info Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB60

60. FIRMR REVISIONS TO IMPLEMENT PUBLIC LAWS 98-369 AND 98-577 -PROJECT 84.64A

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 201-4

Abstract: This project will revise existing FIRMR provisions to conform to the requirements of Public Law 98-369 and Public Law 98-577.

Timetable:

Action	Date -	FR	Cite	
NDDM	03/00/85	DATE	9.70	N.

Small Entity: No

Additional Information: This project does not include the ADP dispute resolution section of Public Law 98-369. That section is being implemented in a separate project (84.63T).

Agency Contact: William R. Loy, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc of Info Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB61

61. FIRMR IMPLEMENTATION OF THE ADP DISPUTE RESOLUTION SECTION OF THE COMPETITION IN CONTRACTING ACT OF 1984 - PROJECT 84.63T

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 201-32

Abstract: This project will add coverage to the FIRMR to address the ADP dispute resolution section of Public Law 98-369, the Competition in Contracting Act of 1984.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Additional Information: This regulatory proposal was delayed pending issuance of GSBCA and FAR implementing regulations. The publication of a notice of proposed rulemaking is being waived (pursuant to the Office of Federal

Procurement Policy Act (41 USC 405(h)(1)) because of the January 15, 1985, effective date of the ADP protest resolution procedures.

Agency Contact: William R. Loy, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc of Info Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB64

62. • LISTENING-IN OR RECORDING OF TELEPHONE CONVERSATIONS -PROJECT 84.25A

CFR Citation: 41 CFR 201-6.2

Abstract: This regulation clarifies administrative reporting and oversight described in current regulations. The principal changes will require agencies to maintain logs and transcripts of recorded conversations and to improve record keeping and documentation. It also makes violations of this regulation subject to agency internal disciplinary procedures and includes penalties such as fines or dismissal.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	May Stay
Final Action	09/00/85	

Small Entity: No

Agency Contact: John F. Stewart, Supervisory Communications Specialist, General Services Administration, (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0834

RIN: 3090-AB79

63. ● RECORDS MANAGEMENT - PROJECT 85.15A

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-22; 41 CFR 201-45

Abstract: This regulation incorporates some of the records management provisions of FPMR 101-11 into FIRMR Subparts 201-22, Records Management Programs, and 201-45, Management of Records. It consists of those provisions for which GSA will retain responsibility under Public Law 98-497, effective April 1, 1985. In addition to reflecting the division of responsibilities between NARA and GSA, it is intended to reformat the material into the FIRMR numbering system. The final regulation will only contain substantive changes

regarding forms management, Standard and Optional forms, and interagency reports management. However, these changes will be based on proposed regulations that were previously circulated for public comments.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	ALE W
Final Action	06/01/85	

Small Entity: No

Agency Contact: David R. Mullins, Procurement Analyst, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-1651

RIN: 3090-AC06

OFFICE OF ORGANIZATION AND PERSONNEL

64. NONDISCRIMINATION IN FEDERAL FINANCIAL ASSISTANCE PROGRAMS

Legal Authority: Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972, as amended; Sec 606 of the Fed Property & Admin Service Act of 1949; Age Discrimination Act of 1975, as amended

CFR Citation: 41 CFR 101-8

Abstract: The General Services Administration proposes this regulation to implement all of the above cited Federal laws. These statutes prohibit discrimination, in whole or in part, so that no person in the United States shall on the grounds of race, color, national origin, handicap, sex, or age be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal assistance from the General Services Administration. In addition, the objectives of the regulation are to streamline certain administrative procedural requirements by consolidating prohibitions of discrimination into one regulation and to make requirements clear and convenient for applicants and recipients to comply with, as well as making the regulation manageable for GSA to administer. This approach permits us to retain the substance of the prohibitions against discrimination, while reducing the cost of implementing and enforcing separate regulations for each of the four

distinct laws for preventing discrimination.

Timetable:

Action	Date	FR Cite
NPRM	08/28/84	The state of the s
NPRM Comment Period Begin	08/28/84	49 FR 34132
NPRM Comment Period End	12/26/84	
Age Discrimination Act	09/00/85	
Consolidated Regulation	09/00/85	
Final Action	06/00/86	

Small Entity: No

Additional Information: The
Consolidated Regulation (Title VI of the
Civil Rights Act of 1964, Title IX of the
Education Amendments of 1972, as
amended and Section 606 of the Federal
Property and Administrative Service
Act of 1949) has been reviewed
internally. Department of Justice is
currently reviewing this regulation.

Agency Contact: Thomas E. Henderson, EEO Specialist, General Services Administration, Office of Civil Rights, Washington, DC 20405, 202 566-1368

RIN: 3090-AA00

65. FEDERAL ADVISORY COMMITTEE MANAGEMENT

Legal Authority: 40 USC 486(c); 5 USC App I

CFR Citation: 41 CFR 101-6.10; 41 CFR 101-11.12

Abstract: This regulation provides administrative and interpretive guidelines and management controls for Federal agencies concerning the implementation of the Federal Advisory Committee Act (FACA), as amended, It fulfills GSA's responsibilities under FACA and Executive Order 12024 and replaces OMB Circular A-63.

Timetable:

Action	Date		FR	Cite
ANPRM	11/22/79	44	FR	66852
Previous NPRM	08/21/80	45	FR	55769
Interim Final Rule	04/28/83	48	FR	19324
Final Action	00/00/00			

Small Entity: No

Agency Contact: Ronald L. Martinson, Special Assistant, General Services Administration, Program Analysis and Improvement Division, Washington, DC 20405, 202 523-1343

RIN: 3090-AA62

PUBLIC BUILDINGS SERVICE 66. ASSIGNMENT AND UTILIZATION OF SPACE

Priority: Agency Determination Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 101-17

Abstract: This regulation provides revised procedures concerning the assignment and utilization of space in Federal facilities under the custody and control of GSA. It supersedes provisions in 41 CFR 101-17. The intent of the rule is to simplify and streamline GSA's space management regulations.

Timetable:

Action	Date	FR Cite
Temporary Regulation D- 68	03/08/83	48 FR 9822
Extend D-68 expiration date	05/15/85	
Final Action	05/00/85	

Small Entity: No

Additional Information: This regulation will be combined with work space management reforms which has a projected issuance date of March 1, 1985.

Agency Contact: John Quigley, Director, General Services Administration, Assignment and Utilization Division (PRM), Washington, DC 20405, 202 566-1875

RIN: 3090-AA67

67. FEDERAL EMPLOYEE PARKING

Legal Authority: 40 USC 486(c) CFR Citation: 41 CFR 101-20

Abstract: This regulation will revise procedures for the assignment of parking spaces at federally controlled facilities.

Timetable:

Action	Date	FR Cite
Temporary Regulation D- 69	04/15/83	48 FR 16272
Extend D-69 expiration date	02/01/84	49 FR 9724

Action Date FR Cite Final Action 09/30/85

Small Entity: No

Agency Contact: John Quigley, Director, General Services Administration, Assignment and Utilization Division (PRM), Washington, DC 20405, 202 566-1875

RIN: 3090-AA68

68. WORK SPACE MANAGEMENT REFORMS

Priority: Agency Determination

Legal Authority: 40 USC 486(c); EO 12411 48 FR 13391; 63 Stat 377; 40 USC 285; 40 USC 304c; 40 USC 601 et seq; 86 Stat 674; 40 USC 490 Note; 90 Stat 2505; 42 USC 4201 to 4244; 40 USC 531 to 535; 42 USC 3601; EO 12348; 42 USC 4321

CFR Citation: 41 CFR 101-16; 41 CFR

101-17

Abstract: This regulation provides procedures for the development and maintenance of planning information and reporting systems to ensure the efficient utilization of Federal work space and related furnishings. It implements E.O. 12411 and merges FPMR Temporary Regulation D-68, which pertained to space assignment and Utilization of GSA-Controlled Space, with FPMR Temporary Regulation D-70, which pertained to all Federal work space.

The regulation vests major responsibility for the achievement of efficient utilization of space with the Heads of Agencies. GSA's major roles include receiving the streamlined and simplified space inventory reports and establishing objectives for work space use for each agency.

Through the achievement of more efficient work space utilization the administrative costs of the Federal Government will be reduced.

Timetable:

Action	Date		FR	Cite
ANPRM	10/22/84	49	FR	42235
Final Action	06/00/85			

Small Entity: No

Additional Information: This regulation will merge completed rulemaking 3090-AB24, work space management plans (FPMR Temporary Regulation D-70. Supp. 1) and current rulemaking 3090-AA67, assignment and utilization of space.

Government Levels Affected: Federal

Agency Contact: John Quigley. Director, General Services Administration, Assignment and Utilization Division (PRM), Washington, DC 20405, 202 566-1875

RIN: 3090-AB50

GENERAL SERVICES ADMINISTRATION (GSA)

Completed Actions

COMPLETED RULEMAKINGS 69. VENDING FACILITY PROGRAM FOR BLIND PERSONS

CFR Citation: 41 CFR 101-20.2

Completed:

Reason Date FR Cite Withdrawn 01/03/85

Small Entity: No

Agency Contact: Emily Karam 202 566-

RIN: 3090-AA70

70. GENERAL SERVICES **ADMINISTRATION ACQUISITION REGULATION (GSAR)- PARTS 536** AND 552

Priority: Undetermined

CFR Citation: 48 CFR 536; 48 CFR 552

Completed:

Effective

Reason Date FR Cite Final Action 09/18/84 49 FR 36505 Acquisition Circular AC-84-Final Action 09/10/84

Small Entity: Not Applicable

Agency Contact: Ida Ustad 202 523-4754

RIN: 3090-AB38

71. GENERAL SERVICES **ADMINISTRATION ACQUISITION REGULATION (GSAR) FAC-84-1**

Priority: Undetermined CFR Citation: 48 CFR 504

Completed:

Reason Date FR Cite Final Action APD 10/17/84 49 FR 49577 2800.12. CHGE Final Action 10/05/84 Effective

Small Entity: Not Applicable

Agency Contact: Ida Ustad 202 523-

4754

RIN: 3090-AB41

72. GENERAL SERVICES **ADMINISTRATION ACQUISITION REGULATION (GSAR)- RULES OF GSA BOARD OF CONTRACT APPEALS**

Priority: Undetermined CFR Citation: 48 CFR 533

Completed:

Reason	Date	FR	Cite
Final Action APD 2800.12. CHGE 3		49 FR	35938
Final Action	06/01/84		

Effective Small Entity: Not Applicable

Agency Contact: Ida Ustad 202 523-

4754

RIN: 3090-AB42

73. PROTESTS AGAINST AWARD

CFR Citation: 41 CFR 514.407 to 514.408

Completed:

Reason Date FR Cite Withdrawn 10/30/84

Small Entity: Yes

Agency Contact: John S. Miller, III 202 566-1460

RIN: 3090-AB46

74. GENERAL SERVICES **ADMINISTRATION ACQUISITION** REGULATION (GSAR) METHOD OF PAYMENT

Priority: Undetermined

CFR Citation: 48 CFR 532; 48 CFR 552

Completed Actions

Completed:					
Reason	Date	FR Cite			
Final Action Acquisition Circular AC-84- 5	09/11/84	49 FR 35637			
Final Action Effective	08/31/84				

Small Entity: Not Applicable

Agency Contact: Ida Ustad 202 523-

4754

RIN: 3090-AB56

75. GENERAL SERVICES
ADMINISTRATION ACQUISITION
REGULATION (GSAR) MILLER ACT

Priority: Undetermined

CFR Citation: 48 CFR 528; 48 CFR 533; 48 CFR 549

Completed:

Reason	Date		FR	Cite
Final Action APD 2800.12 CHGE 2	08/28/84	49	FR	34018
Final Action	08/15/84			

Small Entity: Not Applicable

Agency Contact: Ida Ustad 202 523-4754

RIN: 3090-AB57

Effective

76. SELECTIVE SERVICE SYSTEM NATIONAL EMERGENCY TRAVEL WARRANT AND DEPARTMENT OF DEFENSE RESERVIST/RETIREE MILITARY EMERGENCY TRAVEL WARRANT

CFR Citation: 41 CFR 101-41

Completed:

Reason	Date		FR	Cite
Final Action	10/11/84	49 F	R:	39918

Small Entity: No

Agency Contact: James F. Fitzgerald 202 786-3018

RIN: 3090-AA05

77. UNUSED TICKET REFUND PROCEDURES

CFR Citation: 41 CFR 101-41

Completed:

Reason	Date	FR Cite
Final Action	01/08/85	50 FR 938

Small Entity: No

Agency Contact: John W. Sandfort 202 786-3014

RIN: 3090-AA91

78. ELIMINATE REQUIREMENT TO CERTIFY SUBSTITUTE DOCUMENT

CFR Citation: 41 CFR 101-41

Completed:

Reason	Date	FR	Cite
Final Action	10/25/84	49 FR	42932

Small Entity: No

Agency Contact: Louis Rosengarten 202 786-3012

RIN: 3090-AB32

79. CANCEL STANDARD FORM 1172, CERTIFICATE IN LIEU OF LOST U.S. GOVERNMENT TRANSPORTATION REQUEST

CFR Citation: 41 CFR 101-41

Completed:

Reason	Date	F	R Cite
Final Action	11/07/84	49 F	R 44470
Final Action Effective	11/07/84		

Small Entity: No

Agency Contact: James F. Fitzgerald 202 786-3014

RIN: 3090-AB34

80. USE OF TRAVEL AGENCIES FOR OFFICIAL TRAVEL

CFR Citation: 41 CFR 101-41

Completed:

Reason	Date		FR	Cite
Final Action	12/13/84	49	FR	48547

Small Entity: Yes

Agency Contact: James F. Fitzgerald 202 786-3018

RIN: 3090-AB65

81. CONVEYANCE FOR HISTORIC MONUMENT PURPOSES

CFR Citation: 41 CFR 101-47.308-3(a)(3); 41 CFR 101-47.308-2(e)

Completed:

150

Reason	Date		FR	Cite
Final Action FPMR Amendment H-	10/18/84	49	FR	44471

Reason	Date	FR Cite
Final Action	10/18/84	49 FR 44471

Small Entity: No

Agency Contact: James H. Pitts 202

535-7067

RIN: 3090-AA35

82. ADDITION OF CONCURRENT 30-DAY FEDERAL AGENCY AND PUBLIC USE SCREENING REQUIREMENT

CFR Citation: 41 CFR 101-47.203-5(b)

Completed:

Reason	Date	FR	Cite
Final Action FPMR	08/27/84	49 FR	37091
Amendment H- 149			
Final Action Effective	08/27/84		

Small Entity: No

Agency Contact: James H. Pitts 202

535-7067

RIN: 3090-AA77

83. FPMR TEMPORARY REGULATION G - APPEARANCE RECONDITIONING OF MOTOR VEHICLES

CFR Citation: 41 CFR 101-38

Completed:

Reason	Date	FR Cite
Withdrawn	01/00/85	Statement.
Small Entity:	No	

Small Entity: No

Agency Contact: John B. Millington 703 557-1256

RIN: 3090-AA99

84. FPMR TEMPORARY REGULATION G- USE OF GASOHOL IN FEDERAL MOTOR VEHICLES

CFR Citation: 41 CFR 101-38

Completed:

Reason	Date	FR Cite
Withdrawn	12/00/84	

Small Entity: No

Agency Contact: John B. Millington 703

557-1256

RIN: 3090-AB01

85. TRAVEL AND TRANSPORTATION EXPENSE PAYMENT SYSTEM USING CONTRACTOR-ISSUED CHARGE CARDS AND TRAVELERS CHECKS

CFR Citation: 41 CFR 101-40, (FPMR) Temp. Regulation A-25

Completed:

Reason	Date		FR	Cite
Final Action FPMR Temporary Regulation A- 25	08/22/84	49	FR	33248

Small Entity: No

Agency Contact: John B. Millington 703 557-1256

RIN: 3090-AB27

86. SUPPLEMENT 11 TO FEDERAL TRAVEL REGULATIONS (FTR)

CFR Citation: 41 CFR 101-7

Completed:

Reason	Date	FR Cite
Final Action	08/27/84	49 FR 33937
Final Action	11/14/83	
Effective		

Small Entity: No

Agency Contact: Rose Ann Grossman 703 557-1253

RIN: 3090-AB30

87. CHANGES TO FEDERAL TRAVEL REGULATIONS (FTR) FPMR 101-7 (SUPPLEMENT 12)

CFR Citation: 41 CFR 101-7

Completed:

Reason	Date		FR	Cite
Final Action Final Action Effective	11/19/84 10/01/84	49	FR	45662

Small Entity: No

Agency Contact: Ray Price 703 557-

RIN: 3090-AB47

88. USE OF CONTRACT AIRLINE SERVICE BETWEEN SELECTED CITY-PAIRS

CFR Citation: 41 CFR 101-40, (FPMR) Temp. Reg. A-22

Completed:

Reason	Date		FR	Cite
Final Action	12/13/84	49	FR	48544

Small Entity: No

Agency Contact: John B. Millington 703

557-1256

RIN: 3090-AB48

89. UTILIZATION AND DONATION OF FOREIGN GIFTS AND DECORATIONS

CFR Citation: 41 CFR 101-49

Completed:

Reason	Date		FR	Cite
Final Action	01/02/85	50	FR	82

Small Entity: No

Agency Contact: George W. Kinney 703 557-1234

RIN: 3090-AB62

90. CONTRACTS WITH THE SMALL BUSINESS ADMINISTRATION (SBA) FOR ADP REQUIREMENTS - PROJECT 82-17T

Completed:

Date	FR	Cite
01/00/85	way.	To the
		201000000000000000000000000000000000000

Small Entity: Not Applicable

Agency Contact: William R. Loy 202 566-0194

RIN: 3090-AA13

91. FORMS MANAGEMENT RESPONSIBILITIES - PROJECT 82.38P

CFR Citation: 41 CFR 201-22; 41 CFR 201-45

Completed:

Reason	Date	FR Cite
Withdrawn	01/00/85	Homo Com

Small Entity: No

Agency Contact: David R. Mullins 202 566-0194

RIN: 3090-AA17

92. INTERAGENCY REPORTS MANAGEMENT PROGRAM - PROJECT 84 14A

CFR Citation: 41 CFR 201-45

Completed:

Reason	Date	FR Cite
Withdrawn	01/00/85	

Small Entity: No

Agency Contact: David R. Mullins 202 566-0194

RIN: 3090-AB53

93. STANDARD AND OPTIONAL FORMS - PROJECT 84.56A

CFR Citation: 41 CFR 201-45

Completed:

Reason	Date	FR Cite
Withdrawn	01/00/85	

Small Entity: No

Agency Contact: David R. Mullins 202 566-0194

RIN: 3090-AB54

94. REVISIONS TO FIRMR SUBPART 201-36.13, IMPLEMENTATION OF FEDERAL INFORMATION PROCESSING AND FEDERAL TELECOMMUNICATIONS STANDARDS IN SOLICITATION DOCUMENTS PROJECT 84.51T

CFR Citation: 41 CFR 201-36

Completed:

Reason	Date	FR Cite
Final Action	01/30/85	50 FR 4322
Final Action Effective	04/01/85	50 FR 4322

Small Entity: No

Agency Contact: Mary Anderson 202 566-0194

RIN: 3090-AB59

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

95. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, CHANGE 7

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 501; 48 CFR 515; 48 CFR 522; 48 CFR 552

Abstract: Change 7 to the GSAR (APD 2800.12 CHGE 7) incorporated the contents of Acquisition Circular AC-84-7, Ratification of Unauthorized Awards, into the regulation, added a list of OMB

Completed Actions

Approval Numbers obtained in accordance with the Paperwork Reduction Act for Information collection requirements in the regulation, and made other miscellaneous changes in Parts 501, 515 and 552 based on comments from contracting activities.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/04/85	
Final Action APD 2800.12 CHGE 7	01/16/85	50 FR 2284

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB77

96. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, ACQUISITION CIRCULAR 85-2

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 25

Abstract: GSA issued an Acquisition Circular AC-85-2, Threshold for Application of the Trade Agreements Act, which provided the new dollar threshold required for the applicability of the Trade Agreements Act of 1979, as authorized by the U.S. Trade Representative.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/25/85	
Final Action Acquisition Circular AC-85-	02/04/85	50 FR 4862

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB80

97. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION ACQUISITION CIRCULAR AC-85-1

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 552

Abstract: GSA issued an Acquisition Circular AC-85-1, Payment Due Date Clause, to revise the clause to provide for calculation of the payment due date for progress payments based on the date of receipt of a proper request for payment/invoice by the office designated to receive invoices. Also the clause is revised to establish an acceptance period for partial and final payments and to define a "proper" payment request.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/23/85	A 2 Super at
Final Action Acquisiton Circular AC-85-	01/31/85	50 FR 4516

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB81

98. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE 6

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 509; 48 CFR 532; 48 CFR 536; 48 CFR 552

Abstract: GSA issued a Change (APD 2800.12 CHGE 6) to incorporate the contents of Acquisition Circular AC-84-4, Contract Clauses; AC-84-5, Payment by Wire Transfer; and AC-84-6, Basis of Award for Construction Contracts into the regulation.

Timetable:

Action	Date	FR	Cite
Final Action Effective	12/28/84		

Action Date FR Cite
Final Action APD 01/11/85 50 FR 1534
2800.12 CHGE

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB90

99. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE 5

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 509

Abstract: GSA issued a Change (APD 2800.12 CHGE 5) to provide coverage on accessing the Automated Consolidated List of Debarred, Suspended, and Ineligible Contractors. Miscellaneous changes were also incorporated at this time.

Timetable:

Action	Date	FR Cite
Final Action Effective	12/03/84	
Final Action APD 2800.12 CHGE 5	12/14/84	49 FR 48726

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB91

100. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, ACQUISITION CIRCULAR 84-8

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec 205(c), 63 Stat. 390

CFR Citation: 48 CFR 533

Abstract: GSA issued Acquisition Circular AC-84-8 regarding the placement of documents in appeal files to conform with the June 1, 1984, rules of the GSA Board of Contract Appeals.

Completed Actions

Timetable:			
Action	Date	FR	Cite
Final Action Effective	10/05/84		dist.
Final Action Acquisition Circular AC-84-	10/17/84	49 FR	40576

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB92

101. © GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, ACQUISITION CIRCULAR 84-7

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec.

205(c), 63 Stat. 390

CFR Citation: 48 CFR 501

Abstract: GSA issued Acquisition Circular AC-84-7 regarding the ratification of unauthorized contractual commitments to provide GSA contracting activities with guidance and procedures.

Timetable:

Action	Date	FR	Cite
Final Action Effective	10/02/84	31163	
Final Action Acquisition Circular AC-84-	10/12/84	49 FR	40032

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB94

102. © GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, ACQUISITION CIRCULAR 84-2

Priority: Undetermined

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 522; 48 CFR 552

Abstract: GSA issued a supplement to Acquisition Circular AC-84-2 to extend the expiration date of the Circular from 12/14/84 to 06/14/85. Acquisition Circular 84-2 temporarily implements and supplements Item VII, Service Contract Act of 1965, in the Federal Acquisition Circular (FAC) 84-1 and Subpart 22.10 of the Federal Acquisition Regulation.

Timetable:

Action	Date	FR Cite
Final Action Effective	12/04/84	
Final Action Acquisition Circular AC-84- 2 Supplement	01/08/85	50 FR 945

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-4754

RIN: 3090-AB95

103. ● CIVILIAN EXECUTIVE AGENCY AIRCRAFT INFORMATION SYSTEM (AIS)

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-40, (FPMR) Temp. Reg. A-27

Abstract: This regulation establishes procedures for the development of a centralized Aircraft Information System (AIS) that will produce an inventory of aircraft and facilities, including cost and utilization data on all aircraft that are operated by or for Federal civilian agencies.

Timetable:

Action	Date	FR	Cite
Final Action	02/08/85	50 FR	5386

Small Entity: No

Agency Contact: John B. Millington, Supervisory Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Div., Washington, DC 20406, 703 557-1254

RIN: 3090-AB73

104. ● CHANGES TO FEDERAL TRAVEL REGULATIONS (FTR), FPMR 101-7 (SUPPLEMENT 13)

Legal Authority: 40 USC 486(c); 5 USC 5723; EO 11609; EO 12466

CFR Citation: 41 CFR 101-7

Abstract: FTR change transmitted by GSA Bulletin FPMR A-40, Supplement 13. This FTR change implements a statutory change to expand the eligibility criteria for Presidential appointees who may be authorized reimbursement of allowable travel and transportation expenses to their first duty stations. Previous eligibility requirement that appointment be "by and with advice and consent of the Senate" has been deleted.

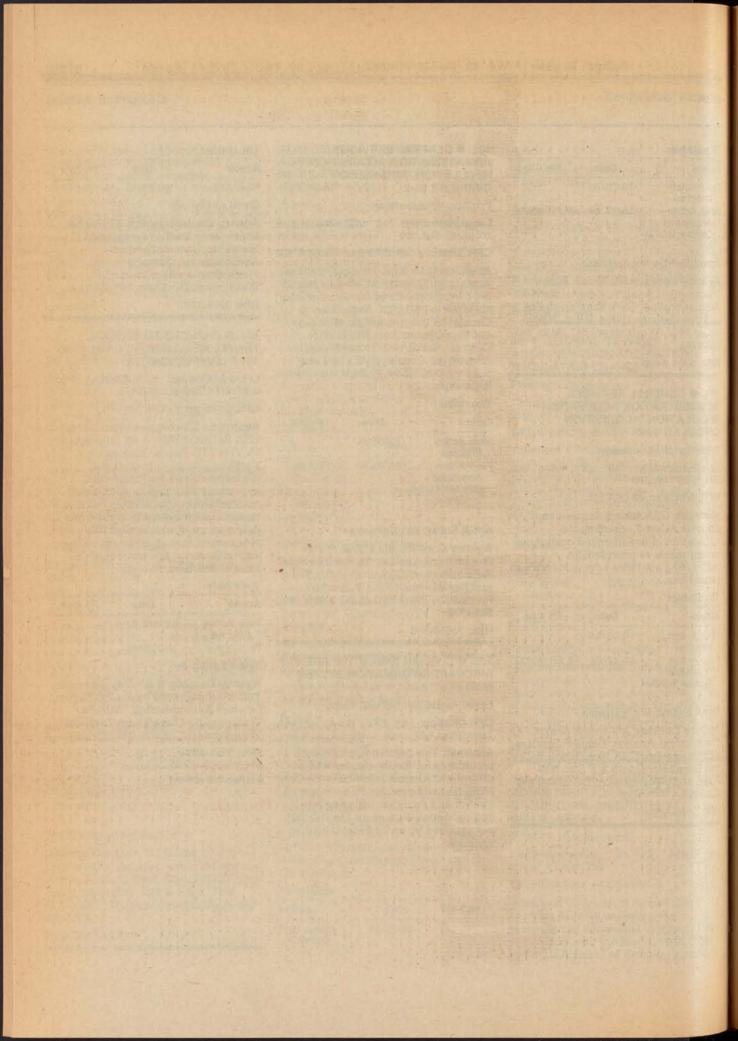
Timetable:

Action	Date	FR Cite
Final Action Effective	10/12/84	3117
Final Action	02/28/85	

Small Entity: No

Agency Contact: Rose Ann Grossman, Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Division, Washington, DC 20406, 703 557-1253

RIN: 3090-AB74 [FR Doc. 85-8379 Filed 04-28-85; 8:45 am] BILLING CODE 6820-81-T





Monday April 29, 1985

Part XXV

United States
International
Development
Cooperation
Agency/Agency for
International
Development

Semiannual Regulatory Agenda

IDCA

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

22 CFR Ch. II

Federal Regulations; Agency Regulatory Agenda Semiannual Summary

AGENCY: Agency for International Development, IDCA.

ACTION: Agency regulations agenda.

SUMMARY: The Agency for International Development (A.I.D.) is publishing this Agenda as required by section 5(a) of Executive Order 12291, Federal
Regulation (46 FR 13193, February 19,
1981) and by the Regulatory Flexibility
Act (Pub. L. 96-354, September 30, 1980).
This agenda reports the status of those
regulations currently under review and
gives A.I.D.'s plan for the issuance of
proposed regulations during the next
twelve months. It is expected that the
information provided in this agenda will
enable the public to be more aware of
and more effectively participate in
A.I.D.'s rulemaking process.

FOR FURTHER INFORMATION CONTACT:

General: For further information on the agenda or the review list, in general, contact: Mr. Fred D. Allen, Office of Information Resources Management.

Agency for International Development, Washington, D.C. 20523, Telephone (202) 632-3378.

Specific: For further information about any particular item on the agenda, contact the individual listed as the contact for that item.

Regulatory Flexibility Act (RFA): The Agency does not have any rulemaking activity that falls within the requirements of RFA and does not anticipate any during the next reporting period.

R. T. Rollis, Jr.,

Assistant to the Administrator for Management.

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY/AGENCY FOR INTERNATIONAL DEVELOPMENT (IDCA)

NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITTING FROM FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 20 USC 1681 to 1683; 20 USC 1686

CFR Citation: 22 CFR 219, (New)

Abstract: This regulation will address the problem of discrimination on the basis of sex in education programs and activities receiving or benefitting from financial assistance from the Agency for International Development. The regulation is intended to implement title IX of the Education Amendments of 1972, as amended. The regulation provides procedures for 1) assuring that such discrimination does not occur and 2) effecting compliance. The Agency is not considering any alternatives for addressing the problem. There will be some minor costs in administering the regulation; there are potential benefits to individuals who might otherwise be discriminated against.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Nancy D. Frame, Assistant General Counsel, United States International Development Cooperation Agency/Agency for International Development, Office of the General Counsel, A.I.D., Washington, DC 20523, 202 632-8218

RIN: 0412-AA04

DONATION OF DAIRY PRODUCTS TO ASSIST NEEDY PERSONS OVERSEAS (416 PROGRAM)

Priority: Agency Determination

Legal Authority: 7 USC 1431; PL 97-253, Sec 110

CFR Citation: 22 CFR 210, (New)

Abstract: This regulation sets forth provisions of the Agency for International Development (A.I.D.), acting as an Agent for the USDA/Commodity Credit Corporation (CCC), to carry out part of the responsibilities for selecting, approving, administering and implementing the Section 416 program of the Agricultural Act of 1949, as amended. This program will assist needy persons overseas and reduce surplus stocks of dairy products in CCC inventory. The donation of commodities under this new authority will be coordinated with, but not replace, assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended,

Current and Projected Rulemakings

Pub. L. 83-480. The Agency is not considering any alternatives for addressing the problem. There are some minor costs in administering the regulation. The potential benefits will go to needy persons overseas.

Timetable:

Action	Date	FR	Cite
Interim Final Rule	05/24/84 49	FR	22024
Final Action	00/00/00		

Small Entity: No

Agency Contact: Jessie C. Vogler, Program Officer, United States International Development Cooperation Agency/Agency for International Development, Office of Food for Peace, Bureau for Food, for Peace and Voluntary Assistance, Washington, DC 20523, 703 235-9193

RIN: 0412-AA05

AGENCY FOR INTERNATIONAL DEVELOPMENT ACQUISITION REGULATION (AIDAR)

Legal Authority: 22 USC 2381; EO 12163; PL 98-577

CFR Citation: 48 CFR 701; 48 CFR 727; 48 CFR 723

Abstract: The proposed revisions will implement and supplement federal Acquisition Circular 84-6, concerning the Small Business and Federal Procurement Enhancement Act of 1984.

Timetable:		
Action	Date	FR Cite
NPRM	08/00/85	residence 5
NPRM Comment Period Begin	08/00/85	
NPRM Comment Period End	09/00/85	

Small Entity: No

Agency Contact: John F. Owens, Procurement Executive, United States International Development Cooperation Agency/Agency for International Development, M/AAA/SER, Washington, DC 20523, 703 235-1895

RIN: 0412-AA10

AGENCY FOR INTERNATIONAL DEVELOPMENT ACQUISITION REGULATION (AIDAR)

Legal Authority: 22 USC 2381; EO 12163; PL 98-369, Title VII

CFR Citation: 48 CFR 701; 48 CFR 702; 48 CFR 705; 48 CFR 706; 48 CFR 714; 48 CFR 715

Abstract: The proposed revisions will implement and supplement Federal Acquisition Circular 84-5, concerning the Competition in Contracting Act of 1984 (Title VII of P.L. 98-369).

Timetable:

Date	FR Cite
04/00/85	3
04/00/85	
05/00/85	
	04/00/85 04/00/85

Small Entity: No

Agency Contact: John F. Owens, Procurement Executive, United States International Development Cooperation Agency/Agency for International Development, M/AAA/SER, Washington, DC 20523, 703 235-1895

RIN: 0412-AA11

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY/AGENCY FOR INTERNATIONAL DEVELOPMENT (IDCA)

NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, — EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Legal Authority: 22 USC 2402 CFR Citation: 22 CFR 209

Abstract: The regulation will address the problem of discrimination on the basis of race, color, or national origin in any program or activity receiving assistance from the Agency for International Development. The regulation provides that no person in the United States on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance from AID. The regulation provides procedures for 1) assuring that such discrimination does not occur and 2) effecting compliance. The Agency is not considering any alternatives for addressing the problem. There will be some minor costs in administering the regulation; there are potential benefits

Timetable:

discriminated against.

Action	Date	FR Cite
End Review	00/00/00	
Small Entity: N	0	

to individuals who might otherwise be

Agency Contact: Nancy Frame, United States International Development Cooperation Agency/Agency for International Development, Office of the General Counsel, Washington, DC 20523, 202 632-8218

RIN: 0412-AA01

PUBLIC INFORMATION

Legal Authority: PL 89-487; 5 USC 552

CFR Citation: 22 CFR 212

Abstract: The regulation is being reviewed within the Agency to determine whether a modification is necessary. Further action will be determined by congressional determination on the future requirements of the Act.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	1414
Small Entity	No	

Agency Contact

Agency Contact: Mr. Rhea Johnson, United States International Development Cooperation Agency/Agency for International Development, Bureau for External Affairs, Washington, DC 20523, 202 632-9614

RIN: 0412-AA02

REGULATION FOR IMPLEMENTATION OF PRIVACY ACT OF 1974

Legal Authority: PL 93-579; 5 USC 552a

Existing Regulations Under Review

CFR Citation: 22 CFR 215

Abstract: The regulation is in the clearance process within the Agency and will be published for public comment.

Timetable:

The second second second second	The state of the s	The second second
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Mr. Rhea Johnson, United States International Development Cooperation Agency/Agency for International Development, Bureau for External Affairs, Washington, DC 20523, 202 632-9614

RIN: 0412-AA03

TRANSFER OF FOOD COMMODITIES FOR USE IN DISASTER RELIEF AND ECONOMIC DEVELOPMENT AND OTHER ASSISTANCE

Legal Authority: 7 USC 1705; 7 USC 1721 to 1723; 7 USC 1693

CFR Citation: 22 CFR 211

Abstract: This regulation prescribes the terms and conditions governing the transfer of agricultural commodities to foreign governments, U.S. voluntary agencies, or intergovernmental organizations. The regulation is being reviewed to assess its current procedures and requirements with an intent to improve its effectiveness and

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IDCA

efficiency. There will be internal administrative and operational costs. There are potential benefits to aid-receiving countries.

Timetable:

Action	Date	FR Cite
Begin Review	12/15/83	State of the last
End Review	00/00/00	

Small Entity: No

Agency Contact: Jessie C. Vogler,
Program Officer, United States
International Development Cooperation
Agency/Agency for International
Development, Office of Food For Peace,
Bureau For Food, For Peace and
Voluntary Assistance, Washington, DC
20523, 703 235-9193

RIN: 0412-AA06

PER DIEM PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN NONMILITARY ECONOMIC DEVELOPMENT TRAINING PROGRAMS

Legal Authority: 22 USC 2396 CFR Citation: 22 CFR 205

Abstract: This regulation prescribes the terms and conditions governing the payments to and on behalf of participants in nonmilitary economic development training programs.

Timetable

Tillictable.		
Action	Date	FR Cite
End Review	00/00/00	Karam fillerin

Small Entity: No

Agency Contact: Brenda Colwell, United States International Development Cooperation Agency/Agency for International Development, Office of Participant Training Bureau for, Science and Technology, Washington, DC 20523, 703 235-1962

RIN: 0412-AA07

• DEBARMENT AND INELIGIBILITY

Legal Authority: 22 USC 2381 CFR Citation: 22 CFR 208

Abstract: These regulations currently apply to debarment and suspension of AID-financed suppliers of commodities and commodity-related services. The amendment expands the coverage to include direct AID agreements (e.g. grants and cooperative agreements) and all AID-financed agreements (e.g., host country contracts). The amendment also implements and supplements 48 CFR 709.4 (49 F.R. 13240, April 3, 1984) with respect to procurement contracts and subcontracts.

Timetable:

Action	Date	FR Cite
Begin Review	00/00/00	
Small Entity: 1	No	Marin de Sort

Agency Contact: Jan W. Miller, United States International Development Cooperation Agency/Agency for International Development, Office of the General Counsel, Washington, DC 20523, 202 632-3348

RIN: 0412-AA08

COLLECTION OF CLAIMS

Existing Regulations Under Review

Legal Authority: 22 USC 2381 CFR Citation: 22 CFR 213

Abstract: These regulations prescribe the procedures to be used by the Agency for International Development ("AID") in the collection of claims owed to AID and to the United States. It supplements the Federal Claims Collections Standards, 4 CFR Parts 101-105. This part sets forth procedures for a) collections, including administrative offset, of claims owed the United States, b) interest, penalties and administrative charges; c) dtsclosure to consumer reporting agencies and contracts with collection agencies.

Timetable:

Action	Date	FR Cite	
	End Review	00/00/00	

Small Entity: No

Agency Contact: Jan W. Miller, United States International Development Cooperation Agency/Agency for International Development, Office of the General Counsel, Washington, DC 20523, 202 632-3348

RIN: 0412-AA09 [FR Doc. 85-6380 Filed 04-26-85; 8:45 am] BILLING CODE 6116-01-T

Part XXVI

Merit Systems Protection Board

MSPB

MERIT SYSTEMS PROTECTION BOARD

5 CFR Ch. II

Regulatory Agenda

AGENCY: Merit Systems Protection Board.

ACTION: Semiannual agenda of

regulations.

SUMMARY: The following Merit Systems Protection Board regulations are scheduled for review or development from April 1985 through April 1986. This agenda carries out the MSPB's responsibilities to publish a semiannual agenda under E.O. 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT: Richard Redenius, Managing Director, (202) 653-6842.

Merit Systems Protection Board.

DATED: February 14, 1985. Herbert E. Ellingwood, Chairman.

MERIT SYSTEMS PROTECTION BOARD (MSPB)

Current and Projected Rulemakings

HEARING PROCEDURES FOR APPELLATE CASES

Legal Authority: 5 USC 1205(g); 5 USC

CFR Citation: 5 CFR 1201.1 to 1201.222

Abstract: The proposed changes in these regulations are the result of a comprehensive review of the Board's experience with processing and adjudicating cases since January 1979. The proposed changes are intended to clarify existing rules and to improve the operating efficiency and effectiveness of the Board and the parties who practice before the Board.

Timetable:

Action	Date	FR Cite
	215000000000000000000000000000000000000	
ANPRM	04/00/85	
ANPRM	04/00/85	
Comment		
Period Begin		
ANPRM	05/00/85	
Comment		
Period End		
Final Action	07/00/85	
25 1 1 1 2		
Final Action Effective	07/00/85	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Paul D. Mahoney. Assistant Managing Director for Management, Merit Systems Protection Board, 1120 Vermont Avenue, NW. Washington, DC 20419, 202 653-8900

RIN: 3124-AA00

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS CONDUCTED BY THE MERIT SYSTEMS PROTECTION BOARD

Legal Authority: 29 USC 791

CFR Citation: 5 CFR 1207.1 to 1207.99, (New)

Abstract: To effectuate Section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, amending Section 504 of P.L. 95-602.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
NPRM Comment Period Begin	06/00/85	
NPRM Comment Period End	08/00/85	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: John H. Taylor, Director, Office of Equal Employment, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, 202 653-6180

RIN: 3124-AA01

PRACTICES AND PROCEDURES

Legal Authority: 5 USC 1205(g) CFR Citation: 5 CFR 1201.114

Abstract: To provide more comprehensive rules to expedite the processing of petitions for Board review of initial decisions.

Timetable:

Action	Date	F	R	Cite
NPRM	08/10/84	49 F	R	32072
NPRM Comment Period Begin	08/10/84	49 F	R	32072
NPRM Comment Period End	09/09/84			
Final Action	04/00/85			
Final Action Effective	04/00/85			

Small Entity: No

Public Compliance Cost: Initial Cost: \$0: Yearly Recurring Cost: \$0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Robert E. Taylor. Clerk of the Board, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, 202 653-7200

RIN: 3124-AA02

MERIT SYSTEMS PROTECTION BOARD (MSPB)

Completed Actions

COMPLETED REVIEWS
HEARING PROCEDURES FOR
APPELLATE CASES

CFR Citation: 5 CFR 1201.11 to 1201.118

Completed:

Reason Date FR Cite

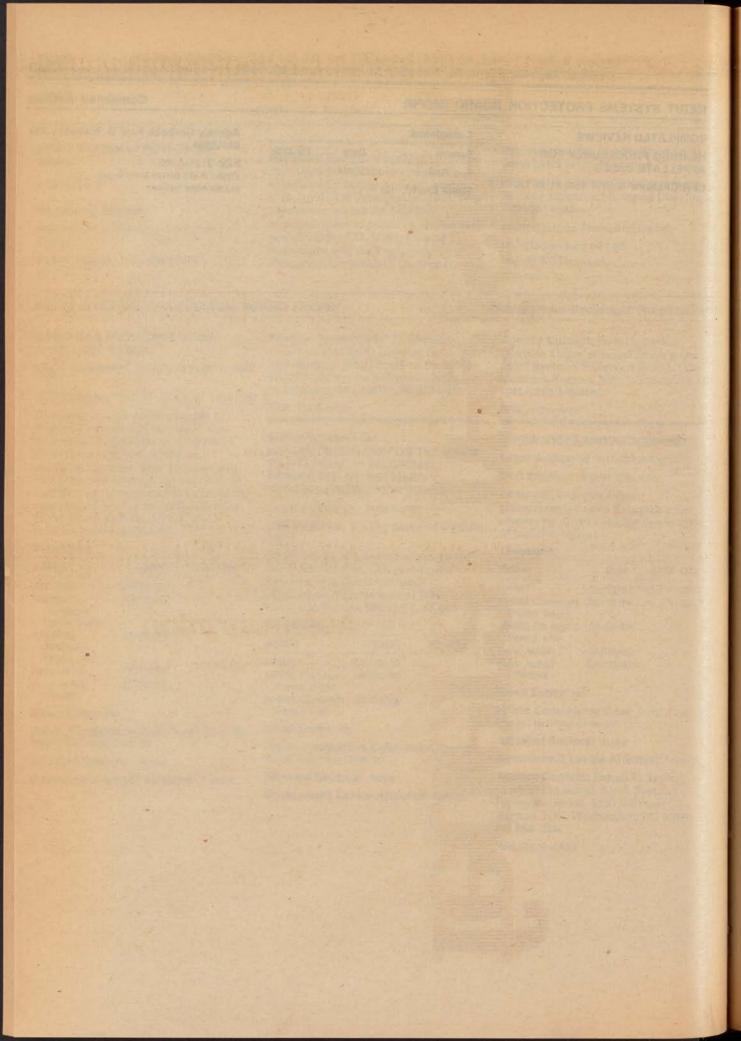
End Review 10/30/84

Small Entity: No

Agency Contact: Paul D. Mahoney 202 653–8900

RIN: 3124-AA00

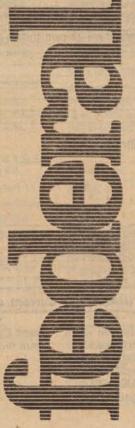
[FR Doc. 85-6381 Filed 04-26-85; 8:45 am] BILLING CODE 7400-01-T





Part XXVII

National Aeronautics and Space Administration



NASA

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Ch. V

Regulatory Agenda

AGENCY: National Aeronautics and Space Administration.

ACTION: Regulatory agenda.

SUMMARY: This regulatory agenda describes the proposed regulations being considered for development or amendment by NASA, the need and

legal basis for the actions being considered, the name and telephone number of a knowledgeable official, whether a regulatory analysis is required, and the status of regulations previously reported.

ADDRESS: Director, Logistics
Management and Information Programs
Division (Code NI), Office of
Management, NASA Headquarters,
Washington, D.C. 20546.

FOR FURTHER INFORMATION CONTACT: Margaret M. Herring, 202/453-2922. SUPPLEMENTARY INFORMATION: OMB
Bulletin No. 85-6, "Unified Agenda of
Federal Regulations," Executive Order
12291, "Federal Regulation," and NASA
Management Instruction 1410.10E,
"Federal Register: Delegation of
Authority and Requirements for
Publication of NASA Documents,"
require that a regulatory agenda of
proposed regulations under
development and review be published in
the Federal Register each October and
April.

L. W. Vogel,

Director, Logistics Management and Information Programs Division.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Space Transportation System; Insurance and Indemnification of NASA Space Vehicle Users	2700-AA0
2	Space Transportation System: Reimbursement for Spacelab Services	2700-440
3	Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance	2700-AA0
4	Patent Waiver Regulations	2700-AA10
5	Patent Waiver Regulations	2700-AA12
6	General Provisions Regarding Flight of Reimbursable Payloads Aboard the Space Shuttle	2700-AA14
7	Monetary Claims (General); Collection of Civil Claims and Offset	2700-AA2
- 8	Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by NASA	2700-AA24
9	Statement of Organization and General Information Employees Personal Property Claims	2700-AA26
10	Employees Personal Property Claims	2700-AA27
11	Space Transportation System; NASA Astronaut Candidate Recruitment and Selection Program	2700-AA28
12	Security Adjudication Procedures	2700-AA31
13	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act); Acquisition for Federal and Federally-Assisted Programs	2700-AA32
14	Multi-Year Contracting	2700-AA33
15	Purchasing System Reviews	2700-AA34
16	Airline Ticket Purchases	2700-AA35
17	SEB Manual	2700-AA36
18	Supply Sources	2700-AA37

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
19	Space Transportation System; Nonscientific Payloads	2700-AA19
20	Tracking and Data Relay Satellite System (TDRSS); Use and Reimbursement Policy for Non-U.S. Government Users	2700-AA29
21	Standards of Conduct	2700-AA30

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

Current and Projected Rulemakings

1. SPACE TRANSPORTATION SYSTEM; INSURANCE AND INDEMNIFICATION OF NASA SPACE VEHICLE USERS

Legal Authority: PL 96-48

CFR Citation: 14 CFR 1214, Subpart 13

Abstract: Describes the policy on when users of the Space Transportation System must obtain financial protection against third-party claims and the conditions under which NASA will provide insurance or indemnification of

users. Comments on the proposed rule were received from several individuals.

7.0

 Timetable:
 Date
 FR Cite

 NPRM
 11/10/80
 45 FR 74499

Next Action Undetermined

Small Entity: No

Agency Contact: Robert J. Wojtal, National Aeronautics and Space Administration, Office of General Counsel, Code GK, Washington, DC 20546, 202 453-2446

RIN: 2700-AA00

2. SPACE TRANSPORTATION SYSTEM; REIMBURSEMENT FOR SPACELAB SERVICES

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 8

Abstract: Describes the policy for Spacelab services provided by NASA to users during the Second Phase of STS operations.

Timetable:

Action	Date	FR Cite

Final Action 03/00/85

Small Entity: No

Agency Contact: Stanley R. Nichols, National Aeronautics and Space Administration, Office of Space Flight, Code MC, NASA Headquarters, Washington, DC 20546, 202 453-2205

RIN: 2700-AA01

3. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 42 USC 6101 et seq Age Discrimination Act of 1975 as amended

CFR Citation: 14 CFR 1252, Subpart 1

Abstract: Sets forth NASA's policies to implement the procedures under the Age Discrimination Act of 1975.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 45 CFR 90 also applies. Agency Contact: Richard N. Wolf, National Aeronautics and Space Administration, Office of General Counsel, Code GK, Washington, DC 20546, 202 453-2445

RIN: 2700-AA02

4. PATENT WAIVER REGULATIONS

Legal Authority: 42 USC 2457 et seq CFR Citation: 14 CFR 1245, Subpart 1

Abstract: To adopt Presidential Memorandum on Government Patent Policy of 02/18/83.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/17/83	48 FR 22132
NPRM	02/00/84	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Robert F. Kempf, Asst. Gen. Counsel for Patent Matters, National Aeronautics and Space Administration, Code GP, NASA Headquarters, Washington, DC 20546, 202 453-2424

RIN: 2700-AA10

5. SPACE TRANSPORTATION SYSTEM; PAYLOAD SPECIALISTS

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 3

Abstract: Revises NASA's policy on Payload Specialists aboard STS flights to provide an opportunity to major payload reimbursable customers to select and utilize their own payload specialists.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Agency Contact: Stanley R. Nichols, National Aeronautics and Space Administration, Office of Space Flight, Code MC, NASA Headquarters, Washington, DC 20546, 202 453-2205

RIN: 2700-AA12

6. GENERAL PROVISIONS REGARDING FLIGHT OF REIMBURSABLE PAYLOADS ABOARD THE SPACE SHUTTLE

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 1

Abstract: Sets forth the general provisions regarding flight of reimbursable payloads aboard the NASA Space Shuttle. Incorporates pricing principles for the Second Phase of STS operations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	O. HILLO
		Santa Marian S.

Small Entity: No

Additional Information: RIN = 2700-AA13 merged with RIN = 2700-AA14.

Agency Contact: Stanley R. Nichols, National Aeronautics and Space Administration, Office of Space Flight, Code MC, NASA Headquarters, Washington, DC 20546, 202 453-2205

RIN: 2700-AA14

7. MONETARY CLAIMS (GENERAL); COLLECTION OF CIVIL CLAIMS AND OFFSET

Legal Authority: 42 USC 2473(c); 5 USC 5514; 31 USC 3701

CFR Citation: 14 CFR 1261

Abstract: Proposed regulation to implement the claims collection and offset standards of the Debt Collection Act in accordance with the GAO/DOJ joint regulations and the salary offset OPM regulation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	VENESCIE

Small Entity: No

Agency Contact: Sara Najjar, National Aeronautics and Space Administration, Office of General Counsel, Code GS, NASA Headquarters, Washington, DC 20546, 202 453-2432

RIN: 2700-AA22

8. NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY NASA

Legal Authority: 29 USC 94 CFR Citation: 14 CFR 1251

Abstract: Implements agency's policy and procedures for implementing Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap in programs or activities conducted by Federal agencies.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/00/85

Small Entity: No

Agency Contact: Roger D. Hamby, National Aeronautics and Space Administration, Office of General Counsel, Code GG, NASA Headquarters, Washington, DC 20546, 202 453-2465

RIN: 2700-AA24

9. • STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

Legal Authority: 5 USC 552 as amended

CFR Citation: 14 CFR 1201

Abstract: Revises NASA Statement of Organization and General Information to reflect its current organizational structure.

Timetable:

Action Date FR Cite

Final Action 04/01/85

Small Entity: No

Agency Contact: Richard G. Mulligan, National Aeronautics and Space Administration, Office of Management, NASA Headquarters (Code NIP), Washington, DC 20546, 202 453-2970

RIN: 2700-AA26

10. • EMPLOYEES PERSONAL PROPERTY CLAIMS

Legal Authority: 31 USC 3721

CFR Citation: 14 CFR 1261, Subpart 1

Abstract: To reflect the increase in the maximum amount pursuant to PL 97-266, amending the Military Personnel and Civilian Employees Claims Act of 1964.

Timetable:

Action Date FR Cite
NPRM 08/30/85

Small Entity: No

Agency Contact: Sara Najjar, National Aeronautics and Space Administration, Office of General Counsel, NASA Headquarters (Code GS), Washington, DC 20546, 202 453-2432

RIN: 2700-AA27

11. © SPACE TRANSPORTATION SYSTEM; NASA ASTRONAUT CANDIDATE RECRUITMENT AND SELECTION PROGRAM

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 11

Abstract: Describes the process for the selection of astronauts to support Space Shuttle mission operations.

Timetable:

Action Date FR Cite
Final Action 03/01/85

Small Entity: No

Agency Contact: Jesse W. Moore, National Aeronautics and Space Administration, Office of Space Flight, NASA Headquarters (Code M), Washington, DC 20546, 202 453-1132

RIN: 2700-AA28

12. SECURITY ADJUDICATION PROCEDURES

Legal Authority: 5 USC 7532 CFR Citation: 14 CFR 1203

Abstract: Sets forth the general provisions regarding the implementation of 5 USC 7532, Suspension and Removal.

Timetable:

Action Date FR Cite
NPRM 05/31/85

Small Entity: No

Agency Contact: Jerome Verba, National Aeronautics and Space Administration, NASA Security Office, NASA Headquarters (Code NIS), Washington, DC 20546, 202 453-2946

RIN: 2700-AA31

13. • UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 (UNIFORM ACT); ACQUISITION FOR FEDERAL AND FEDERALLYASSISTED PROGRAMS

Legal Authority: 42 USC 4601

CFR Citation: 14 CFR 1204, Subpart 6

Abstract: Regulation establishes uniform cost-effective policies and procedures governing the implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act).

Timetable:

 Action
 Date
 FR Cite

 NPRM
 05/15/85

Small Entity: No

Agency Contact: Gitta Haber, National Aeronautics and Space Administration, Facilities Engineering Div., Office of Mgmt, NASA Headquarters-Code NXG, Washington, DC 20546, 202 453-1960

RIN: 2700-AA32

14. MULTI-YEAR CONTRACTING

Priority: Undetermined

Legal Authority: 42 USC 2473(c)(1)

CFR Citation: 14 CFR 1817.102

Abstract: Conforming revision to statute allows certain multi-year service contracts.

Timetable:

Action Date FR Cite
Issuance 06/00/85

Small Entity: Not Applicable

Agency Contact: S. Evans, National Aeronautics and Space Administration, 202 453-2090

RIN: 2700-AA33

15. ● PURCHASING SYSTEM REVIEWS

Priority: Undetermined

Legal Authority: 42 USC 2473(c)(1)

CFR Citation: 14 CFR 1844.302-70

Abstract: Procedures for contractor's purchasing system reviews are made consistent with FAR.

Timetable:

Action Date FR Cite
Issuance 06/00/85
Small Entity: Not Applicable

A

Agency Contact: S. Evans, National Aeronautics and Space Administration. 202 453-2090

RIN: 2700-AA34

16. • AIRLINE TICKET PURCHASES

Priority: Undetermined

Legal Authority: 42 USC 2473(c)(1)

CFR Citation: 14 CFR 1851.70

Abstract: Procedures are established for use of government discount passenger airfares.

NASA

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
Issuance	06/00/85	
Small Entity:	Not Applicable	

Agency Contact: S. Evans, National Aeronautics and Space Administration, 202 453-2090

RIN: 2700-AA35

17. SEB MANUAL

Priority: Undetermined

Legal Authority: 42 USC 2473(c)(1) CFR Citation: 14 CFR 1815.613-71 Abstract: Use of SEB procedures are optional for procurement of ADPE subject to Brooks Bill.

Timetable:

Action	Date	FR	Cite
Issuance	06/00/85	38	100
Small Entity:	Not Applicable		

Agency Contact: S. Evans, National Aeronautics and Space Administration, 202 453-2090

RIN: 2700-AA36

18. SUPPLY SOURCES

Priority: Undetermined

Legal Authority: 42 USC 2473(c)(1)
CFR Citation: 14 CFR 1851.102(c)

Abstract: Procedures for authorizing contractor use of government supply source are clarified.

Timetable:

Action	Date	FR Cite
Issuance	06/00/85	Total Box

Agency Contact: S. Evans, National Aeronautics and Space Administration, 202 453-2090

Small Entity: Not Applicable

RIN: 2700-AA37

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

Completed Actions

COMPLETED RULEMAKINGS 19. SPACE TRANSPORTATION SYSTEM; NONSCIENTIFIC PAYLOADS

CFR Citation: 14 CFR 1214

Completed:

Reason	Date		FR	Cite	
Final Action	08/28/84	49	FR	34445	

Small Entity: No

Agency Contact: Russell Ritchie 202

RIN: 2700-AA19

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

20. TRACKING AND DATA RELAY SATELLITE SYSTEM (TDRSS); USE AND REIMBURSEMENT POLICY FOR NON-U.S. GOVERNMENT USERS

Legal Authority: PL 85-568, Sec 203; 72 Stat 429, as amended; 42 USC 2473

CFR Citation: 14 CFR 1215

Abstract: Revised regulation to reflect the CY 1986 rate changes for TDRSS services.

Timetable:

Action	Date	FR Cite
Final Action	01/22/85	50 FR 2778

Small Entity: No

Agency Contact: Jack W. Wild, National Aeronautics and Space Administration, Office of Space Tracking and Data Systems, NASA Headquarters (Code T), Washington, DC 20546, 202 453-2030

RIN: 2700-AA29

21. STANDARDS OF CONDUCT

Legal Authority: 18 USC 207 CFR Citation: 14 CFR 1207

Abstract: Revised regulations to ensure conformity to the Ethics in Government

Act of 1978 regarding the public financial disclosure statement.

Timetable:

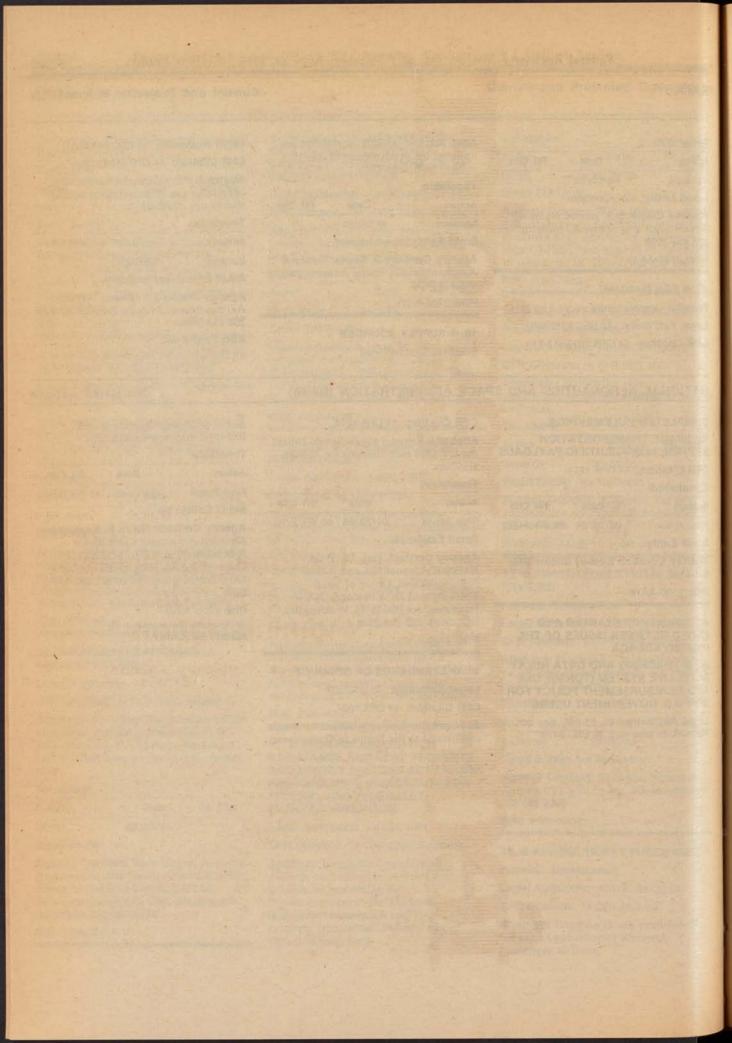
Action	Date		FR	Cite
Final Action	01/29/85	50	FR	3887

Small Entity: No

Agency Contact: Helen S. Kupperman, National Aeronautics and Space Administration, Office of General Counsel, NASA Headquarters (Code GG), Washington, DC 20546, 202 453-2465

RIN: 2700-AA30

[FR Doc. 85-8383 Filed 04-28-85; 8:45 am] BILLING CODE 7510-01-T





Part XXVIII

National Archives and Records Administration



NARA

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Ch. XII

Unified Agenda of Federal Regulations

AGENCY: National Archives and Records Administration.

ACTION: Semiannual agenda.

SUMMARY: This agenda announces the proposed regulatory actions that the National Archives and Records Administration (NARA) plans for the next 12 months and those actions that have been completed since October

1984. This agenda was developed under the guidelines in OMB Bulletin No. 85-6. dated December 13, 1984. NARA's purpose in publishing this agenda is to allow interested persons an opportunity to have more comprehensive documentation of NARA's regulatory plans and to provide a systematic means of monitoring regulatory activity in NARA.

FOR FURTHER INFORMATION CONTACT: John A. Kelley, Chief, Information Management and Directives Branch, (202) 523-3214.

SUPPLEMENTARY INFORMATION: On April 1, 1985, the National Archives and Records Administration (formerly the National Archives and Records Service of the General Services Administration, NARS/GSA) was established as an independent agency by Pub. L. 98-497. Previously, NARS/GSA regulations were published as part of the regulatory agenda of the General Services Administration and were contained in 41 CFR Chapters 101 and 105. NARA regulations are now being revised and reissued in a new Chapter XII of Title 36 of the CFR. None of the regulations listed in the agenda are considered major under Executive Order 12291, Federal Regulations.

Robert M. Warner.

Archivist of the United States.

NARA

Current and Projected Rulemakings

Se- quence Number	Title I Title	Regulation Identifier Number
1	Records Management	3095-AA00
2	Records Management. Establishment of NARA Regulations in 36 CFR Chapter XII.	3095-AA0
3	Disposition of Federal Records Fee Schedule	3095-AA02
4	Fee Schedule	3095-AA03
5	NARA Regulations Implementing the Freedom of Information Act and the Privacy Act, Adopting Standards of Conduct for NARA Officials, and Other General Regulations	3095-AA08
6	Public Use of the National Archives Building	3095-AA06
7	Care and Handling of Magnetic Storage Media	3095-AA0
8	Preservation and Protection and Access to the Presidential Historical Materials of the Nixon Administration	3095-AA1

Existing Regulations Under Review

Se- quence Number	Title West and State Sta	Regulation Identifier Number
9	Procedures for Transfer of Records to Federal Records Centers Adequate and Proper Documentation	3095-AA04 3095-AA07

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
11 12 13 14 15	Annual Summary of Records Holdings Management of Electronic Records Revision of Fee Schedule Records Disposition Disposition of Federal Records	3095-AA09 3095-AA10 3095-AA11 3095-AA12 3095-AA14

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

Current and Projected Rulemakings

1. @ RECORDS MANAGEMENT

Legal Authority: 44 USC 2104(a) as added by Sec. 102 of PL 98-497

CFR Citation: 41 CFR 101-11; 36 CFR Chapter XII

Abstract: This regulation will revise existing records management regulations involving records disposition and adequacy of documentation and recodify them at 36 CFR Chapter XII. This recodification is due to the transfer of functions of the National Archives and Records Service of GSA to a new independent agency in the Executive Branch, the National Archives and Records Administration.

Action	Date	FR Cite	
NPRM	04/00/85	YDAVING	
NPRM Comment Period Begin	04/00/85		
NPRM Comment Period End	05/00/85		
Final Action	06/00/85		

Small Entity: Not Applicable

Agency Contact: Adrienne C. Thomas, Director, National Archives and Records Administration, Program Policy and Evaluation Division (NAA), Washington, DC 20408, 202 523-3214

RIN: 3095-AA00

Timetable:

2. • ESTABLISHMENT OF NARA REGULATIONS IN 36 CFR CHAPTER XII

Legal Authority: 41 USC 2104(a) as added by Sec. 102 of PL 98-497

CFR Citation: 41 CFR 101; 41 CFR 105; 36 CFR Chapter XII

Abstract: The National Archives and Records Service (NARS) became an independent agency, the National Archives and Records Administration (NARA), on April 1, 1985. This regulation will establish a new Chapter XII in Title 36, CFR, for NARA regulations. This regulation will also move to this chapter existing NARS regulations relating to disposition of Federal records (currently found at 41 CFR 101-11.4); National Historical Publications and Records Commission programs (currently found at 41 CFR

NARA

105-65); and public use of records, donated historical materials, and facilities (currently found at 41 CFR 105-61). There will be no substantive change in these regulations which are being moved to Title 36 from Title 41. Other NARA regulatory actions included in this Agenda will transfer and revise other records management regulatory material from Title 41 to Title 36, and establish NARA regulations pertaining to Standards of Conduct, Privacy Act, Freedom of Information Act, and related general regulations.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	
Final Action Effective	04/00/85	

Small Entity: Not Applicable

Agency Contact: Adrienne C. Thomas, Director, National Archives and Records Administration, Program Policy and Evaluation Division, Washington, DC 20408, 202 523-3214

RIN: 3095-AA01

3. O DISPOSITION OF FEDERAL RECORDS

Legal Authority: 44 USC 3303(a) as amended by PL 98-497; 44 USC 2104(a) as added by Sec 102 of PL 98-497

CFR Citation: 41 CFR 101-11.4; 36 CFR Chapter XII

Abstract: This revision will clarify the procedures for scheduling Federal records for disposition and provide for the publication of notice of proposed schedules for public comment as required by 44 USC 3303(a), as amended by Section 204 of PL 98-497.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	05/00/85	
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: Not Applicable

Agency Contact: Jean E. Keeting, Deputy Director, National Archives and Records Administration, Records Appraisal and Disposition Division, (NIR), Washington, DC 20408, 202 724-1492

RIN: 3095-AA02

4. • FEE SCHEDULE

Legal Authority: 44 USC 2104(a) as added by Sec. 102 of PL 98-497

CFR Citation: 41 CFR 105-61.52; 36 CFR Chapter XII

Abstract: This regulation will revise the existing schedule of fees for reproduction of materials in the custody of the National Archives and Records Administration to reflect current costs and to eliminate a previously allowed Trust Fund profit factor.

Timetable:

Action	Date	FR Cite
Action	Date	TH CITE
NPRM	07/00/85	
NPRM Comment Period Begin	07/00/85	
NPRM Comment Period End	08/00/85	
Final Action	09/00/85	
Final Action Effective	10/01/85	

Small Entity: Not Applicable

Agency Contact: Adrienne C. Thomas, Director, National Archives and Records Administration, Program Policy and Evaluation Division (NAA), Washington, DC 20408, 202 523-3214

RIN: 3095-AA03

5. • NARA REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT AND THE PRIVACY ACT, ADOPTING STANDARDS OF CONDUCT FOR NARA OFFICIALS, AND OTHER GENERAL REGULATIONS

Legal Authority: 44 USC 2104(a) as added by Sec. 102 of PL 98-497

CFR Citation: 36 CFR Chapter XII; 41 CFR 105-60; 41 CFR 105-64; 41 CFR 105-735

Abstract: These regulations will establish Standards of Conduct, Privacy Act, and FOIA regulations in NARA, as well as any other appropriate general agency regulations. Effective April 1, 1985, pursuant to PL 98-497, the National Archives and Records Service (NARS) of GSA has been established as an independent agency in the Executive Branch. Therefore, the new agency must

adopt its own general regulations covering the topics cited above.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Dingum to
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	05/00/85	
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: Not Applicable

Agency Contact: Adrienne C. Thomas, Director, National Archives and Records Administration, Program Policy and Evaluation Division (NAA), Washington, DC 20408, 202 523-3214

RIN: 3095-AA05

6. PUBLIC USE OF THE NATIONAL ARCHIVES BUILDING

Legal Authority: 44 USC 2104(a) as added by Sec. 102 of PL 98-497

CFR Citation: 41 CFR 105-61.304; 36 CFR Chapter XII

Abstract: Existing regulations on public use of the National Archives Building do not cover all areas of the building to which the public has access. This rule will revise procedures under which outside organizations may request the use of National Archives Building public areas for lectures, meetings and other activities.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	and the same of the
Final Action	01/00/86	

Small Entity: No

Additional Information: This regulation was carried in the October 1984 Unified Agenda of Federal Regulations as RIN 3090-AA83.

Agency Contact: Adrienne C. Thomas, Director, National, Archives and Records Administration, Program Policy and Evaluation Division, (NAA), Washington, DC 20408, 202 523-3214

RIN: 3095-AA06

7. CARE AND HANDLING OF MAGNETIC STORAGE MEDIA

Legal Authority: 44 USC 2104(a) 88 added by Sec. 102 of PL 98-497

Current and Projected Rulemakings

CFR Citation: 41 CFR 201-36; 36 CFR Chapter XII

Abstract: This regulation will revise requirements for the care and handling of magnetic computer tape and add procedures for agencies to follow on the care and handling of flexible disk cartridges as they relate to permanently valuable or unscheduled records. The regulation will reflect the latest scientific research on the proper handling and storage of this fragile medium.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	04/00/85	N. 2015 AG
NPRM Comment Period End	05/00/85	
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Additional Information: This regulation was carried in the October 1984 Unified Agenda of Federal Regulations as RIN 3090-AB04.

Agency Contact: Adrienne C. Thomas, Director, National Archives and Records Administration, Program Policy and Evaluation Division (NAA), Washington, DC 20408, 202 523-3214

RIN: 3095-AA08

8. PRESERVATION AND PROTECTION AND ACCESS TO THE PRESIDENTIAL HISTORICAL MATERIALS OF THE NIXON ADMINISTRATION

Legal Authority: 44 USC 2104(a) as added by Sec. 102 of PL 98-497

CFR Citation: 41 CFR 105-63; 36 CFR Chapter XII

Abstract: This rule provides for preserving and protecting the Presidential historical materials of the Nixon Administration and for providing access to these materials. The Archivist of the United States is required by law to issue these regulations.

Timetable:

Action	Date	FR	Cite
NPRM	03/29/85	50 FR	12575
NPRM Comment Period Begin	03/29/85		
NPRM Comment Period End	05/28/85		
Final Action	07/00/85		

Small Entity: No

Additional Information: This regulation was carried in the October 1984 Unified Agenda of Federal Regulations as RIN 3090-AB52.

Agency Contact: Gary L. Brooks, Acting Director, National Archives and Records Administration, Legal Services Staff, (NSL), Washington, DC 20408, 202 523-3618

RIN: 3095-AA13

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

Existing Regulations Under Review

9. • PROCEDURES FOR TRANSFER OF RECORDS TO FEDERAL RECORDS CENTERS

Legal Authority: 44 USC 3103 as amended by PL 98-497; 44 USC 2907 as amended by PL 98-497; 44 USC 2104(a) as added by PL 98-497 (Sec. 102)

CFR Citation: 41 CFR 101-11.410; 36 CFR Chapter XII

Abstract: A review is being made of the current conditions under which the Federal Records Centers and the National Personnel Records Center will accept transfers of records from Federal agencies. This review may reveal a need for changes to those conditions, and, accordingly, changes to the cited regulations.

Timetable:

Action	Date	FR Cite
Begin Review	01/03/85	-71-12
End Review	12/00/85	
Small Entity:	Not Applicable	

Agency Contact: David F. Peterson, Asst. Archivist for Federal Records Centers, National Archives and Records Administration, 601 D St., NW Room 9100 (NC), Washington, DC 20408, 202 724-1614

RIN: 3095-AA04

10. ADEQUATE AND PROPER DOCUMENTATION

Legal Authority: 44 USC 2104(a) as added by Sec. 102 of PL 98-497; 44 USC 2901 to 2909; 40 USC 486(c)

CFR Citation: 41 CFR 101-11.202; 36 CFR Chapter XII

Abstract: The head of each Federal agency is required to make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency. The introduction of modern technology into Federal records systems presents problems in meeting this requirement because of the erasable storage media and complex storage formats. The Administrator of General Services is required to provide guidance and standards to agencies and has delegated the responsibility to the

Archivist of the United States. Thus the National Archives and Records Service is reviewing the regulations regarding proper and adequate documentation to determine if they are sufficient to insure proper retention and retrievability of the information until its authorized disposition under an approved records control schedule. If this review determines agencies need different or new guidance, consideration is being given to providing such information through the FPMR Bulletin Structure.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/83	The same of
End Review	09/00/85	

Small Entity: No

Additional Information: This regulation was carried in the October 1984 Unified Agenda of Federal Regulations as RIN 3090-AB03.

Agency Contact: Patricia Aronsson, Documentation Standards Division, National Archives and Records Administration, Office of Records Administration (NI), Washington, DC 20408, 202 724-1465

RIN: 3095-AA07

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

Completed Actions

COMPLETED RULEMAKINGS

11. ANNUAL SUMMARY OF RECORDS HOLDINGS

CFR Citation: 41 CFR 101-11.102-7

Completed:

Reason	Date		FR	Cite
Final Action	01/02/85	50	FR	81
Final Action	01/02/85	50	FR	81

Small Entity: No

Agency Contact: Linda K. Schrier 202 724-1592

RIN: 3095-AA09

12. MANAGEMENT OF ELECTRONIC RECORDS

CFR Citation: 41 CFR 101-11; 41 CFR 101-36

Completed:

Reason Date FR Cite
Withdrawn 02/01/85

Small Entity: No

Agency Contact: Patricia Aronsson 202 724-1465

RIN: 3095-AA10

13. REVISION OF FEE SCHEDULE

CFR Citation: 41 CFR 105-61.52

Completed:

Reason	Date		FR	Cite
Final Action	10/25/84	49	FR	42933
Final Action Effective	10/25/84	49	FR	42933

Small Entity: No

Agency Contact: Adrienne C. Thomas 202 523-3214

RIN: 3095-AA11

14. RECORDS DISPOSITION

CFR Citation: 41 CFR 101-11.406-9(b)

Completed:

Reason Date FR Cite
Withdrawn 02/01/85
Small Entity: No

Agency Contact: Raymond A. Mosley 202 724-1614

RIN: 3095-AA12

15. DISPOSITION OF FEDERAL RECORDS

CFR Citation: 41 CFR 101-11.4

Completed:

Reason	Date		FR	Cite
Final Action	08/22/84	49	FR	33251
Final Action Effective	08/22/84	49	FR	33251

Small Entity: No

Agency Contact: Adrienne C. Thomas 202 523-3214

RIN: 3095-AA14

[FR Doc. 85-6382 Filed 04-26-85; 8:45am]

BILLING CODE 7515-01-T



Part XXIX

National Capital Planning Commission



NCPC

NATIONAL CAPITAL PLANNING COMMISSION

1 CFR Part 457

Semiannual Regulatory Agenda

AGENCY: National Capital Planning Commission. ACTION: Semiannual regulatory agenda.

SUMMARY: Pursuant to Executive Order 12291 and the Regulatory Flexibility Act, the Commission is publishing its regulatory agenda. FOR FURTHER INFORMATION CONTACT:

Kathleen K. McKay, Assistant General Counsel, National Capital Planning Commission, 1325 G Street, N.W., Washington, D.C. 20576, (202) 724-0170.

February 27, 1985.

Kathleen K. McKay,

Assistant General Counsel.

NATIONAL CAPITAL PLANNING COMMISSION (NCPC)

Current and Projected Rulemakings

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN THE NATIONAL CAPITAL PLANNING COMMISSION PROGRAMS

Legal Authority: 20 USC 794 Sec. 504 of the Rehabilitation Act of 1973, as amend

CFR Citation: 1 CFR 47

Abstract: These regulations are designed to implement section 504 of the Rehabilitation Act of 1973, as amended, which requires each
Executive agency to promulgate such
regulations. The regulations are
patterned on prototype regulations
provided by the Department of Justice,
under Executive Order 12280 (45 F.R.
72995, 3 CFR, 1980 Comp., p. 298)

Timetable:

Action	Date	FR	Cite
NPRM	08/28/84	49 FR	34132

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Agency Contact: Kathleen K. McKay, Assistant General Counsel, National Capital Planning Commission, 1325 G Street, NW, Washington, DC 20576, 202 724-0170

RIN: 3125-AA02 [FR Doc. 85-6384 Filed 04-26-85; 8:45 am] BILLING CODE 7520-01-T

Part XXX

National Endowment for the Arts

NEA

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

45 CFR Ch. XI

Semiannual Agenda of Regulations

AGENCY: National Endowment for the

ACTION: Publication of the semiannual agenda.

SUMMARY: Pursuant to Executive Order 12291 and the Regulatory Flexibility Act (5 USC 605), the National Endowment for the Arts publishes this regulatory agenda describing agency regulations under development or review.

FOR FURTHER INFORMATION CONTACT:

Mr. Arthur Warren, Assistant General Counsel, National Endowment for the Arts, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506 or call (202) 682-

Peter J. Basso,

Director of Administration, National Endowment for the Arts.

NATIONAL ENDOWMENT FOR THE ARTS (NEA)

NONDISCRIMINATION ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM NEA

Priority: Agency Determination

Legal Authority: 42 USC 2000d et seq Title VI of the Civil Rights Act of 1964; EO 12250

CFR Citation: 45 CFR 1110

Abstract: This regulation will be applicable only to the National Endowment for the Arts grantees. Modifications will be made in procedures and definitions. The draft notice of proposed rulemaking is currently under review within the Endowment. It will be published after completion of that review and review by the Department of Justice and the Office of Management and Budget.

Timetable:

Date	FR Cite
02/09/81	
02/09/81	
04/10/81	
07/00/85	
	02/09/81 02/09/81 04/10/81

Small Entity: Not Applicable

Agency Contact: Mr. Arthur Warren, Assistant General Counsel, National Endowment for the Arts, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 682-5418

RIN: 3135-AA00

COLLECTION OF CLAIMS

Priority: Undetermined

Legal Authority: PL 97-365; 31 USC 3711; 31 USC 3716 to 3718; 5 USC 5514; 5 USC 552a

CFR Citation: 45 CFR 1150

Abstract: The proposed rule amends the National Endowment for the Arts regulation for collecting debts. Principally, the amendments implement the Debt Collection Act of 1982 (PL 97-365), which amended the Federal Claims Collection Act of 1966 (31 USC 3711, 3716-3718) to authorize among other things, charging of interest penalties and administrative costs, and the use of administrative offset, private collection agencies and credit agencies by the Government. The amendments also implement government-wide regulations issued by the Department of Justice and the General Accounting Office (49 FR 8889) and Office of Personnel Management (49 FR 27470).

Timetable:

Action	Date	FR	Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Mr. Arthur Warren, Office of the General Counsel, National Endowment for the Arts, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 682-5418

RIN: 3135-AA01

● ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY CONDUCTED PROGRAMS

Priority: Agency Determination Legal Authority: 29 USC 754 CFR Citation: 45 CFR 1153

Abstract: This final regulation provides for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap in programs or activities conducted by the National Endowment for the Arts.

This regulation has been developed jointly by a number of Federal agencies under the auspices of the Department of

Current and Projected Rulemakings

Justice. Timetable:

Action	Date	FR Cite
NPRM	08/28/84	49 FR 34132
NPRM Comment Period Begin	08/28/84	
NPRM Comment Period End	12/26/84	
Final Action	06/01/85	
Final Action	06/01/85	

Small Entity: No

Agency Contact: Mr. Arthur Warren, Assistant General Counsel, National Endowment for the Arts, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 682-5418

RIN: 3135-AA02

NONDISCRIMINATION ON THE BASIS OF AGE

Priority: Agency Determination

Legal Authority: 42 USC 6101 et seq

CFR Citation: 45 CFR 1154

Abstract: This final rule prohibits discrimination on the basis of age in programs and activities receiving assistance from the National Endowment for the Arts. These regulations are issued pursuant to the requirements of the Age Discrimination Act and consistent with the general government-wide regulations issued by the Department of Health and Human Services.

Timetable:

Action	A Park	Date		FR	Cite
NPRM C	ommant	10/02/79			56725 56725
Period		10/02/10	-	1	

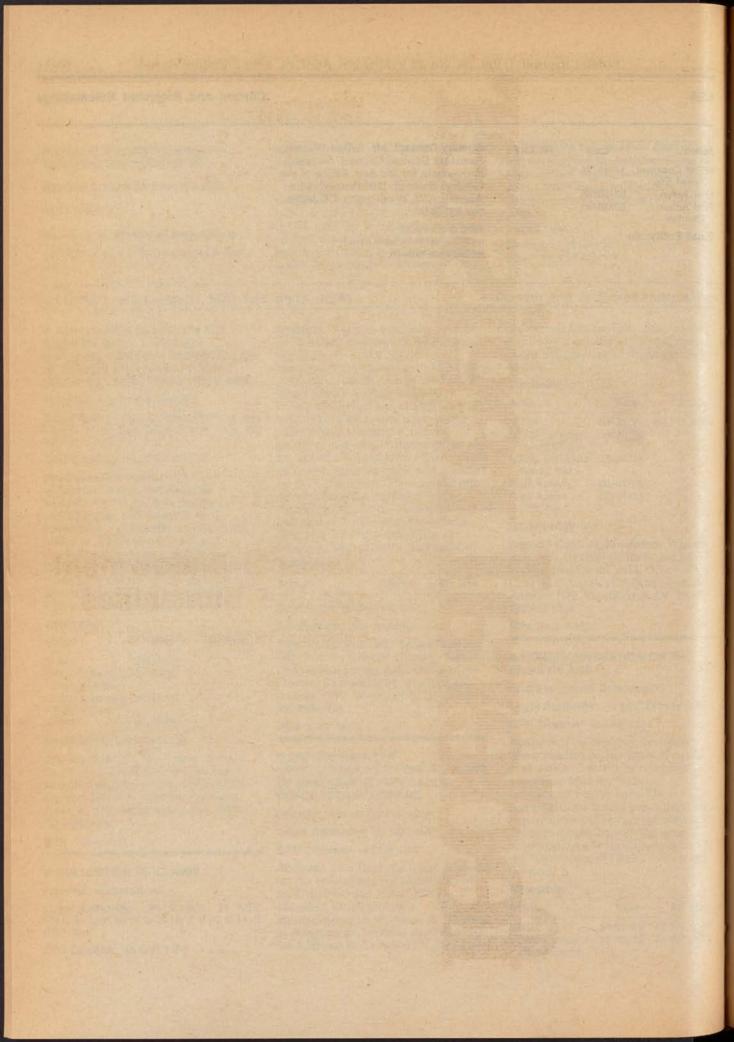
NEA

Current and Projected Rulemakings

Date	FR Cite
11/15/79	ri-jenodo
03/30/85	
03/30/85	
	11/15/79 03/30/85

Agency Contact: Mr. Arthur Warren, Assistant General Counsel, National Endowment for the Arts, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 682-5418

RIN: 3135-AA03 [FR Doc. 85-6385 Filed 04-28-85; 8:45am] BILLING CODE 7537-01-T





Part XXXI

National Endowment for the Humanities



NEH

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Humanities

45 CFR Ch. XI

Semiannual Agenda of Regulations

AGENCY: National Endowment for the Humanities.

ACTION: Publication of the semiannual agenda of regulations.

Flexibility Act, Pub. L. 98-354, and Executive Order 12291, "Federal Regulations," dated February 17, 1981 the National Endowment for the Humanities is required to publish in April and October of each year an agenda of proposed regulations that the

Endowment has issued or expects to issue and current rules that are under agency review.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen J. McCleary, Acting General Counsel, National Endowment for the

Humanities, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506, (202) 786-0322.

William J. Bennett, Chairman.

MATICALLY PURCHASELY FOR THE HILLIANTIES (MELL

NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH)

NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM NEH

Legal Authority: 42 USC 6101 et seq Age Discrimination Act of 1975

CFR Citation: 45 CFR 1172

Abstract: This regulation will prohibit discrimination on the basis of age in programs or activities receiving financial assistance from the National Endowment for the Humanities.

Timetable:

Action	Date	FR Cite
NPRM	10/04/79	44 FR 57130
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Carol M. Gordon, Director, National Endowment for the Humanities, Office of Equal Opportunity, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0410

RIN: 3136-AA00

NONDISCRIMINATION ON THE BASIS OF SEX

Legal Authority: 20 USC 1681 et seq Title IX of the Education Amendments of 1972

CFR Citation: 45 CFR 1171

Abstract: This regulation will prohibit discrimination on the basis of sex under any education program or activity receiving financial assistance from the National Endowment for the Humanities. The final regulation is being drafted and will need approval by the Department of Justice and the Office of Management and Budget before it can be published.

Timetable:

Action	Date	FR Cite
NPRM	06/20/80	PER SET STATES
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Carol M. Gordon, Director, National Endowment for the Humanities, Office of Equal Opportunity, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0410

RIN: 3136-AA01

STATEMENT FOR THE GUIDANCE OF THE PUBLIC - ORGANIZATION, PROCEDURES AND AVAILABILITY OF INFORMATION

Legal Authority: 5 USC 552(a)(4)(A) Freedom of Information Act

CFR Citation: 45 CFR 1100

Abstract: The revised regulation will clarify the fees charged for document search and duplication. Information on the organization will be updated.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mr. Stephen J. McCleary, Deputy General Counsel, National Endowment for the Humanities, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0322

RIN: 3136-AA03

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS

Current and Projected Rulemakings

CONDUCTED PROGRAMS
Legal Authority: 29 USC 794
CFR Citation: 45 CFR 1175

OF HANDICAP IN FEDERALLY

Abstract: This regulation will require that the National Endowment for the Humanities operate all of its programs and activities so that qualified handicapped persons are not subject to discrimination by the agency. The National Endowment for the Humanities will publish its final regulation along with other federal agencies following review by the Justice Department, the lead federal agency for this matter.

Timetable:

Action	Date		FR	Cite
NPRM	01/11/84	49	FR	1458
NPRM Comme Period Begin		49	FR	1458

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Ms. Carol M. Gordon. Director, Office of Equal Opportunity. National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202 786-0410

RIN: 3136-AA04

NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH)

NONDISCRIMINATION ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN WITHIN NEH FUNDED PROGRAMS

Legal Authority: 42 USC 2000d et seq Title VI of the Civil Rights Act of 1964; EO 12250

CFR Citation: 45 CFR 1175; 45 CFR 1110

Abstract: The regulation will be applicable only to National Endowment for the Humanities grantees.

Modifications will be made in procedures and definitions. The draft notice of proposed rulemaking is

currently under review within the Endowment. It will be published after completion of that review and review by the Department of Justice, and the Office of Management and Budget.

Timetable:

Action Date FR Cite
End Review 00/00/00

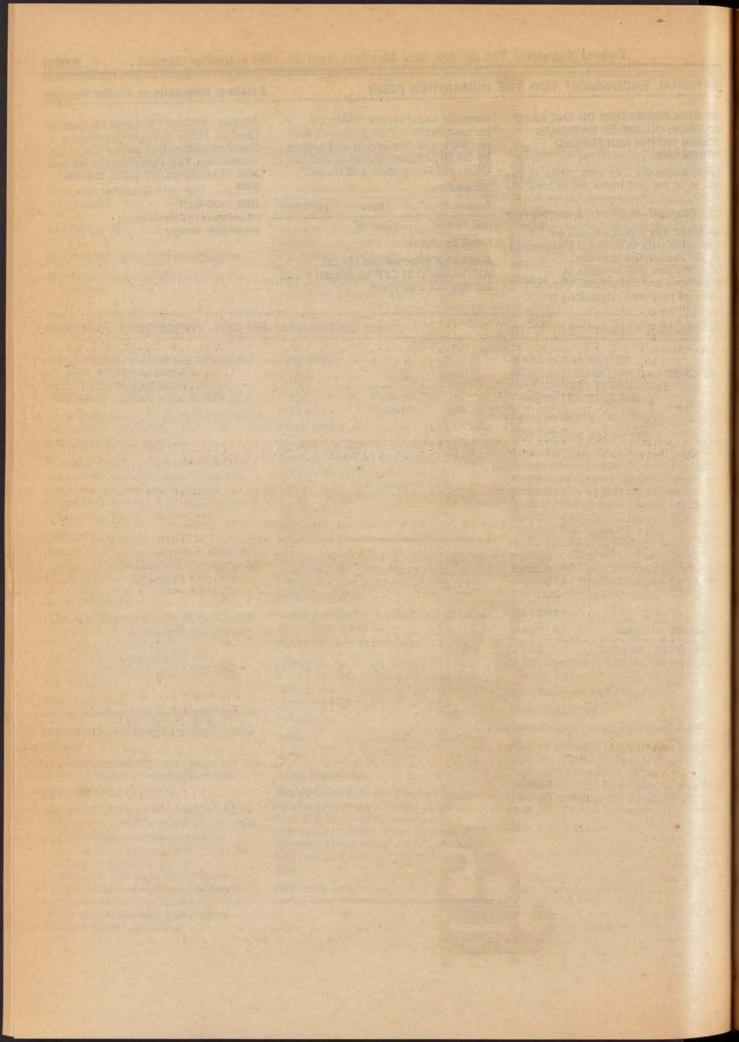
Small Entity: No

Additional Information: LEGAL AUTHORITY: 28 CFR 42 subpart F and Section 50.3 also apply.

Existing Regulations Under Review

Agency Contact: Ms. Carol M. Gordon, Director, Office of Equal Opportunity, National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0410

RIN: 3136-AA02 [FR Doc. 85-6386 Filed 04-28-85; 8:45 am] BILLING CODE 7538-01-T



Part XXXII

National Science Foundation



NSF

NATIONAL SCIENCE FOUNDATION

45 CFR Ch. VI

48 CFR Ch. 25

Federal Regulation; Semiannual Regulations Agenda

AGENCY: National Science Foundation.

ACTION: Publication of semiannual regulations agenda.

SUMMARY: The National Science
Foundation (NSF) publishes its
semiannual agenda of regulations under
development or review as required by
Executive Order 12291, Federal
Regulation (46 FR 13193, February 17,
1981). This agenda has been prepared in
accordance with OMB Bulletin No, 85-6,
Unified Agenda of Federal Regulations.

FOR FURTHER INFORMATION CONTACT:

For additional information regarding

any particular regulatory action contained in the agenda, contact the individual identified as the contact person in the agenda. Comments or inquiries of a general nature about the agenda should be directed to Sukari S. Smith, Office of the General Counsel, National Science Foundation, Washington, D.C. 20550, (202) 357-9580.

February 21, 1985.

Sukari S. Smith.

Regulatory Contact.

NATIONAL SCIENCE FOUNDATION (NSF)

CIVIL RIGHTS - TITLE VI

Legal Authority: Section 11 of the NSF Act; Title VI of the Civil Rights Act of 1964

CFR Citation: 45 CFR 611

Abstract: These regulations prohibit discrimination on the basis of race, color, or national origin in all NSF-assisted programs.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Brenda Brush, Director, National Science Foundation, Office of Equal Opportunity, Washington, DC 20550, 202 357-9819

RIN: 3145-AA01

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN NATIONAL SCIENCE FOUNDATION

Priority: Agency Determination

Legal Authority: 29 USC 794; PL 95-602, Sec 504

CFR Citation: 45 CFR 606, (New); 45 CFR

Abstract: This regulation provides for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap, as it applies to programs or activities conducted by the National Science Foundation. Potential costs are not known. Any benefits derived will be to ensure that the handicapped will not be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or

activity conducted by the National Science Foundation.

Timetable:

I IIII COLOTO.		The same of the sa
Action	Date	FR Cite
ANPRM	04/00/85	The same
ANPRM Comment Period Begin	04/00/85	
ANPRM Comment Period End	06/00/85	

Small Entity: No

Agency Contact: Brenda Brush,

Director, Office of Equal Opportunity, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, 202 357-9819

RIN: 3145-AA05

EFFECTUATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1982 (SEX DISCRIMINATION)

Legal Authority: 20 USC 1681; PL 93-568, Sec 901 to 902; PL 93-380, Sec 844

CFR Citation: 45 CFR 620, (New)

Abstract: This regulation is to effectuate Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in connection with education programs and activities receiving Federal financial assistance from the National Science Foundation. Costs, if any, should be nominal since most NSF recipients are also covered by HHS regulations. Potential benefits are to ensure that any educational program or activity receiving financial assistance from NSF does not, on the basis of sex (1) exclude any person from participation in, (2) deny any person the benefits of, or subject any

such person to discrimination under that program or activity.

Current and Projected Rulemakings

Timetable:

Action	Date	FR Cite
Clearance with EEOC and Justice under Executive Order 12250	04/00/85	A Traver
ANPRM	06/00/85	
ANPRM Comment Period Begin	06/00/85	
ANPRM Comment Period End	08/00/85	

Small Entity: No

Agency Contact: Brenda Brush, Director, Office of Equal Opportunity, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, 202 357-9819

RIN: 3145-AA06

• PATENTS

Legal Authority: 42 USC 1870(a) The Natl. Sci. Found. Act of 1950, as amended; 35 USC 200 et seq The Bayh-Dole Act, as amended

CFR Citation: 45 CFR 650

Abstract: The Bayh-Dole Act (34 USC 200 et seq) was recently amended by title V of PL 98-620 (98 Stat. 3364, 3368). The Department of Commerce is preparing a Government-wide implementing regulation. When that regulation is completed, the Foundation's Patents regulation (45 CFR 650) will be conformed to it. Because the revision to the NSF Patents regulation will merely echo a Government-wide regulation on which the public will have had no opportunity to comment, the Foundation expects

NSF

Current and Projected Rulemakings

that the revision will be published as a final rule. No additional costs will be imposed on the public as a result of the revision.

Timetable:

Action	Date	FR	Cite

Next Action Undetermined

Small Entity: No

Additional Information: The notable changes to be made in the revision of the NSF Patents regulation will be: elimination of restrictions on the licensing of NSF-supported inventions by nonprofit organizations, including universities; modification of the criteria and procedures for determining that

"exceptional circumstances" warrant restricting a grantee's right to retain principal patent rights to its employees' NSF-supported inventions; and elimination of the Foundation's authority to waive the Government license and "march-in" rights in awards not subject to the Bayh-Dole Act. All these changes are required by the recent amendments to the Bayh-Dole

Agency Contact: John Chester, Intellectual Property Attorney, National Science Foundation, Office of the General Counsel, Room 501, Washington, DC 20550, 202 357-9447

RIN: 3145-AA07

NATIONAL SCIENCE FOUNDATION (NSF)

Completed Actions

COMPLETED RULEMAKINGS AGE DISCRIMINATION REGULATIONS

Priority: Agency Determination CFR Citation: 45 CFR 617

Completed:

Reason Date FR Cite Final Action 12/21/84 49 FR 247

Small Entity: No

Agency Contact: Brenda Brush 202 357-9819

RIN: 3145-AA00

NATIONAL SCIENCE FOUNDATION **ACQUISITION REGULATIONS**

Priority: Agency Determination CFR Citation: 48 CFR Chapter 25 Completed:

Reason Date **FR** Cite Final Action 11/28/84 49 FR 230

Small Entity: No

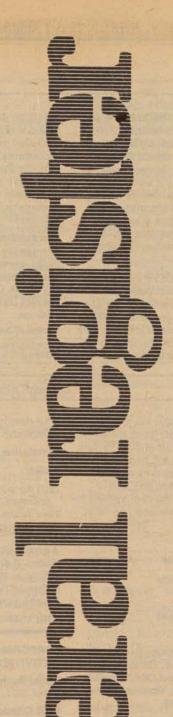
Agency Contact: Robert D. Newton 202 357-7880

RIN: 3145-AA04

[FR Doc. 85-8387 Filed 04-26-85; 8:45 am]

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Part XXXIII

Office of Management and Budget

OMB

OFFICE OF MANAGEMENT AND BUDGET

5 CFR Ch. III

Federal Regulations; OMB Directives included in the Semiannual Agenda of Upcoming Activities

AGENCY: Office of Management and Budget.

ACTION: Publication of semiannual agenda.

summany: The Office of Management and Budget (OMB) is publishing its semiannual agenda of upcoming activities on OMB Circulars and Office of Federal Procurement Policy Letters (OFPP Policy Letters). This action is in accordance with OMB's internal procedures for implementing Executive Order No. 12291. OMB directives are issued under authority derived from several sources including: Subtitles I, II, and V of Title 31, United States Code, Executive Order No. 11541, and other specific authority as cited. The agenda includes actions on issuances which are not regulations, but which are of public interest.

OMB Circulars and OFPP Policy Letters are directives that communicate significant government-wide policy of a continuing nature. For purposes of this agenda, we have included Circulars and Policy Letters which are designed to implement, interpret, or prescribe law or policy, or describe the procedure or practice requirements of an agency. Excluded are directives that outline procedures to be followed in connection with the President's budget and legislative programs, and directives that affect only the internal functions, management, or personnel of Federal agencies.

FOR FURTHER INFORMATION CONTACT: See agency person listed for each entry in the agenda, c/o Office of Management and Budget, Washington,

DC 20503. On the overall agenda, contact Darrell A. Johnson at the above address.

Darrell A. Johnson,

Deputy Associate Director for Administration (Acting).

Current and Projected Rulemakings

OFFICE OF MANAGEMENT AND BUDGET (OMB)

OFFICE OF MANAGEMENT AND BUDGET'S DIRECTIVES SYSTEM TO EXECUTIVE DEPARTMENTS AND AGENCIES (CIRCULAR NO. A-1)

Legal Authority: See preamble

CFR Citation: Not applicable

Abstract: OMB Circular A-1, last revised in August 1952, describes the OMB directives system used to convey policy, provide guidance, and communicate instruction to executive departments and agencies.

Timetable:

Action	Date	FR Cite
Final Action	04/01/85	armonical in
Final Action Effective	04/01/85	

Small Entity: No

Agency Contact: Darrell A. Johnson, Deputy Assoc. Dir. for Admin. (Acting), Office of Management and Budget, Washington, D.C. 20503, 202 395-7250

RIN: 0348-AA33

GOVERNMENT PERIODICALS (CIRCULAR A-3)

Legal Authority: 44 USC 1108; See pre-

CFR Citation: Not applicable

Abstract: The Circular, last revised in 1972, describes the policies and procedures for the reporting and approval of Government periodicals. This revision clarifies definitions and simplifies reporting requirements by

changing periodical approval from a one-to-five year to a one-year period. In addition to instituting an annual review and clearance process for periodicals, the revised Circular requires agencies to continue to implement an OMB-approved publications control system to monitor both periodicals and one-time publications.

Timetable:

Action	Date	FR Cite
Final draft for formal agency comment	02/06/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Kathleen Sedlak, Task Force Coordinator, Office of Management and Budget, Management Improvement Division, Washington, D.C. 20503, 202 395-6903

RIN: 0348-AA42

WRITING AND ADMINISTERING PERFORMANCE WORK STATEMENTS (PART II OF SUPPLEMENT TO CIRCULAR NO. A-76)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: This document describes a systematic means for developing Performance Work Statements and Quality Assurance Surveillance plans for Government management of commercial activities. It also includes procedures for contracting personnel

who develop, review, award, and administer service contracts.

Timetable:

Action	Date	FR Cite
Draft for public comment	03/15/85	
Final Action	06/30/85	

Small Entity: Yes

Agency Contact: David L. Muzio, Dep. Assoc. Adm. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6810

RIN: 0348-AA34

PERFORMANCE OF COMMERCIAL ACTIVITIES (CIRCULAR NO. A-76)

Legal Authority: Budget and Accounting Act of 1921; PL 93-244; See preamble

CFR Citation: Not applicable

Abstract: OMB Circular No. A-76, last revised in August 1983, sets forth the policy of acquiring commercial products and services from the private sector, and provides guidance on the development of performance work statements and on comparing the cost of Government performance with contractor performance. This Circular is currently under review to incorporate changes to emphasize productivity enhancement as the Circular's main theme.

Current and Projected Rulemakings

Action	Date	FR Cite
Begin Review	09/15/84	Linguist.
Draft for public comment	03/15/85	
Final Action	06/30/85	

Small Entity: Yes

RIN: 0348-AA45

Agency Contact: David L. Muzio, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-8810

FEDERAL ACQUISITION
REGULATORY SYSTEM: OTHER
PROCUREMENT RULES AND
REGULATIONS (OFPP POLICY
LETTER 80-5)

Legal Authority: PL 93-400; See preamble

CFR Citation: 48 CFR Chapter 1

Abstract: This Policy Letter established the Federal Acquisition Regulation System including some details regarding its implementation and the organization for its maintenance. During the five years of the FAR development, some of these details have changed. The Policy Letter will be amended to reflect these changes.

Timetable:			
Action	Date	FR	Cite
Proposed Policy Letter Changes published	07/06/84	49 FR	27863
Final Letter scheduled to	03/00/85		

Small Entity: Yes

Agency Contact: William J. Maraist, Acting Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-3300

RIN: 0348-AA19

OFFICE OF MANAGEMENT AND BUDGET (OMB)

POLICIES ON CONSTRUCTION OF FAMILY HOUSING (CIRCULAR NO. A-

Legal Authority: Budget and Accounting Act of 1921; See preamble

CFR Citation: Not applicable

Abstract: OMB Circular A-18, last revised in August 1967, sets forth policies for budgeting, planning, and undertaking the construction of federally-owned housing (exclusive of military barracks) for Federal personnel and for employees of Government contractors. Housing standards, concepts of living space requirements, the housing market and economic factors bearing on it have changed significantly since the Circular was last issued; and updating and revision are appropriate.

Timetable:

Action	Date	FR Cite
End Decision	20102100	

and Review 12/01/85

Small Entity: No

Agency Contact: David F. Baker, Assoc. Admin. for Management Controls, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-7207

RIN: 0348-AA08

FEDERAL GOVERNMENT USER CHARGES POLICY (CIRCULAR NO. A-25)

Legal Authority: Budget and Accounting Act of 1921; PL 93-344; See preamble

CFR Citation: Not applicable

Abstract: General policies for Federal agencies on administering user charges and formulating legislative proposals regarding user charges are set forth in OMB Circular No. A-25. This Circular is under review. It is expected that modifications will be considered reflecting current policies, enacted legislation, and court decisions.

Timetable:

Action	Date	FR Cite
Preliminary Review	09/00/85	THE RESERVE

Small Entity: Yes

Agency Contact: Ellen Balis, Financial Economist, Office of Management and Budget, Fiscal Analysis Branch, Budget Review Division, Washington, D.C. 20503, 202 395-4574

RIN: 0348-AA41

MANAGEMENT AND OPERATION CONTRACTS (CIRCULAR NO. A-49)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: This Circular was published in 1967, and is currently being examined to determine whether it is still necessary. Draft FAR regulations have been issued which may eliminate the need for the Circular.

Timetable:

Action	Date	FR Cite
End Review	06/00/85	

Small Entity: Yes

Existing Regulations Under Review

Agency Contact: Robert Bienvenue, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6810

RIN: 0348-AA10

PLANNING AND CONDUCT OF THE UNITED STATES PROGRAM IN ANTARCTICA (CIRCULAR NO. A-51)

Legal Authority: See preamble CFR Citation: Not applicable

Abstract: More than a decade has passed since this Circular was last updated. Since that time major reviews of the U.S. Antarctic policies and program have resulted in Presidential directives that now have superseded A-51.

Timetable:

Action	Date	FR Cite
End Review	07/30/85	- William In

Small Entity: No

Agency Contact: Norine Noonan, Program Analyst, Office of Management and Budget, Energy and Science Division, Washington, D.C. 20503, 202 395-3534

RIN: 0348-AA46

Existing Regulations Under Review

UNIFORM REQUIREMENTS FOR ASSISTANCE TO STATE AND LOCAL GOVERNMENTS (CIRCULAR NO. A-102)

Legal Authority: 31 USC 65 et seq; 42 USC 4212 et seq; 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Abstract: The purpose of the review is to develop changes to administrative policies which will further reduce the regulatory burden on state and local governments.

Timetable:

Action	Date	F	R	Cite
Advance Notice of Folicy Review	06/18/84	49 F	R	24958
Notice of Proposed Policy	03/31/85			

Small Entity: No

Agency Contact: Barbara F. Young. Grants Management Project Director, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, 202 395-3050

RIN: 0348-AA11

MAJOR SYSTEM ACQUISITIONS (CIRCULAR NO. A-109)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: Some agencies report difficulty working under the Circular. A review, in light of experience gained, is warranted with a goal of revision and simplification while maintaining the current general policy thrust of A-109.

Timetable:

Action	Date	FR Cite
End Review	04/30/85	The Street
Small Entity:	Yes	

Agency Contact: Richard J. Keegan, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-3254

RIN: 0348-AA12

UNIFORM ADMINISTRATIVE
REQUIREMENTS FOR GRANTS AND
AGREEMENTS WITH INSTITUTIONS
OF HIGHER EDUCATION, HOSPITALS
AND OTHER NONPROFIT
ORGANIZATIONS (CIRCULAR NO. A110)

Legal Authority: 31 USC 65 et seq; 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Abstract: The review will develop proposed changes to the Circular needed to call for "single audit" of universities.

Timetable:

Action	Date	FR Cite
Preliminary Review Completed	09/30/84	
NPRM	06/01/85	

Small Entity: No

Agency Contact: John Lordan, Deputy Assoc, Dir. for Financial Management, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, 202 395-6823

RIN: 0348-AA05

MANAGEMENT OF FEDERAL AUDIOVISUAL ACTIVITIES (CIRCULAR NO. A-114)

Legal Authority: Budget and Accounting Act of 1921; See preamble

CFR Citation: Not applicable

Abstract: Circular A-114 was issued in April 1978. The Circular prescribes policies and procedures for improving the management of Federal audiovisual activities. Since the issuance of the Circular, several recommendations have been received (including two Comptroller General's decisions) regarding the need to revise the Circular, particularly Attachment E thereto, "Contracts for Motion Picture Productions." It is OMB's intent to review the Circular in response to the various recommendations and agencies' operating experiences.

Timetable:

Action	Date	FR Cite
End Review	03/01/85	
Small Entity:	Yes	

Agency Contact: Charles W. Clark, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6803

RIN: 0348-AA13

FEDERAL INFORMATION RESOURCES MANAGEMENT POLICIES

Legal Authority: 44 USC 35; 5 USC 552a, 40 USC 759; 31 USC 1 et seq; EO 12046; See preamble

CFR Citation: Not applicable

Abstract: In accordance with statutory requirements, the Office of Management and Budget has issued a number of policies regarding the management of Federal information resources such as computers and personal records. Implementation of the Paperwork Reduction Act, 44 USC 35, requires that the policies be brought up-to-date. integrated and made uniform. The Assistant Secretaries for Management group made a similar recommendation. The objective of this initiative is to develop a government-wide policy structure that will provide positive incentives for the efficient and effective management of Federal information resources.

Timetable:

Action	Date	FR Cite
Notice soliciting comments published	09/12/83	48 FR 40964
Proposed Policy to be	03/00/85	
published for comment		
Final Action	09/00/85	

Small Entity: No

Agency Contact: Timothy Sprehe. Office of Management and Budget, Information Policy Branch, Office of Information and Regulatory Affairs, Washington, D.C. 20503, 202 395-4814

RIN: 0348-AA31

STATISTICAL POLICY DIRECTIVES

Legal Authority: 31 USC 1104 Budget & Accounting Procedures Act 1950 (Sec 103): PL 96-511 Paperwork Reduction Act of 1960; See preamble

CFR Citation: Not applicable

Abstract: General policies for the gathering, compiling, analyzing, publishing, and dissemination of

Existing Regulations Under Review

statistical information for any purpose by the various agencies in the Executive Branch of the Federal Government were last codified by the Commerce Department in 1978. Specific Directives were subsequently amended in 1980, 1981, and 1982 as provided in Executive Orders 10253, 12013, and 12318. All directives are under review. Affected agencies will be consulted on particular directives as provided in E.O. 10253.

Timetable:

Action	Date	FR Cite
Proposed	09/00/85	A DECEMBER
Revisions for public	in *rail is	
comment		

Small Entity: Yes

Agency Contact: Dorothy Tella, Chief Statistician, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, D.C. 20503, 202 395-3093

RIN: 0348-AA43

BOARD OF CONTRACT APPEALS -POSITION ALLOCATION PURSUANT TO PUBLIC LAW 95-563 (OFPP POLICY LETTER 79-2, SUPPLEMENT NO. 1)

Legal Authority: 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Abstract: The Contract Disputes Act provides for establishment of Boards of Contract Appeals (BCAs) in the various executive agencies; initial allocation of positions was made by the Administrator, OFPP, based on workload studies of existing BCAs. The Act provides for update of workload studies every three years; update of the Policy Letter appears necessary, due to update of workload studies.

Timetable:

Action	Date	FR Cite
End Review	06/00/85	
Draft Policy Letter for comment	07/00/85	

Small Entity: No

Agency Contact: Patricia A. Szervo, Assoc. Admin. for Procurement Law and Legis., Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-3501

RIN: 0348-AA16

POLICY PERTAINING TO THE ACQUISITION OF COMMERCIAL PRODUCTS

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: The proposed letter will promulgate policies necessary to ensure that agencies purchase commercial products whenever such products adequately satisfy the Government's essential needs.

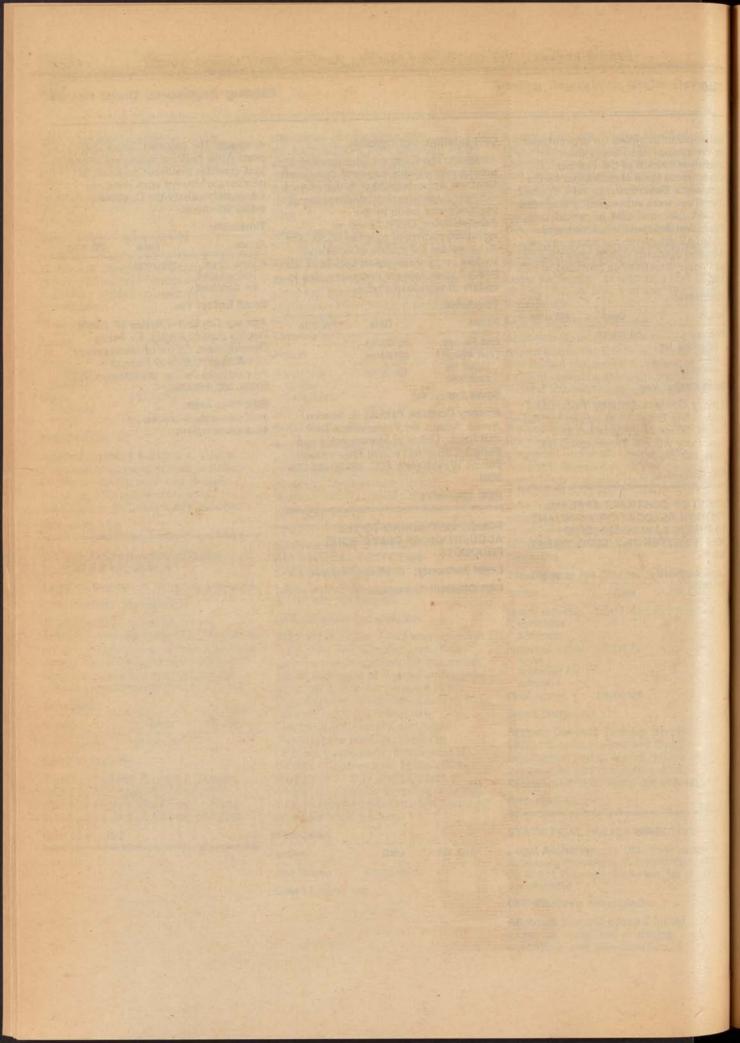
Timetable:

Action	Date	FR Cite
Publish Draft Policy Letter	06/01/85	

Small Entity: Yes

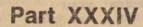
Agency Contact: Charles W. Clark, Deputy Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6803

RIN: 0348-AA39 [FR Doc. 85-0388 Filed 04-28-85; 8:45 am] BILLING CODE 3110-01-T





Monday April 29, 1985



Office of Personnel Management

Semiannual Regulatory Agenda



OFFICE OF PERSONNEL MANAGEMENT

5 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Personnel Management.

ACTION: Semiannual agenda of regulations.

SUMMARY: The following Office of Personnel Management regulations are scheduled for review or development from April 1, 1985 through March 31, 1986. This agenda carries out OPM's responsibilities to publish a semiannual agenda under E.O. 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the Federal Register does not impose a binding obligation on the

Office of Personnel Management with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT: JoAnn G. Blackler, Issuance System Manager, Office of Executive Administration, (202) 653-7252.

U.S. Office of Personnel Management. Donald J. Devine, Director.

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Current and Projected Rulemakings

ORGANIZATION OF THE GOVERNMENT FOR PERSONNEL MANAGEMENT; PERSONNEL MANAGEMENT IN AGENCIES

Priority: Agency Determination

Legal Authority: 5 USC 1104; 5 USC 1302; 5 USC 3301; 5 USC 3302; EO 10577

CFR Citation: 5 CFR 230; 5 CFR 250

Abstract: Deletes Part 230 and transfers its regulations to Part 250, to maintain parallel structure with 5 U.S.C.
Combines material formerly in Part 230 with regulations now found in Part 250 to present all regulations on agencies' authorities for personnel management in a single part of the Code of Federal Regulations. Changes improve the technical integrity of the CFR by eliminating redundancies and improving the efficiency of OPM's regulations. No change in the coverage or substance of affected regulations.

Timetable:

Action	Date		FR	Cite
NPRM	05/20/83	48	FR	22728
Final Action	04/30/85			1

Small Entity: No

Agency Contact: Walter Townsend, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Communications, 1900 E St., NW, Washington, DC 20415, 202 653-5557

RIN: 3206-AA66

PERSONNEL RECORDS

Priority: Agency Determination

Legal Authority: 5 USC 552a; 5 USC 4305; 5 USC 4314; EO 12107 (December 28, 1978); 5 USC 1103; 5 USC 1104; 5 USC 1302; 3 CFR 1954 to 1958 Comp; 5 CFR 7.2; EO 9830; 3 CFR 1943 to 1948 Comp

CFR Citation: 5 CFR 293

Abstract: Requires agencies to send a transferring employee's performance rating to his or her "gaining" agency along with the Official Personnel Folder.

Timetable:

Action	Date	FR	Cite
NPRM	10/25/83	48 FR	49492
Final Action	07/00/85		

Small Entity: No

Agency Contact: Allen B. Levan, Chief, Policy and Operations Division, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-5653

RIN: 3206-AB27

PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM

Priority: Agency Determination

Legal Authority: 5 USC 4302(a); 5 USC 5401 to 5409

CFR Citation: 5 CFR 293; 5 CFR 430; 5 CFR 530; 5 CFR 531; 5 CFR 536; 5 CFR 540; 5 CFR 595; 5 CFR 771

Abstract: To establish a Performance Management and Recognition System to appraise, recognize, and reward performance by supervisors and management officials. Included are conforming changes to Privacy Act regulations to allow performance ratings to be transferred with employees' Official Personnel Folders when the employees are transferred.

Timetable:

Action	Date	FR	Cite
Interim Final	03/00/85		

Action Date FR Cite

05/00/85

Small Entity: No

Final Action

Agency Contact: Allen B. Levan, Chief, Policy and Operations Division, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-5653

RIN: 3206-AB31

• PERSONNEL RECORDS

Priority: Agency Determination

Legal Authority: 5 USC 2951(2); E0 12107; E0 12196

CFR Citation: 5 CFR 293

Abstract: The Office recently established an Employee Medical File System for Federal employees that will include an Employee Medical Folder (EMF). This folder will be separate from but a companion folder to the Official Personnel Folder (OPF). These regulations, like the regulations on the OPF, provide minimal requirements on agencies with regard to use and maintenance of the EMF.

Timetable:

Action	Date	FR C	ite
NPRM	03/00/85		

Small Entity: No

Agency Contact: William H. Lynch, Information Specialist, Office of Personnel Management, Office of Workforce Information, Compliance and Investigations Group, 1900 E St., NW; Washington, DC 20415, 202 632-5433

RIN: 3206-AC31

Current and Projected Rulemakings

AVAILABILITY OF OFFICIAL INFORMATION

Priority: Agency Determination

Legal Authority: PL 89-554 Freedom of Information Act of 1966

CFR Citation: 5 CFR 294

Abstract: Agencies are required to publish fee schedules of charges for information under the Freedom of Information Act. We plan to review our fee schedule and update it to more accurately reflect the current costs of providing the information.

Timetable:

Action	Date	FR Cite
NPRM	10/19/82	47 FR 46516
Final Action	12/31/85	

Small Entity: No

Agency Contact: William C. Duffy, Chief, Office of Personnel Management, Information Systems Plans & Policies Branch, Room 6410, 1900 E St., NW, Washington, DC 20415, 202 632-7714

RIN: 3206-AA05

PROTECTION OF PRIVACY AND PERSONNEL RECORDS

Priority: Agency Determination Legal Authority: 5 USC 552a

CFR Citation: 5 CFR 297

Abstract: The Privacy Act (5 U.S.C. 552a) requires agencies to issue regulations to implement the Act. OPM's regulations also require that agencies follow OPM's rule for those records maintained by them that are under OPM's control. These regulations have remained unchanged since 1979 and, as OPM intends to issue FPM guidance on matters currently nappropriate for issuance in the regulations, need revision both to reflect any changes resulting from case law or in OPM policy and to remove material that is more appropriate for FPM issuance.

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	-
Small Entit	y: No	

Agency Contact: John Sanet, Information Specialist, Office of Personnel Management, Office of Workforce Information, Compliance and Investigations Group, 1900 E St., NW, Washington, DC 20415, 202 632-4455

RIN: 3206-AA70

EMPLOYMENT (GENERAL); EMPLOYMENT PRACTICES

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 3304

CFR Citation: 5 CFR 300

Abstract: Clarification of the policy and appeal procedures used in developing and implementing employment practices in the recruitment, measurement and selection of individuals for appointments and promotion within the competitive service. The proposed amendments would remove a non-statutory appeal procedure which was created to provide a simple, streamlined administrative review procedure but which has, instead, become a timeconsuming, convoluted process. Additionally, the proposed changes would avoid a duplicative enforcement procedure currently subject to review by OPM and MSPB, which is, more properly, within the sole jurisdiction of the EEOC.

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	

Small Entity: No

Agency Contact: James S. Green, Assistant General Counsel, Office of Personnel Management, Office of the General Counsel, 1900 E Street, NW, Washington, DC 20415, 202 632-5524

RIN: 3206-AB41

OVERSEAS EMPLOYMENT

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 301

Abstract: Deletes prohibition on agency use of overseas limited appointments in certain circumstances.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Ed McHugh, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St.,

NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA71

VETERANS READJUSTMENT APPOINTMENTS

Priority: Agency Determination

Legal Authority: 38 USC 2014; PL 98-543

CFR Citation: 5 CFR 307

Abstract: Extends the Veterans Readjustment Appointment (VRA) Program through September 30, 1986 and makes certain improvements upon the current program.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	Spinster de la

Small Entity: No

Agency Contact: Don A. Smith, Chief, Evaluation Division, Office of Personnel Management, Office of Affirmative Employment Programs, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-7082

RIN: 3206-AB26

TEMPORARY AND TERM EMPLOYMENT

Priority: Agency Determination

Legal Authority: 38 USC 2014; PL 98-543

CFR Citation: 5 CFR 316

Abstract: Extends the temporary and term authorities for veterans readjustment appointment eligibles through September 30, 1986 and makes certain improvements upon the current program.

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	THE REAL PROPERTY.

Small Entity: No

Agency Contact: Don A. Smith, Chief, Evaluation Division, Office of Personnel Management, Office of Affirmative Employment Programs, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-7082

RIN: 3206-AB25

APPOINTMENT, REASSIGNMENT, TRANSFER, AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE

Priority: Agency Determination

Legal Authority: 5 USC 3392; 5 USC 3393; 5 USC 3394; 5 USC 3397

CFR Citation: 5 CFR 317

Abstract: Interim regulations to govern appointment actions in the SES, including establishment of qualifications standards, agency recruitment and selection procedures for career appointments, operations of OPM Qualifications Review Boards, and completion of the one-year probationary period for career appointees. Regulations are intended to set forth basic staffing requirements to assure compliance with merit system provisions and to implement staffing provisions of Pub. L. 98-615, November 8, 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	A STATE
Final Action	10/00/85	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Communications, 1900 E St., NW, Wash.. DC 20415, 202 653-5882

RIN: 3206-AA09

APPOINTMENT, REASSIGNMENT, TRANSFER AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE (SES CAREER APPOINTMENT BY REINSTATEMENT)

Priority: Agency Determination

Legal Authority: 5 USC 3593; 5 USC

CFR Citation: 5 CFR 317, Subpart G

Abstract: Revised interim regulations on reinstatement to an SES career appointment following (a) voluntary separation from SES, or (b) separation from a Presidential appointment of a former SES career appointee. These reinstatements are authorized by law. The regulations set the procedures for implementing the law.

Timetable:

Action	Date	FR	Cite
Interim Final Rule	12/05/80	45 FR	80468
Revised Interim	04/00/85		

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Communications, 1900 E St., NW, Washington, DC 20415, 202 653-5882

RIN: 3206-AA11

• RECRUITMENT, SELECTION, AND PLACEMENT (GENERAL)

Priority: Agency Determination Legal Authority: 5 USC 3310 CFR Citation: 5 CFR 330

Abstract: Provides increased protections for preference eligibles who occupy the positions of guard, messenger, elevator operator, and custodian in contracting out situations. Establishes a formal outplacement program aimed at ensuring that section 3310 veterans do not lose employment security due to contracting out.

Timetable:

Action	Date	FR Cite
NPRM	01/25/85	50 FR 3530
Final Action	09/00/85	

Small Entity: No

Agency Contact: Don A. Smith, Chief, Evaluations Division, Office of Personnel Management, Workforce Effectiveness & Development Group, 1900 E Street, NW, Washington, DC 20415, 202 632-7082

RIN: 3206-AC32

PROMOTION AND INTERNAL PLACEMENT

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC

CFR Citation: 5 CFR 335

Abstract: Proposed regulations and FPM instructions to revise the Federal Merit Promotion Program to strengthen management rights, and clarify important concepts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Raleigh M. Neville, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA90

QUALIFICATIONS REQUIREMENTS (MEDICAL)

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3304; 5 USC 3312

CFR Citation: 5 CFR 339

Abstract: Proposed regulations and FPM instructions to clarify procedures for establishing physical requirements for jobs and for documenting and processing disabilities.

Timetable:

Action	Date	FR Cite
The state of the s		

NPRM 09/00/85 Small Entity: No

Agency Contact: Raleigh Neville, Personnel Management Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6013

RIN: 3206-AA91

REDUCTION IN FORCE, IDENTIFICATION OF EMPLOYEES FOR TRANSFER OF FUNCTION

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC

CFR Citation: 5 CFR 351

Abstract: Changes needed to clarify OPM policy pertaining to a transfer of function and reflect pertinent MSPB decisions.

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	09/00/85	A STATE OF

Small Entity: No

Agency Contact: Tom Glennon, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St., NW: Washington, DC 20415, 202 632-6817

RIN: 3206-AC33

REEMPLOYMENT RIGHTS FOR SES PERSONNEL

Priority: Agency Determination

Legal Authority: 5 USC 3131; 5 USC 3301

CFR Citation: 5 CFR 352

Abstract: This regulation would extend reemployment rights under this part to SES personnel. The regulation is needed to correct an oversight which has resulted in the exclusion of SESers from coverage.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	CASE OF LEGIS

Small Entity: No

Agency Contact: John Schultz, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St., NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA18

RESTORATION TO DUTY FROM MILITARY SERVICE AND INJURY COMPENSATION

Priority: Agency Determination

Legal Authority: 38 USC 2021 et seq; 5 USC 8151

CFR Citation: 5 CFR 353

Abstract: Complete revision of Part 353 and corresponding FPM chapter 353 to update, simplify, and clarify the regulations and instructions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	ation and

Small Entity: No

Agency Contact: Raleigh Neville, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St., NW; Washington, DC 20415, 202 632-

RIN: 3206-AC34

6817

REMOVAL FROM THE SENIOR EXECUTIVE SERVICE; GUARANTEED PLACEMENT IN OTHER PERSONNEL SYSTEMS

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC 3596

CFR Citation: 5 CFR 359

Abstract: Revised interim regulations on (1) the removal of SES career appointees during probation or for less than fully successful executive performance, (2) the removal of other than career appointees, (3) placement rights in other personnel systems of certain SES career appointees. These actions are authorized by law. The regulations establish procedures for implementing previous law and the new Pub. L. 98-615, November 8, 1984.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	07/31/79	44	FR	44815
Revised Interim Rule	04/00/85			

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Communications, 1900 E St., NW, Wash., DC 20415, 202 653-5882

RIN: 3206-AA21

REMOVAL FROM THE SENIOR EXECUTIVE SERVICE; GUARANTEED PLACEMENT IN OTHER PERSONNEL SYSTEMS

Priority: Agency Determination

Legal Authority: 5 USC 3595; 5 USC 3596

CFR Citation: 5 CFR 359

Abstract: Interim regulations to add a new subpart to implement Pub. L. 97-35, August 13, 1981, as amended by Pub.L. 97-346, October 15, 1982, and Pub. L. 98-615, November 8, 1984, which added provisions to Title 5 to govern SES reduction-in-force actions affecting career executives. Regulations are needed to cover certain areas not in the law, such as notification to employees and retention of records, and to implement the provisions in the law dealing with OPM's responsibility to help place career executives identified for reduction in force and with "fallback" rights following a RIF.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Comunications, 1900 E St., NW, Wash., DC 20415, 202 653-5882

RIN: 3206-AA23

TRAINING

Priority: Agency Determination Legal Authority: 5 USC 4118 CFR Citation: 5 CFR 410

Abstract: Revision of regulations on determining the source of training to reflect revision by Office of Management and Budget of Circular No. A-76 "Performance of Commercial Activities."

Timetable:

Date	FR Cite
06/30/85	
09/30/85	
	06/30/85

Small Entity: No

Agency Contact: Frank Masterson, Chief, Training & Development Policy Branch, Office of Personnel Management, Office of Training and Development, 1121 Vermont Avenue, PO Box 7230, Washington, DC 20415, 202 632-6659

RIN: 3206-AB23

OVERSIGHT OF TRAINING PROGRAMS

Priority: Agency Determination Legal Authority: 5 USC 4118 CFR Citation: 5 CFR 410

Abstract: Addition of a new section dealing with the Office of Personnel

Management's oversight of agencies' management of their employee training programs under chapter 41 of title 5, United States Code.

Timetable:

Action	Date	FR Cite
Clast Action	44/20/85	

Small Entity: No

Agency Contact: Constance Guitian, Personnel Management Specialist, Office of Personnel Management, Office of Training and Development, 1121 Vermont Avenue, NW, PO Box 7230, Washington, DC 20044, 202 632-6659

RIN: 3206-AC35

REDUCTION IN GRADE AND REMOVAL BASED ON UNACCEPTABLE PERFORMANCE

Priority: Agency Determination

Legal Authority: 5 USC 4303; 5 USC

CFR Citation: 5 CFR 432

Abstract: Proposed regulations to clarify certain aspects of existing regulations pertaining to procedures to follow in removing or reducing in grade employees whose performance is unacceptable.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
Final Action	11/00/85	

Small Entity: No

Agency Contact: Tim Dirks, Chief, Office of Personnel Management, Appellate Policies Division, 1900 E Street, NW, Washington, DC 20415, 202 653-6551

RIN: 3206-AB21

PAY RATES AND SYSTEMS (GENERAL)

Priority: Agency Determination

Legal Authority: 5 USC 5303; EO 11721

CFR Citation: 5 CFR 530

Abstract: Comprehensive revision of regulations to (1) clarify pay-fixing procedures when special rates are initially established, further adjusted, or terminated; and (2) make technical and conforming changes to bring current regulations up to date by correcting reference errors, deleting obsolete provisions, etc..

Timetable

THITOCHETO		
Action	Date	FR Cite
NPRM	06/00/85	The state of the

Small Entity: No

Agency Contact: Barry E. Shapiro, Chief, Allowances and Special Rates Division, Office of Personnel Management, Office of Pay Programs, 1900 E Street, NW, Washington, DC 20415, 202 632-7858

RIN: 3206-AB32

PAY UNDER THE GENERAL SCHEDULE; DETERMINING RATE OF BASIC PAY

Priority: Agency Determination

Legal Authority: |5 USC 5305(a); |5 USC 5334(a); |5 USC 5338; EO 11721

CFR Citation: 5 CFR 531, Subpart B

Abstract: Under current regulations, agencies may use an employee's highest previous rate as a Federal employee, updated to account for intervening pay adjustments, as the basis for paying a higher rate than otherwise would be required by law or regulation upon promotion, demotion, reassignment, transfer, or reemployment -- without regard to the recency of the employee's previous Federal work experience. Proposed regulations would limit the use of an employee's highest previous rate by establishing a reasonable relationship between the recency of an employee's previous work experience and the current employment situation. In addition, proposed regulations would revise the current regulations to conform to the principles of the Performance Based Incentive System and correct certain longstanding basic pay administration problems. Revision may also include technical and conforming changes in 5 CFR Parts 530 and 536.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	of Sprank

Small Entity: No

Agency Contact: Donald J. Winstead, Chief, Program Analysis Branch, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AA32

PAY UNDER THE GENERAL SCHEDULE; GRADE AND PAY RETENTION

Priority: Agency Determination

Legal Authority: 5 USC 5334(a); 5 USC 5338; 5 USC 5365

CFR Citation: 5 CFR 531; 5 CFR 536

Abstract: Under current regulations, numerous pay administration problems exist in movements between Federal pay systems. For example, the method of determining entitlement to grade retention in movements between pay systems results in unnecessary expenditures of Federal funds and false expectations for affected employees. Proposed regulations would revise definitions of "promotion" and "demotion" to improve pay administration and minimize the number of employees entitled to grade retention in movements between pay systems. Revisions may also include technical and conforming changes in 5 CFR Parts 210, 351, and 532.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Bobby G. Williams, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AC36

PAY UNDER THE GENERAL SCHEDULE; PAY ADJUSTMENTS FOR SUPERVISORS

Priority: Agency Determination

Legal Authority: 5 USC 5333(b)

CFR Citation: 5 CFR 531, Subpart C

Abstract: Under current regulations, General Schedule supervisors of wage employees may receive an adjustment in basic pay to exceed the rate paid wage employees under their supervision. This adjustment, however, is permanent. No reduction is permitted even if the conditions prompting the adjustment no longer exist. Proposed regulations would require a downward adjustment when conditions no longer warrant a higher rate, as suggested by the Comptroller General in a 1976 decision.

Current and Projected Rulemakings

Timetable:			
Action	Date	FR Cite	
NPRM	06/00/85	Thumb-	

Small Entity: No

Agency Contact: Ronald Clark, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 254-7052

RIN: 3206-AC37

O PREVAILING RATE SYSTEMS

Priority: Agency Determination

Legal Authority: 5 USC 5343; 5 USC

5346

CFR Citation: 5 CFR 532

Abstract: Comprehensive revision of regulations to ensure prevailing rates are consistent with the intent of the law, and to make necessary technical, terminological, and conforming changes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	(2005)

Small Entity: No

Agency Contact: Richard J. Carney. Chief, Wage Systems Division, Office of Personnel Management, Office of Pay Programs, 1900 E Street, NW, Washington, DC 20415, 202 632-7830

RIN: 3206-AC38

PAY UNDER OTHER SYSTEMS (PAY UNDER THE SES)

Priority: Agency Determination Legal Authority: 5 USC 5385

CFR Citation: 5 CFR 534, Subpart D

Abstract: Revised interim regulations on the payment of performance awards to career appointees in the Senior Executive Service to implement Pub. L. 98-615, November 8, 1984.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	11/16/83	48	FR	52025
Revised Interim Rule	04/00/85			

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Communications, 1900 E St., NW, Wash., DC 20415, 202 653-5882

BIN: 3206-AB20

PAY UNDER OTHER SYSTEMS (PAY UNDER THE SENIOR EXECUTIVE SERVICE)

Priority: Agency Determination

Legal Authority: 5 USC 5383; 5 USC

CFR Citation: 5 CFR 534

Abstract: Interim regulations on setting individual basic pay under the SES. Regulations are needed to clarify the intent and application of 5 USC 5383(a) on changes in SES pay rates and to implement provisions in Pub. L. 98-615, November 8, 1984, on aggregate compensation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	The Care
Final Action	10/00/85	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Communications, 1900 E St., NW, Washington, DC 20415, 202 653-5882

RIN: 3206-AB29

GRADE AND PAY RETENTION

Priority: Agency Determination Legal Authority: 5 USC 5365

CFR Citation: 5 CFR 536

Abstract: Under current regulations, Federal agencies have considerable discretion in determining whether to grant grade or pay retention to employees who are or might be affected by a reduction in force, reorganization, or other management action. Proposed regulations would limit and more clearly define those situations in which grade or pay retention appropriately may be used by agencies as a management tool.

Timetable:			
Action	Date	FR	Cite
NPRM	12/00/85	1277	

Small Entity: No

Agency Contact: Bobby G. Williams, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AC39

PAY ADMINISTRATION, ADJUSTMENT OF WORK SCHEDULES FOR RELIGIOUS OBSERVANCES

Priority: Agency Determination Legal Authority: 5 USC 5550a CFR Citation: 5 CFR 550, Subpart J

Abstract: Under current law, Federal employees may request adjustment of work schedules if personal religious beliefs require abstention from work. The interim regulations published in 1978 are too broad and do not provide agencies with the authority and guidance necessary for proper administration of the law. Final regulations will (1) define key terms in the law, (2) establish administrative procedures for processing employee requests and for adjusting employee work schedules, and (3) provide administrative procedures for the proper payment and/or crediting of compensatory overtime work and compensatory time off for religious observances.

Timetable:

Action	Date		FR	Cite
NPRM	10/24/83	48	FR	49023
Final Action	04/00/85			

Small Entity: No

Agency Contact: Dwight W. Brown, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AA38

PAY ADMINISTRATION (GENERAL) AND HOURS OF DUTY

Priority: Agency Determination

Legal Authority: 5 USC 5548; 5 USC

6101

CFR Citation: 5 CFR 550; 5 CFR 610

Abstract: Technical and conforming amendments to bring current regulations up to date by correcting reference errors, deleting obsolete provisions, etc...

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Edward I Magee, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW. Washington, DC 20415, 202 632-4634

RIN: 3206-AC40

PAY ADMINISTRATION (GENERAL); SEVERANCE PAY

Priority: Agency Determination

Legal Authority: 5 USC 5595; EO 11228

CFR Citation: 5 CFR 550, Subpart G

Abstract: Under current regulations, the Federal Government spends too much on severance pay because of (1) lax controls over contractors in contractingout situations, (2) a difference in eligibility requirements for discontinued service retirement and severance pay. and (3) a loophole that allows individuals to collect both severance pay and pay from a contractor if they go to work with the contractor more than 90 days after separation from Federal employment. Final regulations would place reporting requirements on Federal agencies in contracting-out situations, make the discontinued service retirement and severance pay eligibility requirements parallel, and terminate severance pay for those who accept contract employment within 52 weeks of separation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Jan Karicher, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 254-7052

RIN: 3206-AC41

PAY ADMINISTRATION (GENERAL); COLLECTIONS BY OFFSET FROM INDEBTED GOVERNMENT EMPLOYEES

Priority: Agency Determination Legal Authority: 5 USC 5514

CFR Citation: 5 CFR 550, Subpart K

Abstract: Final regulations would amend definitions of "Agency" and "Disposable Pay" for salary offset purposes to (1) clarify the application of salary offset to legislative and judicial branch employees, as well as those employees in the executive branch; and (2) exclude union dues when determining "Disposable Pay" for offset purposes. Current regulations do not adequately reflect Congressional intent.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Patricia A. Rochester, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AC42

PAY ADMINISTRATION (GENERAL); COLLECTIONS BY OFFSET FROM INDEBTED GOVERNMENT EMPLOYEES: HEARINGS

Priority: Agency Determination Legal Authority: 5 USC 5514

CFR Citation: 5 CFR 550, Subpart K

Abstract: Some agencies have had difficulty arranging for a salary offset hearing official "not under the control of the head of the agency." Final regulations would prescribe a process for requesting hearing officers for salary offset hearings when agencies have not been able to make other arrangements.

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	49 FR 43619
Final Action	05/00/85	

Small Entity: No

Agency Contact: Patricia A. Rochester, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW. Washington, DC 20415, 202 632-4634

RIN: 3206-AC43

PAY ADMINISTRATION (GENERAL); BACK PAY

Priority: Agency Determination
Legal Authority: 5 USC 5596(c)

CFR Citation: 5 CFR 550, Subpart H

Abstract: Under current regulations, the authority of Federal agencies to deduct from back pay awards the amount of State unemployment compensation received during periods covered by the award is unclear. Proposed regulations would require such a deduction to satisfy the "make-whole" purpose of the back pay law. In addition, proposed regulations would clarify the definition of other "erroneous payments" to be deducted from back pay awards.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	Charles Hall

Small Entity: No

Agency Contact: Margaret P. Goodell, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AC44

PAY ADMINISTRATION UNDER THE FLSA: COMPLIANCE

Priority: Agency Determination

Legal Authority: 29 USC 204F; 5 USC 1103(a)(5)

CFR Citation: 5 CFR 551, Subpart F

Abstract: Proposed new regulation to implement the FLSA Compliance Program and simplify the FLSA claims handling process.

Timetable:

Action	Date	FR Cite
NPRM	10/01/85	TOTAL PROPERTY.
Small Entity	r No	- The same of the

Current and Projected Rulemakings

Agency Contact: Robert Gatewood, Personnel Management Specialist, Office of Personnel Management, Compliance and Investigations Group, Agency Compliance and Evaluation, 1900 E St., NW, Washington, DC 20415, 202 632-5691

RIN: 3206-AA40

PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT; SPECIAL OVERTIME PAY PROVISIONS

Priority: Agency Determination
Legal Authority: 29 USC 204(f)
CFR Citation: 5 CFR 551, Subpart E

Abstract: Under the FLSA, a special overtime standard has been applied to Federal law enforcement employees. This overtime standard no longer differs substantially from the normal overtime standard that applies to all employees covered by the FLSA. Proposed regulations would simplify administration and eliminate the administrative costs of applying the special overtime standard to these employees, who would become subject to the normal FLSA overtime standard.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	-

Small Entity: No

Agency Contact: Dwight Brown, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AB16

PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT

Priority: Agency Determination Legal Authority: 29 USC 204(f) CFR Citation: 5 CFR 551

Abstract: Technical and conforming amendments to bring current regulations up to date by correcting reference errors, deleting obsolete provisions, etc..

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Dwight W. Brown, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AC45

PROCESSING GARNISHMENT ORDERS FOR CHILD SUPPORT AND/OR ALIMONY

Priority: Agency Determination

Legal Authority: 42 USC 659; 42 USC 661 to 662; 15 USC 1673; EO 12105

CFR Citation: 5 CFR 581

Abstract: Update regulation in response to ongoing suggestions and corrections, especially changes to Appendix A which contains an obsolete list of agents designated to accept legal process.

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	SULL PROPERTY.

Small Entity: No

Agency Contact: Murray Meeker, Attorney, Office of Personnel Management, Office of the General Counsel, 1900 E Street, NW, Room 5H30, Washington, DC 20415, 202 632-4518

RIN: 3206-AB42

ALLOWANCES AND DIFFERENTIALS; COST OF LIVING ALLOWANCE AND POST DIFFERENTIAL--NONFOREIGN AREAS

Priority: Agency Determination

Legal Authority: 5 USC 5941; EO 10000

CFR Citation: 5 CFR 591, Subpart B

Abstract: Comprehensive revision of regulations to incorporate methodology used to establish nonforeign cost-of-living allowances. (See Alaniz v. Office of Personnel Management, 728 F. 2d 1460 (Fed. Cir. 1984).)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	College or one
Small Entity	v. No	

Agency Contact: Barry E. Shapiro, Chief, Allowances and Special Rates Division, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-7858

RIN: 3206-AB34

HOURS OF DUTY; FLEXIBLE AND COMPRESSED WORK SCHEDULES

Priority: Agency Determination Legal Authority: 5 USC 6133

CFR Citation: 5 CFR 610, Subpart D

Abstract: The current flexible and compressed work schedules law expires July 23, 1985. Regulations will be needed to implement a new program or to terminate the current program.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/85	

Small Entity: No

Agency Contact: Edward I. Magee, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AC46

ABSENCE AND LEAVE; ANNUAL AND SICK LEAVE

Priority: Agency Determination Legal Authority: 5 USC 6311

CFR Citation: 5 CFR 630, Subparts A to E

Abstract: Revision of annual and sick leave regulations is necessary to update, improve, and refine the current regulations to ensure appropriate and consistent application of leave administration policies within all Federal agencies. Proposed rules would (1) add new rules to improve leave administration, (2) revise the current rules for clarification and consistency. and (3) reorganize the sections with the subparts in a more logical sequence. These and other changes, such as regulating a consistent and equitable method of liquidating leave indebtedness and revising the requirement to forgive leave indebtedness, would resolve some troublesome leave issues, improve leave administration, and result in cost savings.

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Betty J. Roth, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 254-7052

RIN: 3206-AA44

ABSENCE AND LEAVE; RECREDIT OF LEAVE

Priority: Agency Determination Legal Authority: 5 USC 6311

CFR Citation: 5 CFR 630, Subpart E

Abstract: Proposed regulations to extend the 3-year limitation on recrediting sick leave for dependents of civilian and military personnel who leave Federal employment to accompany their sponsors on overseas assignments. This amendment would alleviate the hardship and inequity many career employees suffer because of the limited number of Federal positions that are available to dependents overseas. This change would complement E.O. 12362, which authorizes certain placement benefits for dependents when they return from overseas.

Timetable:

Action	Date	FR Cite
NRRM .	04/00/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Margaret P. Goodell. Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW. Washington, DC 20415, 202 632-4634

RIN: 3206-AB63

ABSENCE AND LEAVE; HOME LEAVE

Priority: Agency Determination

Legal Authority: 5 USC 6311

CFR Citation: 5 CFR 630, Subpart F

Abstract: Proposed regulations to (1) clarify and eliminate discrepancies in application, (2) incorporate changes required by the Foreign Service Act of 1980, and (3) revise the accrual rates.

Under current regulations, employees with desirable overseas assignments receive the same benefits as those on hardship assignments. Proposed regulations would relate home leave to the degree of hardship.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	

Small Entity: No.

Agency Contact: Margaret P. Goodell, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AB64

ABSENCE AND LEAVE; SHORE LEAVE

Priority: Agency Determination
Legal Authority: 5 USC 6311
CFR Citation: 5 CFR 630, Subpart G

Abstract: Proposed regulations would recognize changed conditions since enactment of the shore leave law, prohibit inappropriate and indiscriminate use of terminal shore leave, and eliminate discrepancies in application.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Betty J. Roth, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 254-7052

RIN: 3206-AB65

ABSENCE AND LEAVE; COVERAGE OF D.C. GOVERNMENT EMPLOYEES

Priority: Agency Determination

Legal Authority: 5 USC 6311; DC Law 2-139, as amended

CFR Citation: 5 CFR 630

Abstract: Current regulations contain obsolete references to D.C. government employees, who are no longer covered by chapter 63 of title 5 of the United States Code. Final regulations would delete these obsolete references.

Timetable:		
Action	Date	FR Cite
NPRM	(02/27/85	50 FR 7922

05/00/85

Small Entity: No

Final Action

Agency Contact: Margarat P. Goodell. Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AC47

ABSENCE AND LEAVE; ANNUAL LEAVE

Priority: Agency Determination Legal Authority: 5 USC 6311

CFR Citation: 5 CFR 630, Subpart C

Abstract: Final regulations to increase the time period in which restored annual leave may be used in extended exigencies of the public business. Without this change, employees could lose large amounts of both restored annual leave and accrued leave because of a long lasting exigency that precluded the use of the leave within the currently prescribed time limits.

Timetable:

Action	Date	1	FR	Cite
Interim Final Rule	01/24/85	50 1	FR	3314
Final Action	04/00/85			

Small Entity: No

Agency Contact: Betty J. Roth, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 254-7052

RIN: 3206-AC48

AFFIRMATIVE EMPLOYMENT PROGRAMS

Priority: Agency Determination

Legal Authority: 5 USC 7201; PL 89-554; PL 95-454; 5 USC 7151; 38 USC 2014

CFR Citation: 5 CFR 720

Abstract: Revises Part 720 to reflect: elimination of any requirement that is not specifically required by law or is administratively burdensome; less emphasis on paperwork/plan and statistical reporting requirements and more on implementing effective recruiting efforts; and more emphasis on agency accountability and flexibility for the development, implementation.

and evaluation of agency recruiting programs.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	ALIAS PLANE
Final Action	03/31/86	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert Franco, Chief, Technical Assistance & Operations Division, (202) 632-5607.

Agency Contact: Don A Smith, Chief, Evaluation Division, Office of Personnel Management, Office of Affirmative Employment Programs, Workforce Effectiveness & Development Group, 1900 E St., NW, Wash. DC 20415, 202 632-7082

RIN: 3206-AB06

POLITICAL ACTIVITY OF FEDERAL EMPLOYEES

Priority: Agency Determination

Legal Authority: 5 USC 1308; 5 USC 3301; 5 USC 3302; 5 USC 7301; 5 USC 7321 to 7325; 5 USC 7327; 42 USC 2729; EO 10577 3 CFR, 1954-1958 Comp. p. 218; 5 USC 7701 et seq; EO 12107

CFR Citation: 5 CFR 733

Abstract: Prescribes (1) regulations under the Hatch Act and related provisions of law that restrict the political activity of Federal employees; (2) definitional and structural revisions; and (3) possible addition and/or recission of partial exceptions by the Director for municipalities or political subdivisions.

Timetable:

Action	QV.	Date	FR Cite
NPRM	0	7/01/85	

Small Entity: No

Agency Contact: JoAnn Chabot, Attorney, Office of Personnel Management, Office of the General Counsel, 1900 E St., NW, Room 5H22, Washington, DC 20415, 202 632-7746

RIN: 3206-AA47

EXECUTIVE PERSONNEL FINANCIAL DISCLOSURE REQUIREMENTS

Priority: Agency Determination

Legal Authority: 5 USC App 207(a); PL

CFR Citation: 5 CFR 734

Abstract: Proposed new regulation to supersede portions of 5 CFR Part 735 dealing with confidential financial disclosure for grades below GS-16.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gary Davis/David Reich, Staff Attorneys, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AA93

EMPLOYEE RESPONSIBILITIES AND CONDUCT

Priority: Agency Determination

Legal Authority: EO 11222; PL 95-521

CFR Citation: 5 CFR 735

Abstract: Amends portions of final regulation, 5 CFR Part 735, to clarify and update general provisions dealing with employee conduct.

Timetable:

Action	Date	FR Cite
NPRM	07/15/85	

Small Entity: No

Agency Contact: Jane Ley, Staff Attorney, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-0569

RIN: 3206-AB66

POST EMPLOYMENT CONFLICT OF INTEREST

Legal Authority: 18 USC 207; PL 95-521

CFR Citation: 5 CFR 737

Abstract: Proposed technical and conforming regulations to clarify the post employment rules.

Timetable:

Action	Date	FR	Cite
NPRM	10/15/85		

Small Entity: No

Agency Contact: Gary Davis/Jane Ley, Staff Attorneys, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AB12

POST EMPLOYMENT CONFLICT OF INTEREST; DESIGNATION OF CERTAIN POSITIONS AND AGENCIES

Legal Authority: 18 USC 207(b)(1)(c); PL 95-521

CFR Citation: 5 CFR 737

Abstract: Final regulation to meet the requirement to designate annually senior employees who are subject to the conflict-of-interest provisions of the Ethics in Government Act.

Timetable:

Action	Date	FR Cite
Plant Audion	00/00/05	The same of

Small Entity: No

Agency Contact: Gary Davis/Bob Flynn, Staff Attorney/Management Analyst, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AB13

ADVERSE ACTIONS (REGULATORY REQUIREMENTS FOR TAKING ADVERSE ACTIONS UNDER THE SENIOR EXECUTIVE SERVICE)

Priority: Agency Determination Legal Authority: 5 USC 7543

CFR Citation: 5 CFR 752, Subpart F

Abstract: Revised interim regulations on (1) suspensions for more than 14 days and (2) removal from the civil service of SES career appointees. These actions were authorized by Pub. L. 95-454 (October 13, 1978), which was amended by Pub. L. 97-35 (August 13, 1981) and Pub. L. 98-615 (November 8, 1984). The regulations establish procedures for implementing the law.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/31/79	44 FR 44818
Revised Interim	04/00/85	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Policy, Office of Policy and Communications, 1900 E St., NW, Wash., DC 20415, 202 632-5882

RIN: 3206-AA50

ALCOHOLISM AND DRUG ABUSE PROGRAMS

Priority: Agency Determination

Legal Authority: PL 91-616; PL 92-255

CFR Citation: 5 CFR 792

Abstract: This rule is to implement and clarify the legislative requirements for alcoholism and drug abuse programs and services for Federal civilian employees as contained in the FPM. It establishes OPM and agency responsibilities in providing prevention, treatment, and rehabilitative services to Federal civilian employees with alcohol or drug problems.

Timetable:

Action	Date	FR Cite
Interim Final	07/09/84	49 FR 27921
Rule Final Action	04/00/85	

Small Entity: No

Agency Contact: Ruby H. Giddings, Chief, Employee Health Services Branch, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E.St., NW. Washington, DC 20415, 202 632-5558

RIN: 3206-AB11

RETIREMENT; AGENCY REQUESTS
TO OPM FOR RECOVERY OF A DEBT
FROM THE CIVIL SERVICE
RETIREMENT AND DISABILITY FUND

Priority: Agency Determination

Legal Authority: 5 USC 8347; 31 USC

CFR Citation: 5 CFR 831, Subpart R

Abstract: Final regulations to prescribe procedures for submitting agency claims for recovery of an indebtedness against benefits due from the Civil Service Retirement System. Regulations are required as part of resolution of Rhinehart v. Seneca, et al., which recognized the need to give debtors due process rights.

Timetable:

Action	Date	FR Cite
INPRM	01/04/85	50 FR 473
Final Action	06/00/85	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 4 CFR Sec. 101.1 et seq. also applies. Agency Contact: Patricia A. Rochester, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AA52

RETIREMENT

Priority: Agency Determination Legal Authority: 5 USC 8347 CFR Citation: 5 CFR 831.1301

Abstract: Proposed regulations to revise debt collection regulations for the collection of overpayments of annuity to conform with the Debt Collection Act of 1982 (Pub. L. 97-365).

Timetable:

Action	Date		FR	Cite
NPRM	11/19/84	49	FR	45588
Final Action	04/00/85			

Small Entity: No

Agency Contact: Patricial A. Rochester. Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AA94

RETIREMENT; LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS

Priority: Agency Determination

Legal Authority: 5 USC 8347; 5 USC 8336(c)

CFR Citation: 5 CFR 831, Subpart I

Abstract: Current regulations do not adequately state the criteria for determining whether an employee meets the statutory definition of "law enforcement officer" or "firefighter." Proposed regulations would clarify the criteria used by OPM to establish eligibility of employees under the special retirement provisions for law enforcement officers and firefighters.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Ray Kirk, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW. Washington, DC 20415, 202 632-4614

RIN: 3206-AB09

RETIREMENT; DEPOSITS FOR MILITARY SERVICE

Priority: Agency Determination Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart U

Abstract: Final regulations to extend eligibility to make deposits for military service to separated individuals who were prevented from making a timely deposit due to administrative error or misinformation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/16/84	49 FR 20631
Final Action	10/00/85	

Small Entity: No

Agency Contact: Mary Angel. Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-9677

RIN: 3206-AB35

• RETIREMENT, FEDERAL EMPLOYEES' GROUP LIFE INSURANCE, AND FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Priority: Agency Determination

Legal Authority: 5 USC 8347(a); 5 USC 8716(a); 5 USC 8913(a)

CFR Citation: 5 CFR 831; 5 CFR 870; 5 CFR 871; 5 CFR 872; 5 CFR 873; 5 CFR 890

Abstract: Some Federal entities are often late in making payment to the Retirement, Life Insurance, and Health Benefits Funds. These late payments cause a loss of interest income to those funds. Proposed regulations would permit OPM to charge interest on late payments. This would encourage prompt payment to make the funds whole.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Mary Angel, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-9677

RIN: 3206-AB67

ORETIREMENT; DEFINITIONS

Priority: Agency Determination

Legal Authority: 5 USC 8347(a)

CFR Citation: 5 CFR 831, Subpart A

Abstract: Many of the definitions used in administering civil service retirement programs are drawn from different sources (i.e., various laws, court decisions, and Comptroller General decisions). There is no comprehensive list of definitions of retirement terms to which OPM can refer agencies and employees. Publication of a general definitions section would simplify administration of the retirement program by providing a list of definitions to which agencies and employees can refer for accurate and complete information on retirementrelated terms.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	mediate

Small Entity: No

Agency Contact: Doris Reeves, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB69

• RETIREMENT; ORDER OF PRECEDENCE FOR STATUTORY WITHHOLDINGS FROM ANNUITY

Priority: Agency Determination Legal Authority: 5 USC 8347 CFR Citation: 5 CFR 831, Subpart A

Abstract: Regulations to improve the administration of the Civil Service Retirement and Disability Fund by establishing a uniform order of precedence for purposes of offsetting civil service annuity benefits to satisfy statutory obligations, such as state income tax withholding requests and court orders directing apportionment or garnishment of such benefits. Proposed regulations would consolidate disparate rules and practices which have

developed for determining the net annuity available for offset for various purposes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Doris Reeves, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB70

RETIREMENT; CREDIT FOR SERVICE

Priority: Agency Determination Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart C

Abstract: On the basis of a series of court decisions, OPM has determined that a contract does not generally create employment in the civil service. Rather, an appointment in the civil service is necessary. Proposed regulations would specify the conditions for finding that an individual is a Federal employee for civil service retirement purposes, including the very limited exceptions to the general rule.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	

Small Entity: No

Agency Contact: John Landers, Chief, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-4684

RIN: 3206-AB71

● RETIREMENT; CREDIT FOR UNUSED SICK LEAVE

Priority: Agency Determination
Legal Authority: 5 USC 8347
CFR Citation: 5 CFR 831, Subpart C

Abstract: Unused sick leave at retirement is added to service credit for computation of annuity. Full-time employees receive one day of credit for eight hours of sick leave. Part-time employees receive more than one day of credit for eight hours of sick leave, on a prorated basis. Proposed

regulations would treat full-time and part-time employees equally. All employees would receive one day of retirement credit for eight hours of unused sick leave.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	TO HE A

Small Entity: No

Agency Contact: John Landers, Chief, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-4684

RIN: 3206-AB72

• RETIREMENT; CREDIT AND DEPOSITS FOR MILITARY SERVICE

Priority: Agency Determination

Legal Authority: PL 97-253, Sec 306(b); PL 98-94, Sec 1257; PL 98-369, Sec 2205

CFR Citation: 5 CFR 831, Subparts C and

Abstract: Public Laws 97-253, 98-94, and 98-369 amend the provisions of the retirement law that deal with crediting military service and making deposits for military service. Proposed regulations would revise the affected regulations to implement these laws.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	VIII Mall

Small Entity: No

Agency Contact: Mary Angel, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB73

@ RETIREMENT; SURVIVOR BENEFITS

Priority: Agency Determination
Legal Authority: 5 USC 8347
CFR Citation: 5 CFR 831, Subpart F

Abstract: Final regulations to require a retiring employee or Member who elects a reduced annuity with survivor benefit for a person having an insurable interest to pay the cost of providing medical evidence to show such employee or Member is in good health. Under past practice, OPM paid for these medical examinations.

 Action
 Date
 FR Cite

 NPRM
 04/00/85

 Final Action
 07/00/85

Small Entity: No

Agency Contact: Jane Lohr, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group. 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB74

RETIREMENT; IMPLEMENTING REGULATIONS FOR CIVIL SERVICE RETIREMENT SPOUSE EQUITY ACT OF 1984

Priority: Agency Determination

Legal Authority: 5 USC 8347; PL 98-615

CFR Citation: 5 CFR 831, Subparts F, Q, and T

Abstract: The Civil Service Retirement Spouse Equity Act of 1984 must be fully implemented by May 7, 1985. Interim regulations would include provisions for new benefits available to former spouses of deceased Federal Employees and provisions governing survivor benefits for current spouses.

Timetable: -

Action	Date	FR Cite
Interim Final	04/00/85	

Small Entity: No

Additional Information: Francis J. Derby, Pay and Benefits Specialist, (202) 632-4634

Agency Contact: Harold Siegelman, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-4684

RIN: 3206-AB75

• RETIREMENT; REEMPLOYMENT OF RETIRED EMPLOYEES

Priority: Agency Determination

Legal Authority: 5 USC 8347; PL 97-276

CFR Citation: 5 CFR 831, Subpart H

Abstract: Regulations to implement statutory provision that excludes annuitants reemployed between August 1, 1981, and December 31, 1985, as civilian air traffic controllers from eligibility for supplemental annuity benefits. This exclusion was enacted because such reemployed annuitants are excluded from the offset of salary by the annuity allocable to the period.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Jane Lohr, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB76

RETIREMENT; DISABILITY RETIREMENT

Priority: Agency Determination
Legal Authority: 5 USC 8347
CFR Citation: 5 CFR 831, Subpart L

Abstract: Comprehensive revision of disability retirement regulations to clarify (1) OPM'S authority to find a disability annuitant recovered from a disability when the annuitant is reemployed in the Federal service in a position equivalent in grade to the one from which he or she retired, and (2) the rules used to determine whether a disability annuitant has been restored to earning capacity.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85		

Small Entity: No

Agency Contact: Margaret Sears, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB77

• RETIREMENT; RECOVERY OF ANNUITY OVERPAYMENTS

Priority: Agency Determination Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart M

Abstract: Proposed regulations to add further guidelines on debt collection activities under the Debt Collection Act of 1982. Current regulations need to be expanded to (1) add criteria for referring debts to collection agencies.
(2) exclude collections made by
Treasury under 31 CFR 210.10 from
OPM procedures for recovery of debts,
and (3) add provisions for collecting
debts due the Civil Service Retirement
Fund from a deceased debtor.

Timetable:

Action /	Date	FR Cite
NPRM	06/00/85	mental St. Ly

Small Entity: No

Agency Contact: Patricia A. Rochester, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-4634

RIN: 3206-AB78

RETIREMENT; ORDER OF PRECEDENCE FOR APPLICATION OF SERVICE CREDIT DEPOSITS

Priority: Agency Determination Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart V

Abstract: Current regulations do not state the order in which service credit deposits will be applied. Proposed regulations would specify an order of precedence for applying such deposits.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Mary Angel, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB79

@ RETIREMENT

Priority: Agency Determination Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831

Abstract: Technical and conforming amendments to bring current regulations up to date by correcting reference errors, deleting obsolete provisions, etc...

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Margaret Sears, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-9677

RIN: 3206-AC28

• FEDERAL EMPLOYEES' GROUP LIFE INSURANCE

Priority: Agency Determination Legal Authority: 5 USC 8716

CFR Citation: 5 CFR 870; 5 CFR 871; 5 CFR 872; 5 CFR 873

Abstract: Technical and conforming amendments to bring current regulations up to date by correcting reference errors, deleting obsolete provisions, etc.

Timetable:

Action	Date	FR	Cite
NPRM	- 09/00/85	-	Mile-

Small Entity: No

Agency Contact: Agatha W. Gray, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 254-7052

RIN: 3206-AB80

© FEDERAL EMPLOYEES' GROUP LIFE INSURANCE; OPEN ENROLLMENT PERIOD

Priority: Agency Determination Legal Authority: 5 USC 8716

CFR Citation: 5 CFR 870; 5 CFR 871; 5 CFR 872; 5 CFR 873

Abstract: OPM is considering a limited open enrollment period under the FEGLI Program. Proposed regulations would establish procedures to give employees an opportunity to enroll or increase their coverage during an open enrollment period in 1985.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Agatha W. Gray, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 254-7052

RIN: 3206-AB81

FEDERAL EMPLOYEES' GROUP LIFE INSURANCE PROGRAM; ASSIGNMENT OF LIFE INSURANCE BY FEDERAL JUDGES

Priority: Agency Determination

Legal Authority: PL 98-353, Sec 208

CFR Citation: 5 CFR 870; 5 CFR 871; 5 CFR 872; 5 CFR 873; 5 CFR 874

Abstract: Regulations to implement section 208 of Pub. L. 98-353, which permits Federal judges to assign their Federal Employees' Group Life Insurance.

Timetable:

Action	Date	FR CI	te
Interim Final Rule	02/28/85	50 FR 80	95
Final Action	09/00/85		No.

Small Entity: No

Agency Contact: Mary Angel, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB82

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; DISPUTED CLAIMS

Priority: Agency Determination Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart A

Abstract: Regulations to improve the administrative process used by the FEHBP to resolve disputed health insurance claims. The regulations would strengthen OPM's control over the disputed claims process and would result in more efficient plan and OPM reviews.

Timetable:

Action	Date	FR	Cite
NPRM Final Action	12/28/84 4	19 FR	50404

Small Entity: No

Agency Contact: Mary Ann Mercer, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-9677

RIN: 3206-AB37

• FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Priority: Agency Determination Legal Authority: 5 USC 8913 CFR Citation: 5 CFR 890

Abstract: Technical and conforming amendments to bring current regulations up to date by correcting errors, deleting obsolete provisions, etc...

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	S SALES III

Small Entity: No

Agency Contact: Barbara Myers, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB83

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; TERMINATION OF ENROLLMENT

Priority: Agency Determination Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart A

Abstract: Proposed regulations to extend OPM'S authority to terminate an individual's enrollment in an FEHB group practice comprehensive medical plan to include individual practice comprehensive medical plans.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Barbara Myers, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB84

• FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; COVERAGE OF CERTAIN TEMPORARY EMPLOYEES

Priority: Agency Determination

Legal Authority: 5 USC 8913(a)

CFR Citation: 5 CFR 890, Subpart A

Abstract: Employees who have temporary appointments not to exceed one year or less have been excluded from coverage under the Federal Health Benefits Program. Final regulations would allow coverage of employees generally if their appointment is expected to exceed nine months.

Timetable:

Action	Date	FR Cite	
NPRM	04/00/85		
Final Action	07/00/85		

Small Entity: No

Agency Contact: Ray Sparnon, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-4614

RIN: 3206-AB85

• FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; HEALTH BENEFITS PLANS

Priority: Agency Determination
Legal Authority: 5 USC 8913
CFR Citation: 5 CFR 890, Subpart B

Abstract: Proposed regulations to clarify the criteria used by OPM in reviewing applications from comprehensive medical plans seeking to participate in the Federal Employees Health Benefits Program. Regulations would focus on the plan's compliance with state licensing and operating requirements and Federal procurement regulations, health plan management, marketing, quality of the health care delivery system, and financial condition.

Timetable:

Action	Date	FR Cite
NPRM	03/00/86	
THE PARTY IS	ALL DESCRIPTION OF THE PARTY OF	EXCHIDITAL V

Small Entity: No

Agency Contact: Mary Ann Mercer, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB86

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; REGISTRATION AND ENROLLMENT

Priority: Agency Determination Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart C

Abstract: Proposed Regulations to allow an employee or annuitant to change to self and family coverage if a non-federally employed spouse or former spouse loses non-Federal health insurance coverage under certain conditions.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Barbara Myers, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB87

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; CONTINUATION OF ENROLLMENT

Priority: Agency Determination

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart C

Abstract: Proposed regulations to reflect established OPM practice of allowing surviving family members to continue FEHBP participation under multiple enrollments in split-award survivor annuity cases. If multiple enrollments are not allowed, certain eligible family members might lose FEHBP coverage.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85	BALL	Y N
C	in the		

Small Entity: No

Agency Contact: Jane Lohr, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB88

• FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; IMPLEMENTING REGULATIONS FOR CIVIL SERVICE RETIREMENT SPOUSE EQUITY ACT OF 1984

Priority: Agency Determination

Legal Authority: 5 USC 8913; PL 98-615 CFR Citation: 5 CFR 890, Subparts C and

H

Abstract: Regulations to implement amendments to the Federal Employees Health Benefits (FEHB) law under the Civil Service Retirement Spouse Equity Act of 1984, effective May 7, 1985. This law allows certain former spouses of civil service employees and retirees to enroll in an FEHB plan, provided the former spouse agrees to pay the full cost of such health insurance coverage.

Timetable:

Action	Date	FR Cite
Final Action	04/00/95	THE PARTY

Small Entity: No

Agency Contact: May Ann Mercer, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-9677

RIN: 3206-AB89

PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS) SUBPART A MOTOR VEHICLE OPERATORS

Priority: Agency Determination

Legal Authority: 40 USC 471; 5 USC 1104

CFR Citation: 5 CFR 930, Subpart A

Abstract: Final regulations to permit Federal agencies to develop and use alternative procedures in the review and authorization of civilian employees to operate Government owned or leased motor vehicles. These changes would allow increased flexibility and ease the administrative burden and cost for Federal agencies without jeopardizing the safety of this program.

Current and Projected Rulemakings

Time	eta	ble	
-			

Action	Date	FR	Cite
NPRM	04/16/84	49 FR	14956
Final Action	04/00/85		

Small Entity: No

Agency Contact: Van K. Yee, Personnel Staffing Specialist, Office of Personnel Management, Staffing Group, 1900 E St., NW, Washington, DC 20415, 202 632-6030

RIN: 3206-AA59

© PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS) ADMINISTRATIVE LAW JUDGES

Priority: Agency Determination

Legal Authority: 5 USC 3323(b); PL 98-

224

CFR Citation: 5 CFR 930, Subpart B

Abstract: Final regulations to permit Federal agencies to reemploy retired Administrative Law Judges on a temporary basis to help with irregular workloads. The regulations would implement Public Law 98-224, signed March 2, 1984. The law permitted the temporary reemployment of retired Administrative Law Judges under regulations to be issued by OPM.

Timetable:

Action	Date		FR	Cite
NPRM	10/31/84	49	FR	43691
Final Action	05/00/85			
Small Entity:	No			

Agency Contact: Craig B. Pettibone, Assistant Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-5677

RIN: 3206-AB90

PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS) ADMINISTRATIVE LAW JUDGES

Priority: Agency Determination

Legal Authority: 5 USC 553-9; 5 USC 1104(a)(2); 5 USC 1305; 5 USC 3105; 5 USC 3344; 5 USC 4301(2)(d); 5 USC 5335(a)(3)(B); 5 USC 5372; 5 USC 7521

CFR Citation: 5 CFR 930, Subpart B

Abstract: Update and clarification of OPM regulations governing examining and employment of Administrative Law Judges. These regulations have not been reviewed as a whole for many years and contain out-of-date terminology.

Timetable:

THIO COLUMN	Laure		
Action	Date	FR Cite	
NPRM	06/30/85	1	

Small Entity: No

Agency Contact: Craig B. Pettibone, Assistant Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-5677

RIN: 3206-AB91

FEDERAL EMPLOYEES HEALTH BENEFITS ACQUISITION REGULATIONS

Priority: Agency Determination

Legal Authority: 40 USC 486(c); 5 USC

8913

CFR Citation: 48 CFR 16

Abstract: OPM is required to issue regulations reflecting contracting policy and procedures for the Federal Employees Health Benefits Program (FEHBP) that deviate from the Federal Acquisition Regulations (FAR) or that are needed to supplement the FAR to satisfy special program needs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	-
Final Action	09/00/85	

Small Entity: No

Agency Contact: Kevin J. Burns, Assistant Director for Insurance Programs, Office of Personnel Management, Compensation Group, 1900 E Street, NW, Washington, DC 20415, 202 632-9677

RIN: 3206-AB07

OPM PROCUREMENT REGULATIONS

Priority: Agency Determination

Legal Authority: 48 CFR Chapter 1

CFR Citation: 48 CFR 17

Abstract: Agencies are required to publish implementing and supplementing regulations to the Federal Acquisition Regulations (FAR). The FAR were effective April 1, 1984.

Timetable:

Date	FR Cite
04/00/85	
12/00/85	
	04/00/85

Small Entity: Undetermined

Agency Contact: Robert Lawshe, Chief, Acquisition Branch, Office of Personnel Management, Acquisition Branch, Room 1466, 1900 E Street, NW, Washington, DC 20415, 202 254-8492

RIN: 3206-AB28

OFFICE OF PERSONNEL MANAGEMENT (OPM)

POLITICAL ACTIVITY OF STATE OR LOCAL OFFICERS OR EMPLOYEES

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC 1501 to 1508, as amended

CFR Citation: 5 CFR 151

Abstract: Comprehensive review of tegulations to ensure consistency with Intergovernmental Personnel Act and telated guidelines as appropriate. The

review will address inadequacies created by overlap with Intergovernmental Personnel Act regulations.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	THE POST OF
End Review	07/01/85	

Small Entity: No

Existing Regulations Under Review

Agency Contact: Joseph A. Morris, General Counsel, Office of Personnel Management, Office of the General Counsel, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-4632

RIN: 3206-AB93

ADMINISTRATIVE CLAIMS UNDER THE FEDERAL TORT CLAIMS ACT

Priority: Agency Determination

Existing Regulations Under Review

Legal Authority: 28 USC 2672 CFR Citation: 5 CFR 177

Abstract: Review of procedures for processing claims under the Federal Tort Claims Act (FTCA). The review will explore avenues for reducing costs to government through presentation of subrogation.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	Alexander of the
End Review	07/01/85	

Small Entity: No

Agency Contact: Joseph A. Morris, General Counsel, Office of Personnel Management, Office of the General Counsel, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-4632

RIN: 3206-AB94

• EMPLOYEES' PERSONAL PROPERTY CLAIMS

Priority: Agency Determination

Legal Authority: Sec. 3, 78 Stat. 767, as amended; 31 USC 241

CFR Citation: 5 CFR 180

Abstract: Comprehensive review of regulations to (1) address ambiguities in rules applicable to employee responsibilities, and (2) consider requiring reimbursed employees to surrender items for which value has been paid to the agency for donation to charity. Regulatory action will enhance various charities' ability to collect items for their use and clarify employee responsibilities to avoid inadvertent violations of law and regulations.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: Joseph A. Morris, General Counsel, Office of Personnel Management, Office of the General Counsel, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-4632

RIN: 3206-AB95

OCOMPETITIVE SERVICE AND COMPETITIVE STATUS

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; EO 10577

CFR Citation: 5 CFR 212, Subparts C and

Abstract: Review of regulations to determine if there is a need to redefine competitive status. The review will examine the definition of non-competitive assignment eligibility to determine whether it is sufficiently clear.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/85	
End Review	01/01/86	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AB96

EXCEPTED SERVICE

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3302; EO 10577

CFR Citation: 5 CFR 213

Abstract: Comprehensive review of excepted service authorities. The review would focus on discontinuing obsolete authorities and revising or establishing new authorities where needed.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	A SECURITION OF THE PERSON.
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AB97

SENIOR EXECUTIVE SERVICE

Priority: Agency Determination Legal Authority: 5 USC 3132 CFR Citation: 5 CFR 214

Abstract: Review of the general regulatory provisions of the Senior Executive Service. Review will take into account legislative changes to the Senior Executive Service since the Civil Service Reform Act of 1978.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	THE REAL PROPERTY.
End Review	07/01/85	

Small Entity: No

Agency Contact: Patrick S. Korten, Executive Assistant Director, Office of Personnel Management, Office of Policy and Communications, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6106

RIN: 3206-AB98

PERSONNEL RECORDS - BASIC POLICIES ON MAINTENANCE OF PERSONNEL RECORDS

Priority: Agency Determination

Legal Authority: 5 USC 522a; EO 12107; 5 USC 1302; EO 9830

CFR Citation: 5 CFR 293, Subpart A

Abstract: Review of policies on safeguarding automated files. The widespread problem of "computer hacking" requires consideration of special safeguards for automated records to ensure that such records are not accessible to unauthorized persons.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: George Woloshyn, Associate Director, Office of Personnel Management, Compliance and Investigations Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-4426

RIN: 3206-AB99

PERSONNEL RECORDS PERSONNEL RECORDS SUBJECT TO THE PRIVACY ACT

Priority: Agency Determination

Legal Authority: 5 USC 552a; EO 12107. 5 USC 1302; EO 9830

CFR Citation: 5 CFR 293, Subpart B

Abstract: Review of records subject to the Privacy Act. Regulatory action may be needed to maintain consistency with proposed changes in Privacy Act Regulations, 5 CFR 297. (5 CFR 297 is being amended to reflect case law.)

Existing Regulations Under Review

Small Entity: No

Agency Contact: George Woloshyn, Associate Director, Office of Personnel Management, Compliance and Investigations Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-4428

RIN: 3206-AC00

• EMPLOYMENT (GENERAL); TIME-IN-GRADE RESTRICTIONS

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3302; EO 10577; 5 USC 3324; 5 USC 1104

CFR Citation: 5 CFR 300, Subpart F

Abstract: Review of time-in-grade restrictions. Review will address time-in-grade as it applies to promotion policy.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AC01

EMPLOYMENT IN THE EXCEPTED SERVICE

Priority: Agency Determination

Legal Authority: 5 USC 1301; 5 USC 3301; 5 USC 3302; 5 USC 8151; EO 10577

CFR Citation: 5 CFR 302

Abstract: Review of reemployment rights criteria for excepted service. The review will address the need to reduce hardship in cutbacks.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	STORY THE !
End Review	07/01/85	
Small Entity:	No	

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AC02

© EXECUTIVE ASSIGNMENT SYSTEM

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 3324; EO 10577

CFR Citation: 5 CFR 305

Abstract: Review of regulations on executive assignment system (GS-16/18). Regulations need to be reviewed in light of the establishment of the Senior Executive Service, which incorporated most GS-16/18 positions.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	BUT HE WAS
End Review	07/01/85	

Small Entity: No

Agency Contact: Patrick S. Korten, Executive Assitant Director, Office of Personnel Management, Office of Policy and Communications, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6106

RIN: 3206-AC03

VOLUNTEER SERVICE

Priority: Agency Determination Legal Authority: 5 USC 3111

CFR Citation: 5 CFR 308

Abstract: Review of regulations for volunteer service. Current regulations only apply to student volunteers. Use of other volunteers may require broader regulations to assure appropriate use.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	A STATE OF THE PARTY OF THE PAR
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AC04

CAREER-CONDITIONAL EMPLOYMENT

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; EO 10577; PL 93-113; EO 11103

CFR Citation: 5 CFR 315

Abstract: Review of regulations on conversion to career or careerconditional employment. The review will address eligibility for entry into the competitive service from other types of appointments.

Timetable:

Action	Date	FR Cite
Begin Review	03/01/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AC05

APPOINTMENT, REASSIGNMENT, TRANSFER AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE

Priority: Agency Determination

Legal Authority: 5 USC 3397; PL 95-454, Sec 413(k)

CFR Citation: 5 CFR 317, Subparts B and C

Abstract: Review of regulations on general provisions pertaining to the Senior Executive Service and conversion to the SES. Regulations may need to be revised to take into account legislative changes to the Senior Executive Service since the 1979 conversion.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	WOMEN THE
End Review	07/01/85	

Small Entity: No

Agency Contact: Patrick S. Korten, Executive Associate Director, Office of Personnel Management, Office of Policy and Communciations, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6106

RIN: 3206-AC06

• GENERAL RECRUITMENT/PLACEMENT PRINCIPLES

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC

3302; EO 10577

CFR Citation: 5 CFR 330

Abstract: Comprehensive review of Reemployment Priority List (RPL) and Displaced Employee Program (DEP) authorities. Review would focus on the need to provide assistance to employees in cutbacks.

Timetable:

Action	Date	FR Cite
Begin Review	07/15/85	
End Review	08/30/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6106

RIN: 3206-AC07

GENERAL PRINCIPLES OF COMPETITION

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; EO 10577

CFR Citation: 5 CFR 332

Abstract: Comprehensive review of regulations to determine the need for updating recruitment and selection authorities. The review would focus on the removal of obsolete references, e.g., filling postmaster positions.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AC08

• STANDARDS FOR TEMPORARY AND TERM APPOINTMENT OUTSIDE THE REGISTER

Priority: Agency Determination

Legal Authority: 5 USC 3375; EO 11589,

CFR Citation: 5 CFR 333

Abstract: Comprehensive review of applicant supply file requirements to determine whether veterans are accorded appropriate preference for temporary positions.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AC09

TEMPORARY ASSIGNMENT OF EMPLOYEES BETWEEN FEDERAL AGENCIES AND STATE, LOCAL, AND INDIAN TRIBAL GOVERNMENT, INSTITUTIONS OF HIGHER EDUCATION, AND OTHER ELIGIBLE ORGANIZATIONS

Priority: Agency Determination

Legal Authority: 5 USC 3376; EO 11589,

5 CFR 557

CFR Citation: 5 CFR 334

Abstract: Comprehensive review of regulations to address agency responsibility for personnel mobility assignments. The review will focus on providing for more cost efficient assignments.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: Terry W. Culler, Associate Director, Office of Personnel Management, Workforce Effectiveness & Development Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-5796

RIN: 3206-AC10

• GENERAL EVALUATION PRINCIPLES

Priority: Agency Determination

Legal Authority: 5 USC 3376; EO 11589, 3 CFR 557

CFR Citation: 5 CFR 337

Abstract: Comprehensive review of regulatory requirements for rating applicants. The review will assess the appropriateness of procedures for assigning numerical ratings.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	Y Y
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6005

RIN: 3206-AC11

EXECUTIVE AND MANAGEMENT DEVELOPMENT

Priority: Agency Determination Legal Authority: 5 USC 3397

CFR Citation: 5 CFR 412, Subparts A and

Abstract: Review of executive and management development program authority for possible reconstructing. The review will explore a more comprehensive view of management development that includes supervisors as well as managers and executives.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	HIS SERVICE
End Review	07/01/85	

- Small Entity: No

Agency Contact: Terry W. Culler, Associate Director, Office of Personnel Management, Workforce Effectiveness & Development Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-5796

RIN: 3206-AC12

PERSONNEL MANAGEMENT RESEARCH PROGRAMS AND DEMONSTRATION PROJECTS

Priority: Agency Determination

Legal Authority: 5 USC 4701; 5 USC 4703; 5 USC 4705; 5 USC 4706

CFR Citation: 5 CFR 470

Abstract: Review of OPM oversight responsibility for administering demonstration projects. The review will

Existing Regulations Under Review

address possible clarification of OPM's oversight role.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	DATE OF THE PARTY OF
End Review	07/01/85	

Small Entity: No

Agency Contact: Patrick S. Korten, Executive Assistant Director, Office of Personnel Management, Office of Policy and Communications, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-6106

RIN: 3206-AC13

CLASSIFICATION UNDER THE GENERAL SCHEDULE

Priority: Agency Determination

Legal Authority: 5 USC 5115; 5 USC 5338; 5 USC 5351

CFR Citation: 5 CFR 511

Abstract: Comprehensive review of regulations concerning the application of classification decisions. The review would focus on improving cost-effectiveness in processing appeals and uniformity in both inter- and intraagency application of classification decisions.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	The state of the
End Review	07/01/85	

Small Entity: No

Agency Contact: George Woloshyn, Associate Director, Office of Personnel Management, Compliance and Investigations Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-4426

RIN: 3206-AC14

© CLASSIFICATION UNDER THE GENERAL SCHEDULE

Priority: Agency Determination

Legal Authority: 5 USC 5115; 5 USC 5338; 5 USC 5351

CFR Citation: 5 CFR 511, Subparts A and

Abstract: Review of white collar classification requirements.

Comprehensive study now underway of classification system for white collar jobs is expected to identify need for desirable regulatory changes.

Timetable:

· IIII o tabiot		
Action	Date	FR Cite
Begin Review	03/15/85	OTHER DESIGNATION OF
End Review	07/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6005

RIN: 3206-AC29

• PAY RATES AND SYSTEMS (GENERAL)

Priority: Agency Determination

Legal Authority: 5 USC 1104; 5 USC 5351 to 5353; 5 USC 5361; 5 USC 5385; 5 USC 5541

CFR Citation: 5 CFR 530, Subpart C

Abstract: Review of special rate authorities to determine (1) whether they continue to be justified, and (2) whether new special rate authorities need to be established to solve recruitment and retention problems. This review may result in the need for public notice of special rate authorities.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/85	
End Review	08/00/85	

Small Entity: No

Agency Contact: James W. Morrison, Jr., Associate Director, Office of Personnel Management, Compensation Group, 1900 E Street, NW, Washington, DC 20415, 202 632-1854

RIN: 3206-AC30

PREVAILING RATE SYSTEMS

Priority: Agency Determination

Legal Authority: 5 USC 5343; 5 USC 5346

CFR Citation: 5 CFR 532

Abstract: Review of existing wage schedule for U.S. citizens overseas to ensure currency of wage rates.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/85	W-12-2
End Review	04/00/85	

Agency Contact: James W. Morrison, Jr., Associate Director, Office of Personnel Management, Compensation Group, 1900 E Street, NW, Washington, DC 20415, 202 632-1854

RIN: 3206-AC17

PAY ADMINISTRATION (GENERAL)

Priority: Agency Determination

Legal Authority: 5 USC 5545(d); 5 USC 5548(b)

CFR Citation: 5 CFR 550, Subpart I

Abstract: Review of regulations concerning pay for irregular or intermittent duty involving physical hardship or hazard. The review will address whether proper payment is being made for work situations involving hardship or hazard.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/85	Day HE
End Review	10/00/85	

Small Entity: No

Agency Contact: James W. Morrison, Jr., Associate Director, Office of Personnel Management, Compensation Group, 1900 E Street, NW, Washington, DC 20415, 202 632-1854

RIN: 3206-AC18

SUITABILITY -- SUITABILITY DISQUALIFICATIONS

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7301; EO 10577; EO 11222

CFR Citation: 5 CFR 731, Subpart B

Abstract: Comprehensive review of suitability standards. Current revision of personnel security program by Presidentially directed task force will likely result in the need for conforming changes in personnel suitability standards.

Timetable:

Action	Date	FR Cite
Begin Review -	11/01/85	of the same of
End Review	01/01/86	

Small Entity: No

Agency Contact: George Woloshyn, Associate Director, Office of Personnel Management, Compliance and Investigations Group, 1900 E Street, NW, Washington, DC 20415, 202 632-4426

RIN: 3206-AC19

SUITABILITY -- SUITABILITY RATING ACTIONS

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7301; EO 10577; EO 11222

CFR Citation: 5 CFR 731, Subpart C

Abstract: Review of subject-toinvestigation time limit to determine whether the time limit is inadequate.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	
End Review	07/01/85	

Small Entity: No

Agency Contact: George Woloshyn, Associate Director, Office of Personnel Management, Compliance and Investigations Group, 1900 E Street, NW, Washington, DC 20415, 202 632-4426

RIN: 3206-AC20

PERSONNEL SECURITY AND RELATED PROGRAMS

Priority: Agency Determination

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7312; 50 USC 403; EO 10450; EO 10577

CFR Citation: 5 CFR 732

Abstract: Review of suitability security distinctions. Evidence of inconsistent application of security/suitability standards among agencies points up the need for clarifying regulations.

Timetable:

Action	Date	FR Cite
Begin Review	11/01/85	
End Review	01/01/86	

Small Entity: No

Agency Contact: George Woloshyn, Associate Director, Office of Personnel Management, Compliance and Investigations Group, 1900 E Street, NW, Washington, DC 20415, 202 632-4426

RIN: 3206-AC21

INVESTIGATIONS

Priority: Agency Determination

Legal Authority: PL 93-579; 5 USC 522a

CFR Citation: 5 CFR 736

Abstract: Review of enforcement procedures for governmentwide background investigations standards. The review will focus on the need for clarification and greater consistency in application of agency background investigation standards.

Timetable:

Action	Date	FR Cite
Begin Review End Review	11/01/85 01/01/86	A CALL

Small Entity: No

Agency Contact: George Woloshyn, Associate Director, Office of Personnel Management, Compliance and Investigations Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 632-4426

RIN: 3206-AB92

EMPLOYEE CONDUCT AND RESPONSIBILITIES

Priority: Agency Determination Legal Authority: EO 11222 CFR Citation: 5 CFR 739

Abstract: Review of Part 735 for purposes of (a) removing sections that are not part of the authorized functions of the Office of Government Ethics, but are the responsibilities of other offices in the Office of Personnel Management or individual agencies; and (b) adding to the new part a prohibition against unauthorized tape recording of the conversations of employees by any other employee within departments and agencies.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	No.
End Review	07/01/85	

Agency Contact: Joseph A. Morris, General Counsel, Office of Personnel Management, Office of the General Counsel, 1900 E Street, NW, Washington, DC 20415, 202 632-4632

RIN: 3206-AC22

ADVERSE ACTIONS

Priority: Agency Determination

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 7502; 5 USC 7543; 5 USC 7504; 5 USC 7514

CFR Citation: 5 CFR 752, Subparts B and D

Abstract: Comprehensive review of regulations on adverse actions. Review would focus on the need to clarify adverse action procedures.

Timetable:

Action	Date	FR Cite
Begin Review	07/00/85	
End Review	11/00/85	

Small Entity: No

Agency Contact: Patrick S. Korten, Executive Assistant Director, Office of Personnel Management, Office of Policy and Communications, 1900 E Street, NW, Washington, DC 20415, 202 632-6106

RIN: 3206-AC23

RETIREMENT, ADMINISTRATION AND GENERAL PROVISIONS

Priority: Agency Determination Legal Authority: 5 USC 8336

CFR Citation: 5 CFR 831, Subpart A

Abstract: Review of voluntary early retirement criteria in major RIF or reorganization. The review would focus on developing improved criteria to assure proper use of the authority and minimize the additional cost to the Civil Service Retirement Fund.

Timetable:

Action	Date	FR Cite
Begin Review	02/00/85	
End Review	09/01/85	

Small Entity: No

Agency Contact: James Byrnes, Deputy Associate Director, Office of Personnel Management, Staffing Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6005

RIN: 3206-AC24

• FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Priority: Agency Determination Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart E

Abstract: Review of the reserves policy under the FEHBP. Reserve levels have fluctuated radically over the past few

Existing Regulations Under Review

years. In consequence, we have decided to review our policy concerning reserve goals and our interim governmental payments from OPM's contingency reserve to the carriers. The review may lead to proposed modifications in 5 CFR 890, Subpart E.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/85	SALES OF
End Review	10/00/85	

Small Entity: No

Agency Contact: James W. Morrison, Jr., Associate Director, Office of Personnel Management, Compensation Group, 1900 E Street, NW, Washington, DC 20415, 202 632-1854

RIN: 3206-AC25

• RETIRED FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Priority: Agency Determination Legal Authority: 5 USC 8913 CFR Citation: 5 CFR 891 Abstract: Review of the Retired Federal Employees Health Benefits Program. The REHBP covers a closed group with an aging population. Experience under the program can be expected to deteriorate. Some efforts have been made in the past to encourage voluntary transfer from REHB to FEHB where better coverage is available at lower rates. These efforts may have to be reviewed and regulatory action may be required.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/85	
End Review	10/00/85	

Small Entity: No

Agency Contact: James W. Morrison, Jr., Associate Director, Office of Personnel Management, Compensation Group, 1900 E Street, NW, Washington, DC 20415, 202 632-1854

RIN: 3206-AC26

INTERGOVERNMENTAL PERSONNEL ACT PROGRAMS

Priority: Agency Determination

Legal Authority: 42 USC 4728; 42 USC 4763; EO 11589

CFR Citation: 5 CFR 900

Abstract: Review of the Standards for a Merit System of Personnel Administration. Review will focus on consistency of the regulations with Administration positions on IPA appeal.

Timetable:

Action	Date	FR Cite
Begin Review	03/15/85	The same
End Review	07/01/85	

Small Entity: No

Agency Contact: Patrick S. Korten, Executive Assistant Director, Office of Personnel Management, Office of Policy and Communications, 1900 E Street, NW, Washington, DC 20415, 202 632-6106

RIN: 3206-AC27

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Completed Actions

COMPLETED RULEMAKINGS

PERSONNEL RECORDS AND FILES; AVAILABILITY OF OFFICIAL INFORMATION; EMPLOYMENT (GENERAL); CLASSIFICATION UNDER THE GENERAL SCHEDULE; PREVAILING RATE SYSTEMS; GRADE & PAY ETC

CFR Citation: 5 CFR 293; 5 CFR 294; 5 CFR 300; 5 CFR 511; 5 CFR 532; 5 CFR 536; 5 CFR 736

Completed:

Reason	Date	FR	Cite
Final Action	01/24/85	50 FR	3307
Final Action	02/25/85		

Small Entity: No

Agency Contact: William C. Duffy 202 632-7714

RIN: 3206-AA04

EMPLOYMENT (GENERAL)

CFR Citation: 5 CFR 300

Completed:

Reason	Date	FR Cite
Withdrawn	03/01/85	Sale of the later
Merged with		
RIN 3206-		
AB41		

Small Entity: No

Agency Contact: Helen Christrup 202 632-5440

RIN: 3206-AB05

PROBATIONARY PERIOD FOR MANAGERS AND SUPERVISORS

CFR Citation: 5 CFR 315, Subpart I

Completed:

Reason	Date	FR	Cite
Final Action	10/05/84	49 FR	39287
Final Action Effective	11/05/84		

Small Entity: No

Agency Contact: Ellen Russell 202 632-6817

RIN: 3206-AA07

APPOINTMENT, REASSIGNMENT, TRANSFER, AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE

CFR Citation: 5 CFR 317

Completed:

Reason	Date	The same	FR	Cite
Final Action Final Action Effective	02/14/85 03/18/85	50	FR	6153

Small Entity: No

Agency Contact: Loretta Terando 202 632-4695

RIN: 3206-AA10

REEMPLOYMENT RIGHTS AFTER SERVICE WITH THE PANAMA CANAL COMMISSION

Priority: Agency Determination CFR Citation: 5 CFR 352

Completed:

Reason	Date	FR	Cite
Final Action	04/09/85	50 FR	13963
Final Action Effective	05/09/85		

Completed Actions

Small Entity: No

Agency Contact: Leota Shelkey 202

632-6817

RIN: 3206-AA19

MERIT PAY SYSTEM

CFR Citation: 5 CFR 540.102; 5 CFR 540.106(a); 5 CFR 540.106(d); 5 CFR 540.108(b)(3); 5 CFR 540.110(a)(3); 5 CFR 540.110(d)

Completed:

Date	FR Cite
03/01/85	Annual State

Small Entity: No

Agency Contact: Allen B. Levan 202

632-5653

RIN: 3206-AB18

MERIT PAY SYSTEM

CFR Citation: 5 CFR 540

Completed:

Reason	Date	FR Cite
Withdrawn Merged into RIN 3206- AB31.	03/01/85	

Small Entity: No

Agency Contact: Allen B. Levan 202

632-5653

RIN: 3206-AB19

PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM

CFR Citation: 5 CFR 540

Completed:

Reason	Date	FR Cite
Withdrawn Merged with RIN 3206-	03/01/85	A 10 20
AB31.		

Small Entity: No

Agency Contact: Allen B. Levan 202

632-5653

RIN: 3206-AB30

DEDUCTIONS FROM CIVILIAN PAY FOR INCREASES IN UNIFORMED SERVICE RETIRED OR RETAINER PAY

CFR Citation: 5 CFR 553

Completed:

Reason	Date	FR Cite
Final Action Revocation of 5 CFR 553.	01/15/85	50 FR 2039
Final Action Effective	01/15/85	Tankship.

Small Entity: No

Agency Contact: Bobby G. Williams

202 632-4634 RIN: 3206-AB33

VOLUNTARY PERSONNEL ACTIONS IN THE INTEREST OF THE EMPLOYEE

CFR Citation: 5 CFR 715

Completed:

Reason	Date	FR Cite
Withdrawn	03/01/83	No. of Contract of

Small Entity: No

Agency Contact: Tim Dirks 202 254-5200

Diagot.

RIN: 3206-AA45

EXECUTIVE PERSONNEL FINANCIAL DISCLOSURE REQUIREMENTS

Priority: Agency Determination

CFR Citation: 5 CFR 734; 5 CFR 735; 5 CFR 737

Completed

Reason	Date		FR	Cite
Final Action	01/10/85	50	FR	1203
Final Action Effective	02/11/85			

Small Entity: No

Agency Contact: Norman Smith/David Reich 202 632-7642

RIN: 3206-AB14

LIFE INSURANCE AND OPTIONAL INSURANCE

CFR Citation: 5 CFR 870; 5 CFR 871; 5 CFR 872; 5 CFR 873

Completed:

Reason	Date	FR Cite
Final Action Final Action Effective	02/28/85 03/28/85	50 FR 7903

Small Entity: No

Agency Contact: Agatha Gray 202 632-

9677

RIN: 3206-AB36

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

CFR Citation: 5 CFR 890

Completed:

Reason	Date	FR	Cite
Final Action	12/17/84	49 FR	48905
Final Action	12/17/84		

Small Entity: No

Agency Contact: Barbara Meyers 202

632-9677

RIN: 3206-AB38

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

CFR Citation: 5 CFR 890

Completed:

Reason	Date		FR	Cite
Final Action Final Action Effective	02/27/85 02/27/85	50	FR	8315

Small Entity: No

Agency Contact: John Ray 202 632-9677

RIN: 3206-AB39

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

CFR Citation: 41 CFR 16

Completed:

Reason	Date	FR Cite
Withdrawn Merged with RIN 3206-	02/27/85	THE PERSON NAMED IN
AB39, published 2/27/85.		

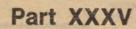
Small Entity: No

Agency Contact: Kenneth A. Lease 202 254-5094

RIN: 3206-AB40 [FR Doc. 85-7907 Filed 04-26-85; 8:45 am] BILLING CODE 6325-01-T



Monday April 29, 1985



Panama Canal Commission

Semiannual Regulatory Agenda



PANAMA

PANAMA CANAL COMMISSION

35 CFR Ch. I

Unified Agenda of Federal Regulations

AGENCY: Panama Canal Commission.

ACTION: Publication of semiannual agenda of regulations.

SUMMARY: The purpose of this agenda is to report the proposed rulemaking activities of the Panama Canal Commission. This information will allow the public to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT:

For information about a particular regulatory project, contact the person listed in the subheading "Agency Contact" for that project. For general information, contact Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Pennsylvania Building, 425 13th Street, N.W., Washington, D.C. 20004, (202) 724-0104; or John L. Haines, Jr., Esquire, General Counsel, Panama Canal Commission, APO Miami 34011.

SUPPLEMENTARY INFORMATION:

Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act, 5 U.S.C. 601, et seq. require that executive agencies publish in the Federal Register a semiannual notice of regulations which are under development or review or for which action has been completed. The Panama Canal Commission agenda contains certain regulations which are limited in public impact, but they are included to increase public awareness of Commission activities and to allow for increased public participation in the agency's regulatory review and development process. This agenda was prepared under the guidelines established by OMB Bulletin No. 85-6.

DATED: February 15, 1985. Michael Rhode, Jr.,

Secretary, Panama Canal Commission.

Current and Projected Rulemakings

PANAMA CANAL COMMISSION (PANAMA)

DANGEROUS CARGO

Legal Authority: 22 USC 3811 Panama Canal Act of 1979

CFR Citation: 35 CFR 113, (Revision); 35 CFR 101, (Revision); 35 CFR 103, (Revision); 35 CFR 107, (Revision); 35 CFR 107, (Revision); 35 CFR 111.23, (Revision)

Abstract: Many of the International Maritime Conventions concerning hazardous cargoes, tank ships, gas carriers, training and other maritime matters have been adopted by the United States and other maritime nations using the Panama Canal. New hazardous cargoes are being added to the trade. The existing regulations should be revised. Revisions would substitute the provisions of certain international conventions. Using international standards would improve safety through ease of compliance and enforcement.

Timetable:

Action Date FR Cite
NPRM 06/00/85

Small Entity: No

Additional Information: The thrust of the revision is toward dangerous cargoes, 35 CFR 113. The Arrival Requirements, 35 CFR 101, General Provisions, 35 CFR 103, Manning of Vessels, 35 CFR 107, and Radio Communications, 35 CFR 123, are related and require revision for compatibility. Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Penn Building, 425 13th Street, NW, Washington, DC 20004. 202 724-0104

RIN: 3207-AA07

COLLECTION BY SALARY OFFSET FROM FEDERAL EMPLOYEES INDEBTED TO THE UNITED STATES

Priority: Agency Determination

Legal Authority: 5 USC 5514; PL 97-365 Debt Collection Act 1982, 96 Stat.1751, Oct. 25, 1982

CFR Citation: 35 CFR 256, (New)

Abstract: The Debt Collection Act of 1982 authorizes the Federal Government to collect debts owed to it by its own current and retired military and civilian employees through the use of a salary offset. The Act requires each Federal agency to promulgate regulations to effect this collection. This regulation contains the requisite safeguards, including the right to a hearing, to insure that employees are protected from unwarranted seizure of their property.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
NPRM Comment Period Begin	00/00/00	
NPRM Comment Period End	00/00/00	

Small Entity: No

Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Penn. Building, 425 13th Street, NW, Washington, DC 20004, 202 724-0104

RIN: 3207-AA09

PANAMA CANAL ACQUISITION REGULATIONS

Priority: Agency Determination

Legal Authority: 22 USC 3712(c) to 3712(d); PL 98-369

CFR Citation: 48 CFR Chapter 35

Abstract: These proposed regulations will provide guidelines for the procurement of goods and services for the Panama Canal Commission within the framework of the Federal Acquisition Regulations.

Timetable:

Action Date FR Cite
NPRM 03/00/86

Small Entity: Undetermined

Agency Contact: R. D. Morgan, Procurement Executive, Panama Canal Commission, APO Miami FL 34011, 202 724-0104

RIN: 3207-AA10

PANAMA CANAL COMMISSION (PANAMA)

Existing Regulations Under Review

CLASSIFIED INFORMATION

Legal Authority: EO 12356 CFR Citation: 35 CFR 60

Abstract: Revision of the regulation will bring agency into compliance with E.O. 12356 which mandated changes concerning the maintenance, classification, downgrading, declassification, and disposition of official information requiring protection against unauthorized disclosure in the interest of the national security.

Timetable:

Action	Date	FR Cite
NPRM	05/15/85	
Final Action	06/28/85	
Interim Final Rule	00/00/00	

Small Entity: No

Additional Information: AGENCY CONTACT TELEPHONE NUMBER: 52-7757, in Balboa Heights, Republic of Panama.

Agency Contact: Thomas C. Duty, Chief, Administrative Services Division, Panama Canal Commission, APO Miami, 34011, 202 724-0104

RIN: 3207-AA01

RULES FOR MEASUREMENT OF VESSELS

Legal Authority: 22 USC 3791 Panama Canal Act of 1979

CFR Citation: 35 CFR 135

Abstract: In July 1982 forty-eight nations, representing more than eighty percent of world shipping, began implementing a new, uniform method for tonnage determination in accordance with the International Convention on Tonnage Measurement of Ships, 1969. The present Panama Canal measurement system is based upon the old national tonnage measurement systems. To continue the present Panama Canal System may require that new ships be measured twice, once under the new system and again under the now out-dated national system. No timetable for rulemaking has been established. This proposal is still under study by the Panama Canal Commission. If the Commission Board of Directors approves a proposed plan, the Commission will pursue a change in the measurement system before April 1986. Actual implementation of the new system would be subsequent to that time.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Penn Building, 425 13th Street NW, Washington, DC 20004, 202 724-0104

RIN: 3207-AA03

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PANAMA CANAL COMMISSION PROGRAMS

Legal Authority: 29 USC 794 CFR Citation: 35 CFR 257

Abstract: These regulations are designed to implement Section 504 of the Rehabilitation Act of 1974, as amended. The prototype regulation provided by the Department of Justice under Executive Order 12250 has been modified to accommodate the special circumstances of the agency. The regulation will be published after it has been reviewed by the Department of Justice and the Equal Employment Opportunity Commission, as required by Executive Order 12250 and 12067 respectively.

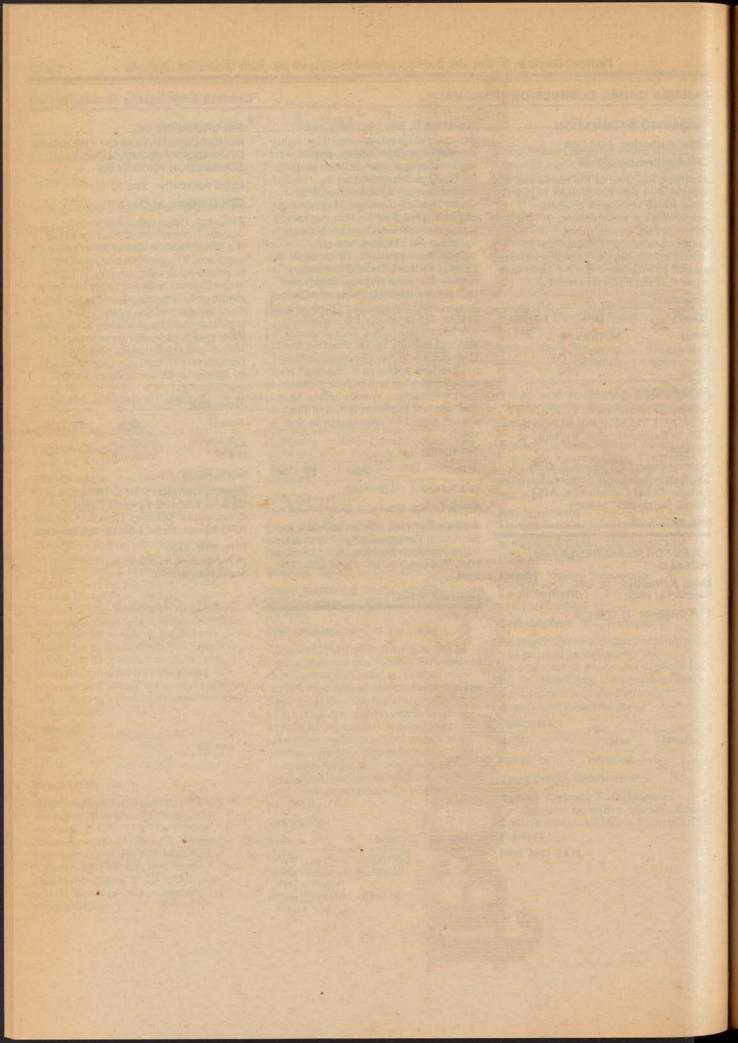
Timetable:

Action	Date	FR Cite
End Review	06/00/85	
NPRM	06/00/85	

Small Entity: No

Agency Contact: John L. Haines, Jr., General Counsel, Panama Canal Commission, Office of General Counsel, APO Miami, Florida 34011, 202 724-0104

RIN: 3207-AA08 [FR Doc. 85-8389 Filed 04-26-85; 8:45 am] BILLING CODE 3640-04-T





Monday April 29, 1985

Part XXXVI

Peace Corps

Semiannual Regulatory Agenda



PEACE

PEACE CORPS

22 CFR Ch. III

Executive Order 12291, Federal Regulations, Semiannual Agenda of Regulations

AGENCY: Peace Corps.

ACTION: Publication of semiannual agenda.

summary: This agenda announces the regulations that Peace Corps will have under development during the 12 month period from April 1, 1985 through March 31, 1986. The purpose for publishing this agenda is to give notice of any regulatory activity by the Agency in

order to allow the public an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT:

The public is encouraged to contact the Agency official listed for the particular agenda item. For other information concerning Peace Corps regulations or this semiannual agenda contact Robert Martin, Associate General Counsel, Peace Corps, 806 Connecticut Avenue, N.W., Washington, D.C. 20526, (202) 254-3114.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. 605) executive agencies are required to publish in the Federal Register semiannual regulatory

agendas in April and October of each year.

The regulations being considered by Peace Corps are not "major" rules within the meaning of E.O. 12291 and no Regulatory Impact Analysis is required. Peace Corps has determined that the regulations under consideration will not impose compliance costs or reporting burdens on the public; and that the regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Analysis is required under 5 U.S.C. 602.

DATED: February 26, 1985 Alexander B. Cook, General Counsel.

PEACE CORPS (PEACE)

COLLECTION OF CLAIMS BY ADMINISTRATIVE OFFSET

Legal Authority: 31 USC 3701 et seq; 4 CFR 102

CFR Citation: 22 CFR 309

Small Entity: Not Applicable

Abstract: Regulation prescribes the procedures and requirements for collection of debts owed to Peace Corps by administrative offset in accordance with the Federal Claims Collection Act of 1966 (80 Stat. 309) and Debt Collection Act of 1982 (PL 97-365).

Timetable:

Action	Date	FR Cite
NPRM	10/01/85	

Agency Contact: Thomas F. Wilson, Director, Office of Financial Management, Peace Corps, 806 Connecticut Ave, NW M-401, Washington, DC 20526, 202 254-7960

RIN: 0420-AA00

EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 22 CFR 310

Abstract: Comprehensive regulations for processing individual and class EEO complaints of Peace Corps employees. Under development.

Current and Projected Rulemakings

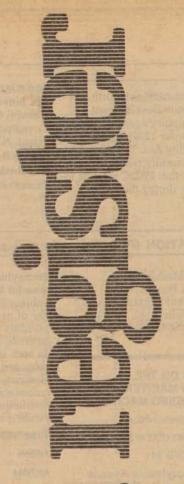
Timetable:

Action	Date	FR	Cite
NPRM	10/01/85	1	

Small Entity: Not Applicable

Agency Contact: H. Zeke Rodriguez, Equal Opportunity Manager, Peace Corps, 806 Connecticut Avenue NW, Washington, DC 20526, 202 254-8320

RIN: 0420-AA01 [FR Doc. 85-6391 Filed 04-28-85; 8:45am] BILLING CODE 6051-01-T



Monday April 29, 1985

Part XXXVII

Pennsylvania Avenue Development Corporation

Semiannual Regulatory Agenda



PADC

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

36 CFR Ch. IX

Unified Agenda of Federal Regulations

AGENCY: Pennsylvania Avenue Development Corporation.

ACTION: Unified Agenda of Federal

Regulations.

SUMMARY: This document sets forth the Pennsylvania Avenue Development Corporation's regulatory agenda issued under Executive Order 12291 and the Regulatory Flexibility Act. The Agenda lists regulations currently under rulemaking review that PADC expects to have as a final rule during the next twelve months.

FOR FURTHER INFORMATION CONTACT:

Ms. Janet Bruner, Attorney, Office of the General Counsel, Pennsylvania Avenue Development Corporation, 425 13th Street, N.W., Washington, D.C. 20004; (202) 566-1078.

M. J. Brodie,

Executive Director.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (PADC)

PROCEDURES AND UNIFORM STANDARDS FOR PUBLIC USE OF PARKS AND PLAZAS

Priority: Undetermined

Legal Authority: 40 USC 875(5)

CFR Citation: 36 CFR 915

Abstract: The Pennsylvania Avenue Development Corporation (PADC) has received an increasing number of requests for public use of parks and plazas within the Pennsylvania Avenue Development Area. The proposed regulations would ensure equality of opportunity for use of PADC parks and plazas while protecting public property, safety, and tranquility.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	AND DESCRIPTION

Small Entity: No

Agency Contact: Madeleine B. Schaller, Attorney, Pennsylvania Avenue Development Corporation, 425 13th Street, NW, Suite 1148, Washington, DC 20004, 202 566-1078

RIN: 3208-AA01

RESTRICTIONS ON THE PLACEMENT AND MAINTENANCE OF NEWSPAPER VENDING MACHINES

Priority: Agency Determination
Legal Authority: 40 USC 875(5)

CFR Citation: 36 CFR 911

Abstract: The Pennsylvania Avenue Development Corporation (PADC) is responsible for rejuvenating Pennsylvania Avenue into an attractive and pleasant physical setting which offers comfortable places for residents and visitors to stroll, rest, sit and talk, eat, and shop. The PADC recognizes the value of allowing access to the Pennsylvania Avenue Development area for the sale and distribution of publications. However, the unregulated use of newspaper vending machines presents inconvenience and safety hazards, constituting a public nuisance as well as being unsightly. The proposed regulations are designed to eliminate these problems by imposing reasonable time, place, and manner restrictions on the use of newspaper vending machines.

Current and Projected Rulemakings

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	Military 2

Small Entity: No

Agency Contact: Madeleine B. Schaller, Attorney, Pennsylvania Avenue Development Corporation, 425 13th Street, NW, Suite 1148, Washington, DC 20004, 202 566-1078

RIN: 3208-AA02

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (PADC)

Existing Regulations Under Review

POLICY AND PROCEDURES TO FACILITATE SUCCESSFUL RELOCATION OF BUSINESS AND RESIDENTS WITHIN PENNSYLVANIA AVENUE DEVELOPMENT AREA

Priority: Agency Determination

Legal Authority: 40 USC 875 Pennsylvania Avenue Dev Corporation Act of 1972

CFR Citation: 36 CFR 908

Abstract: Supplements existing relocation regulations by providing additional relocation assistance as required by the PADC plan. No definite timetable.

Timetable:

Action	Date	n E	FR	Cite
Interim Final Rule	12/13/83	48	FR	55458
End Review	12/00/85			

Small Entity: No

Agency Contact: Mr. Jerry Smedley. Director of Real Estate, Pennsylvania Avenue Development Corporation, 425 13th Street, NW, Washington, DC 20004. 202 523-3726

RIN: 3208-AA00

[FR Doc. 85-6390 Filed 04-26-85; 8:45 am]

BILLING CODE 7630-01-T



Monday April 29, 1985

Part XXXVIII

Pension Benefit Guaranty Corporation

Semiannual Regulatory Agenda



PBGC

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Ch. XXVI

Agenda of Regulations Under Development

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Agenda of regulations.

SUMMARY: This document sets forth the Pension Benefit Guaranty Corporation's regulatory agenda issued under Executive Order 12291 and the Regulatory Flexibility Act. The agenda lists regulations that are currently under development or that PBGC expects to have under development during the next twelve months and regulations that are currently under review for possible amendment. The effect of this agenda is to advise the public of PBGC's current and future regulatory activities.

ADDRESS: Corporate Policy and Regulations Department (611), Pension Benefit Guaranty Corporation, 2020 K Street, N.W., Washington, D.C. 20006.

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact Renae R. Hubbard, Special Counsel, Corporate Policy and Regulations Department, 202-254-6476. For information about a specific regulation project listed on the agenda, contact the person designated in the agenda for that regulation.

SUPPLEMENTARY INFORMATION: Under the President's Order on Federal Regulation, Executive Order 12291, 46 FR 13193, each agency is required to publish in April and October an agenda of regulations currently or soon to be under development. The Executive Order requires that the agenda also include those currently effective regulations that are being reviewed by the agency pursuant to the Executive Order. The Regulatory Flexibility Act, 5 U.S.C. 601, Pub. L. 96-354, 94 Stat. 1164, has a similar agenda requirement. Under that law, the agenda must list any regulation that is likely to have a significant economic impact on a substantial number of small entities.

The Office of Management and Budget has issued guidelines (OMB Bulletin No. 85-6) prescribing the form and content of the regulatory agenda. Under those guidelines, the agenda must list all regulatory activities being conducted or reviewed in the next twelve months and provide certain specified information on each regulation. Most of the items on this agenda are current or projected rulemakings. Three items are existing regulations that PBGC has under review pursuant to the Executive Order.

The guidelines also require that "priority regulations" be identified. Priority regulations are those designated for priority development and review by the agency head or those that are "major rules" under the Executive Order. PBGC has determined that all the regulatory activities listed in this agenda are necessary to the effective implementation of the insurance

program and, therefore, each is considered a "priority regulation."

Finally, the guidelines require a description of the potential costs and benefits of each regulation. The regulations listed on the agenda fall into three general categories. Some lessen statutory requirements, thereby lowering costs to the public and minimizing burden on plans and plan sponsors. Others simply implement statutory requirements and, although costs may be imposed because of these statutory requirements, the public is benefited by clear and unambiguous rules that lessen the probability of disputes, litigation and public confusion. Others of the regulations in the agenda reallocate costs necessarily imposed by the statute so that, although certain contributing employers may experience greater costs, others will experience an equivalent reduction in costs resulting in a net effect of zero. Where applicable, additional costs and benefits are stated separately in the item relating to the particular regulation.

Unless otherwise indicated, all citations in the agenda are to sections of the Employee Retirement Income Security Act of 1974, Pub. L. No. 93-406, 88 Stat. 829, as amended by the Multiemployer Pension Plan Amendments Act of 1980 ("the Multiemployer Act"), Pub. L. No. 96-364, 94 Stat. 1208 ("ERISA"), 29 U.S.C. 1001 et seq. (1982).

C. C. Tharp,

Executive Director, Pension Benefit Guaranty Corporation.

PENSION BENEFIT GUARANTY CORPORATION (PBGC)

Current and Projected Rulemakings

ARBITRATION OF DISPUTES IN MULTIEMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1321(a)(2) ERISA

CFR Citation: 29 CFR 2641

Abstract: Section 4221 of ERISA provides that any dispute between an employer and the sponsor of a multiemployer plan regarding the determination of the employer's withdrawal liability to the plan shall be resolved through arbitration. Section 4221(a)(2) of ERISA provides that an arbitration proceeding under this section shall be conducted in

accordance with fair and equitable procedures prescribed by the PBGC. The regulation will set forth those procedures. This regulation is needed to provide the rules of procedure under which an arbitration proceeding will be conducted. PBGC expects that the rule will minimize costs on plan sponsors and contributing employers because it provides a clear set of rules designed to clarify the Act's provisions and the responsibilities of the respective parties.

Timetable:		
Action	Date	FR Cite
NPRM	07/07/83	48 FR 31251
NPRM Comment Period Begin	07/07/83	
NPRM Comment Period End	09/06/83	
Final Action	00/00/00	
Small Entity: N	0	

Agency Contact: Mrs. Renae Hubbard. Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, [611], 2020 K St, NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA05

POWERS AND DUTIES OF PLAN SPONSORS OF PLANS TERMINATED BY MASS WITHDRAWAL: NOTICES OF BENEFIT REDUCTIONS AND SUSPENSIONS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(2) ERISA; 29 USC 1441(c) ERISA; 29 USC 1441(d) ERISA

CFR Citation: 29 CFR 2675

Abstract: Section 4281 of ERISA contains rules relating to the administration and payment of benefits under multiemployer plans that have terminated by mass withdrawal. Under certain circumstances, the plan sponsor is required to amend the plan to eliminate benefits not eligible for PBGC's guarantee under Section 4022A. In addition, if the terminated plan becomes insolvent, the sponsor is required to suspend payment of any benefits that are in excess of those guaranteed under Section 4022A. The PBGC is authorized to modify the statutory duties of the plan sponsor. including the duty to provide participants and beneficiaries with notice of benefit reductions, and is required to prescribe rules that ensure that plan participants and beneficiaries receive adequate notice of the benefit suspensions. This regulation will prescribe the requirements for these two notices, and will also modify the statutory rules concerning when a plan sponsor must make determinations of plan solvency. This regulation will benefit multiemployer plans by reducing the number of notices that would otherwise be required under ERISA, thus reducing plan costs. In addition, the regulation will (cont)

Timetable:

Action	Date	FR	Cite
NPRM	06/13/83	48 FR	27092
NPRM Comment Period Begin	06/13/83		
NPRM Comment Period End	08/12/83		
Final Action	00/00/00		i conzun

Small Entity: No

Additional Information: ABSTRACT CONT: benefit plan participants and beneficiaries by requiring that they receive timely and informative notices of benefit reductions and suspensions. These benefits cannot be quantified. While providing the notices required by the regulation will obviously entail a cost to plans, the aggregate cost will be low: PBGC estimates that fewer than 10 plans per year will terminate by mass withdrawal, and only a very few of those will ever be required to reduce or suspend benefits.

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St. NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA07

NOTICE OF INSOLVENCY

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1426(e) ERISA

CFR Citation: 29 CFR 2674

Abstract: Section 4245(e) of ERISA requires the plan sponsor of a multiemployer plan, upon determining that the plan may become insolvent, to give notice of that fact to the PBGC. contributing employers, affected employee organizations and plan participants. In addition, the plan sponsor must inform those parties of the plan's resource benefit level for the insolvency year. Section 4245(e)(4) of ERISA requires that the notices be given in accordance with regulations prescribed by the PBGC. This regulation will establish the procedures for issuing and the contents of the insolvency notices. The early notice of potential plan insolvency to the collective bargaining parties will enable the parties, if they so choose, to negotiate additional contributions in order to avoid insolvency and the consequent benefit suspensions. This is of benefit to plan participants and beneficiaries. although it is not possible to quantify that benefit.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein. Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA09

REDUCTION OR WAIVER OF COMPLETE WITHDRAWAL LIABILITY

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1387(a) ERISA

CFR Citation: 29 CFR 2647

Abstract: Section 4207(a) of ERISA requires the PBGC to establish rules for reducing or waiving the liability of an employer who has completely withdrawn from a multiemployer plan and subsequently resumes covered operations or renews the obligation to contribute under the plan. This regulation will prescribe the circumstances under which an employer's liability will be reduced or waived and the rules for computing the employer's liability for a complete or partial withdrawal after it has reentered the plan. This regulation will benefit multiemployer plans by encouraging some employers who have withdrawn from these plans to renew their participation in the plans. By the same token these employers will benefit by having some or all of their withdrawal liability waived. While the plans will incur the cost of foregoing collection of some of the withdrawal liability owed them, the assumption underlying this statutory provision is that these costs will be offset by the contributions employers will make to the plans after their reentry. PBGC is unable to quantify these benefits and costs, because it cannot predict the number of employers who will avail themselves of this rule.

Timetable:

Action	Date		FR	Cite
NPRM	03/05/84	49	FR	8036
NPRM Comment Period Begin	03/05/84	49	FR	8038
NPRM Comment Period End	05/04/84			
Final Action	00/00/00			
Small Entity: N	0			

PBGC

Agency Contact: Mr. Steven

Rothenberg, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA14

REDETERMINATION OF WITHDRAWAL LIABILITY UPON MASS WITHDRAWAL

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(13) ERISA; 29 USC 1389(c) ERISA; 29 USC 1389(d) ERISA; 29 USC 1399(c)(1)(D) ERISA

CFR Citation: 29 CFR 2648

Abstract: The rules for determining an employer's withdrawal liability do not necessarily allocate a plan's total unfunded vested benefits because of the rules reducing or eliminating withdrawal liability, such as the de minimis rule. Therefore, if all or substantially all the employers in a plan withdraw, there may be large unallocated amounts that would constitute a potential claim on the insurance system. In order to avoid this result, section 4219(c)(1)(D) requires the determination or redetermination of withdrawal liability, in order to fully allocate a plan's unfunded vested benefits, upon either the termination of the plan through the withdrawal of every employer, or the withdrawal of substantially all the employers pursuant to an agreement or arrangement to withdraw. This regulation will set forth rules implementing this requirement. This regulation primarily benefits the multiemployer insurance program and the plans that are required to pay premiums under it, by insuring that in the event of a mass withdrawal (or the withdrawal of substantially all the employers pursuant to an agreement to withdraw), the liability for all unfunded vested benefits is allocated to the (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/14/84	49 FR 45018
NPRM Comment Period Begin	11/14/84	49 FR 45019
NPRM Comment Period End	01/14/85	
Interim Final Rule	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: withdrawing employers. In

addition, in the case of the withdrawal of substantially all employers, the rule will benefit the employers remaining in the plan by preventing them from being left with more than their fair share of the plan's unfunded vested benefits.

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA16

VALUATION OF PLAN ASSETS AND PLAN BENEFITS FOLLOWING MASS WITHDRAWAL

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1441(b) ERISA

CFR Citation: 29 CFR 2676

Abstract: A plan that has terminated by mass withdrawal is required under section 4281(b) of ERISA to perform an annual valuation of the plan's nonforfeitable benefits and assets (including outstanding claims for withdrawal liability). This valuation is to be done in accordance with PBGC regulations. In addition, when a plan experiences a mass withdrawal, section 4219(c)(1)(D) requires the plan sponsor to allocate fully the plan's unfunded vested benefits to all withdrawing employers. In order to do this allocation, the plan sponsor must first value the plan's benefits and assets. This regulation will prescribe the rules for these valuations. The regulation on valuing outstanding claims for withdrawal liability listed on previous PBGC agendas (RIN 1212-AA17) has been merged into this regulation.

Timetable:

Action	Date		FR	Cite
NPRM	02/19/85	50	FR	6956
NPRM Comment Period Begin	02/19/85	50	FR	6956
NPRM Comment Period End	04/16/85			
Final Action	00/00/00			

Small Entity: No

Agency Contact: Ms. Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA18

RULES UNDER SECTIONS 4041A AND 4281 FOR PLANS TERMINATED BY MASS WITHDRAWAL

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1341a ERISA; 29 USC 1441(d) ERISA

CFR Citation: 29 CFR 2675

Abstract: Section 4041A of ERISA provides rules with respect to the termination of multiemployer plans and the payment of benefits under those plans. Under section 4041A(f)(2), PBGC is authorized to prescribe rules for the administration of those plans that are appropriate to protect the interests of plan participants and beneficiaries or to prevent unreasonable loss to the insurance system. Under section 4281(b), the plan sponsor of a plan that has terminated by mass withdrawal is required annually to determine the value of the plan's nonforfeitable benefits and assets. If the value of the benefits exceeds the value of the assets, the sponsor must amend the plan to eliminate benefits not eligible for PBGC's guarantee under section 4022A(b), to the extent necessary to insure that the plan assets are sufficient to pay all nonforfeitable benefits. This determination of sufficiency is to be made in accordance with rules prescribed by PBGC. This regulation would establish the rules for administering plans that have terminated by mass withdrawal, including the rules for determining sufficiency in the circumstances described above. The primary purpose (cont)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: and benefit of this regulation will be to establish rules that encourage the efficient administration of these plans. By thus helping to preserve plan assets, these rules will, in the first instance, benefit plan participants and

beneficiaries and secondarily, the multiemployer insurance system and premium payers. PBGC lacks adequate data to be able to quantify these benefits.

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA19

TRANSFERS FROM MULTIEMPLOYER PLANS TO SINGLE-EMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3); 29 USC 1412; 29 USC 1414

CFR Citation: 29 CFR 2679

Abstract: Sections 4232 and 4234 of ERISA prescribe rules governing the transfer of liabilities and assets from a multiemployer plan to a single-employer plan and prohibit certain transfers unless approved by PBGC. The regulation will establish procedures for requesting and criteria for PBGC approval of transfers which require approval and guidelines for satisfying the statutory requirements pertaining to other transfers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	THE CALL

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA20

ALLOCATING UNFUNDED VESTED BENEFITS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3); 29 USC 1391(c)

CFR Citation: 29 CFR 2642

Abstract: On January 19, 1981, PBGC issued an interim regulation dealing with alternative methods for allocating unfunded vested benefits in multiemployer pension plans. PBGC now plans to re-promulgate that regulation in order to correct ambiguities that have arisen under it, to

conform the procedures contained in it to other PBGC regulations, and to reduce the information reporting requirements in the regulation. The regulation will impose no new costs on the public and may reduce costs for plans adopting certain alternative allocation rules by reducing the reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	The state of

Small Entity: No

Agency Contact: Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA21

REDUCTION OR WAIVER OF PARTIAL WITHDRAWAL LIABILITY

Priority: Agency Determination

Legal Authority: 29 USC 1302(b) (3); 29 USC 1388(e) (3)

CFR Citation: 29 CFR 2649

Abstract: Section 4208(e)(3) of ERISA requires PBGC to issue a procedural regulation under which a multiemployer plan may adopt rules for the reduction or elimination of partial withdrawal liability. This regulation will allow plans to ease the statutory partial withdrawal liability rules where, for example, the rules are harmful to the plan because they discourage an employer from increasing its participation under the plan, or where the statutory rules create administrative burdens which outweigh the protections afforded by the rules.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	The State of

Small Entity: No

Agency Contact: J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA22

LIMITATIONS ON WITHDRAWAL LIABILITY FOR SALES AND EMPLOYER LIQUIDATIONS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b) (3); 29 USC 1405

CFR Citation: 29 CFR 2650

Abstract: Section 4225 of ERISA limits the amount of unfunded vested benefits under a multiemployer plan that can be allocated to an employer in the event that the employer (1) sells all or substantially all of its assets, or (2) is insolvent and undergoing liquidation or dissolution. The regulation will provide guidance on the application of the limits, including their application in the case of withdrawals from more than one plan.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	A CONTRACTOR

Small Entity: No

Agency Contact: J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulation Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA23

APPROVAL OF PLAN AMENDMENTS UNDER SECTION 4220

Priority: Agency Determination

Legal Authority: 29 USC 1302(b) (3); 29 USC 1400

CFR Citation: 29 CFR 2677

Abstract: Under section 4220, certain amendments that multiemployer plans are authorized by ERISA to adopt and which are adopted after April 29, 1983, are effective only if PBGC approves the amendment or fails to disapprove the amendment within 90 days after being notified of it. This regulation will prescribe the procedures for requesting PBGC approval of these plan amendments.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

PBGC

Agency Contact: J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA24

NON-STATUTORY ALLOCATION METHODS NOT REQUIRING PRIOR PBGC APPROVAL

Priority: Agency Determination

Legal Authority: 29 USC 1302(b) (3); 29 USC 1391(c) (5) (B)

CFR Citation: Not yet determined

Abstract: This regulation will set forth alternative approaches that multiemployer plans may use in reallocating otherwise nonassessable withdrawal liability to employers in the plan. Plans currently using the presumptive method or the modified presumptive method must reallocate certain of these amounts because of the provisions in the Deficit Reduction Act of 1984 (DEFRA) concerning retroactive withdrawal liability. Under this regulation, a plan using the presumptive method will be permitted to adopt an amendment either to allocate, in the plan year in which DEFRA was effective, the unamortized balance of amounts otherwise allocable to employers that withdrew before DEFRA, or to treat the last plan year ending before DEFRA's effective date as the initial year for purposes of computing annual changes. The regulation also will permit a plan using the modified presumptive method to adopt an amendment that maintains the allocation fraction that the plan used before DEFRA. This regulation is intended to ease the administrative costs that the recomputations required by DEFRA would otherwise impose on affected multiemployer plans.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	The State of the S

Small Entity: No

Agency Contact: J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K Street, NW, Washington, DC 20006, 202 254-4860

RIN: 1212-AA31

NOTICE OF INTENT TO TERMINATE FOR NON-MULTIEMPLOYER PENSION PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC

CFR Citation: 29 CFR 2616

Abstract: Section 4041(a) of ERISA requires that a plan administrator file with the PBGC a notice that the plan is to be terminated. This rule would amend PBGC's regulation on Notice of Intent to Terminate for Single-Employer Plans, 29 CFR Part 2616, to provide that a notice or action document shall be deemed filed on the date on which it is received by the PBGC. The current regulation provides that a document is generally deemed filed on the date of the U.S. Postal Service postmark. Confusion has resulted because of the widespread use of private postage meters and the fact that the date on which a document is placed in a mailbox may not correspond with the U.S. Postal Service postmark. This amendment also would clarify the procedures for filing a notice of intent to terminate when a plan administrator chooses to use an alternative procedure for demonstrating sufficiency under PBGC's regulation on Determination of Plan Sufficiency and Termination of Sufficient Plans, 29 CFR Part 2617. This amendment, which will minimize confusion over the correct date and manner of filing, will be issued in conjunction with the amendment to 29 CFR Part 2617.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	A STATE OF THE STA
Constitute	NA.	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulation Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA00

RULES FOR VALUING GROUP INSURANCE CONTRACTS (AMENDMENT TO THE VALUATION OF PLAN ASSETS REGULATION)

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1341 ERISA; 29 USC 1344 ERISA; 29 USC 1362(b)(1) ERISA CFR Citation: 29 CFR 2620

Abstract: This amendment to the existing PBGC regulation on valuing plan assets, 29 CFR Part 2620, will set forth rules for valuing group insurance contracts as plan assets. This regulation applies to single-employer plans. This rule is necessary to provide uniform standards for plan administrators and employers to use in valuing insurance contracts. The rule will enable plans which are funded through insurance contracts to have clear guidance on how this asset should be treated in the plan termination context, and alleviate time-consuming costly delays due to uncertainty on how this commonly used plan funding vehicle should be valued.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	THE REAL PROPERTY.
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA01

DETERMINATION OF PLAN SUFFICIENCY AND TERMINATION OF SUFFICIENT PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1341; 29 USC 1344

CFR Citation: 29 CFR 2617

Abstract On January 28, 1981, PBGC issued a final rule on Determination of Plan Sufficiency and Termination of Sufficient Plans, requiring administrators of plans that are not "clearly insufficient" to follow a specified procedure for demonstrating whether the plan is sufficient. Pursuant to this procedure, the plan administrator must, inter alia, value the plan's assets and liabilities as of a proposed distribution date and submit the valuation data to the PBGC. In light of its experience in processing plans under this regulation, the PBGC has concluded that for some plans the data submission requirement is unnecessary. Accordingly, PBGC now plans to amend that regulation to set forth, as an alternative method for demonstrating sufficiency, the submission of an

enrolled actuary's statement certifying that the value of plan assets determined in accordance with the regulation equals or exceeds the value of plan benefits determined in accordance with the regulation. This amendment sets forth a simplified optional procedure for demonstrating sufficiency and may reduce costs for terminating plans. The regulation currently provides that an employer may, before the date of plan (cont)

Timetable:

Action	Date	FR	Cite
NPRM	11/02/84	49 FR	44106
NPRM Comment Period Begin	11/02/84	49 FR	44106
NPRM Comment Period End	01/02/85		
Final Action	00/00/00		

Small Entity: No

Additional Information: ABSTRACT CONT: termination, make a commitment to pay any sum necessary to make an otherwise insufficient plan sufficient. This amendment would permit such commitment also to be made after the date of termination at the discretion of the PBGC.

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, [611], 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA25

VALUATION OF PLAN BENEFITS IN NON-MULTIEMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1341; 29 USC 1344; 29 USC 1362

CFR Citation: 29 CFR 2619

Abstract: This rule would amend PBGC's regulation on Valuation of Plan Benefits in Non-Multiemployer Plans, 29 CFR Part 2619. That regulation sets forth the rules for valuing benefits in terminating plans that are covered by the insurance program under ERISA, which valuation is needed to determine if plan assets are sufficient to provide for plan benefits and to properly allocate assets to those benefits. After review of this regulation pursuant to Executive Order 12291, the PBGC is

amending the rules for valuing benefits payable as lump sums upon termination. The effect of this amendment is to prescribe the range of interest rates that may be used to value lump sums that are paid in lieu of annuities. The amendment, in the form of an interim final rule, is needed to protect recipients of lump sum distributions from loss of benefit value resulting from the use of inappropriate interest rates to compute the lump sum amounts.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/85	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA26

PAYMENT OF PREMIUMS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1306; 29 USC 1307

CFR Citation: 29 CFR 2610

Abstract: Section 4007 of ERISA provides that premiums under Title IV are payable at the time, and on an estimated, advance, or other basis, as determined by PBGC. This rule would amend PBGC's regulation on Payment of Premiums, 29 CFR Part 2610, to accelerate collection of PBGC premium revenue from plans with 500 or more participants. The amendment would change the premium due date for such plans to the last day of the second month following the close of the plan year. This amendment is needed to bring PBGC practice in line with the collection practices of other governmental programs and typical insurance industry practice.

Timetable:

Action	Date		FR	Cite
NPRM	01/09/85	50	FR	1065
NPRM Comment Period Begin	01/09/85	50	FR	1065

Action Date FR Cite

NPRM Comment 01/24/85
Period End
Final Action 03/29/85

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA29

VALUATION OF PLAN BENEFITS IN NON-MULTIEMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1341; 29 USC 1344; 29 USC 1362

CFR Citation: 29 CFR 2619

Abstract: The PBGC's regulation on Valuation of Plan Benefits in Non-Multiemployer Plans, 29 CFR Part 2619, prescribes actuarial assumptions and methods to be used in valuing benefits in terminated single-employer pension plans. The PBGC intends to amend this regulation to adopt the approach to valuation employed in proposed regulation on valuation of benefits in multiemployer plans terminated by mass withdrawal, 29 CFR Part 2676 that was published on February 19, 1985 (50 FR 6956), in order to conform more precisely to generally accepted actuarial practice. The proposed amendment would enable PBGC valuations to more accurately reflect interest and other assumptions that underlie the insurance annuity market place.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulation Department, (611), 2020 K Street, NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA32

PENSION BENEFIT GUARANTY CORPORATION (PBGC)

Existing Regulations Under Review

TRANSACTIONS INVOLVING REVERSIONS OF RESIDUAL ASSETS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1322; 29 USC 1322B; 29 USC 1341; 29 USC 1344

CFR Citation: 29 CFR 2613; 29 CFR 2617; 29 CFR 2618; 29 CFR 2621

Abstract: On May 23, 1984, the PBGC announced that it, along with the Treasury Department and the Department of Labor, had adopted implementation guidelines for processing defined benefit pension plan terminations involving asset reversions to the plan sponsor. The PBGC has initiated a review of its regulations on Guaranteed Benefits (formerly RIN 1212-aa28), 29 CFR Part 2613, Allocation of Assets in Non-Multiemployer Plans, 29 CFR Part 2618, Determination of Plan Sufficiency and Termination of Sufficient Plans, 29 CFR Part 2617, and Limitation on Guaranteed Benefits, 29 CFR Part 2621, in order to determine what amendments may be needed to reflect the conclusions of the May 23, 1984 guidelines concerning the legal effect of certain transactions that result in reversions of pension plan assets to the sponsors of terminated plans. The review also covers the types of annuity contract that may be purchased to close out a plan that has residual assets at the time of its termination.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	The state of the s

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA27

ALLOCATION OF ASSETS IN NON-MULTIEMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3); 29 USC 1344

CFR Citation: 29 CFR 2618

Abstract: Section 4044 of ERISA provides rules for the allocation of assets in a terminating single-employer plan to benefits in priority categories 1 through 6. The PBGC's regulation on Allocation of Assets interprets those rules and describes procedures for the allocation and distribution of plan assets to participants in the terminating plan. Section 301 of the Retirement Equity Act of 1984 provides that an amendment that eliminates an early retirement benefit or retirement-type subsidies, or an optional benefit form will be treated as an impermissible reduction in accrued benefit under certain conditions. The PBGC has initiated a review of its Allocation of Assets regulation in order to determine whether an amendment is needed for guidance in the proper allocation of these "section 301 accrued benefits."

Timetable:

Action	Date	FR Cite
Begin Review	04/01/85	
End Review	00/00/00	

Small Entity: No.

Agency Contact: Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K Street, NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA30

© EMPLOYER LIABILITY FOR SINGLE-EMPLOYER PLAN TERMINATIONS; RULES PERTAINING TO WITHDRAWALS FROM AND TERMINATIONS OF PLANS TO WHICH MORE THAN ONE EMPLOYER CONTRIBUTES OTHER THAN (CONT)

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1362; 29 USC 1363; 29 USC 1364; 29 USC 1367; 29 USC 1368

CFR Citation: 29 CFR 2622

Abstract: The PBGC's regulation on Employer Liability prescribes rules for the determination and payment of employer liability that is due under ERISA if a plan lacks sufficient assets to pay for guaranteed benefits. Employer liability is due as of the date of plan termination, but often is not paid in a timely fashion. The PBGC has initiated a review of this regulation in order to determine what, if any, amendments could be adopted to provide employers with greater incentive to make timely payments of employer liability owed to the PBGC.

Timetable:

Action	Date	FR Cite
Begin Review	05/15/85	SCHOOL STREET
End Review	00/00/00	

Small Entity: No

Additional Information: TITLE CONT: Multiemployer Plans

Agency Contact: Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulation Department, (611), 2020 K Street, NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA33

PENSION BENEFIT GUARANTY CORPORATION (PBGC)

Completed Actions

COMPLETED RULEMAKINGS SUPPLEMENTAL GUARANTEE PROGRAM

Legal Authority: 29 USC 1302(b)(3) ERISA: 29 USC 1322a(g)(2) ERISA

CFR Citation: 29 CFR 2690 to 2699

Abstract: Section 4022A(g)(2) of ERISA requires PBGC to issue regulations establishing a supplemental program to

guarantee benefits under multiemployer plans that would otherwise be guaranteed but for the limitations in section 4022A(c) of ERISA. Participation by plans in this supplemental program is optional. ERISA requires that the supplemental guarantee program be entirely self-supporting. The information PBGC has indicates there is very little public interest in this program.

Therefore, PBGC has determined that the program is financially unfeasible, and accordingly this project has been withdrawn.

Timetable:

Action	Date		FR	Cite
NPRM	02/01/83	48	FR	4632
NPRM Comment Period Begin	02/01/83			

Action	Date	FR Cite	
NPRM Comment Period End	04/04/83		
Withdrawn	10/30/84		

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA12

RULES DEFINING THE "BUILDING AND CONSTRUCTION INDUSTRY"

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1383(b) ERISA

CFR Citation: 29 CFR 2646

Abstract: Section 4203(b) of ERISA contains special withdrawal rules applicable to the building and construction industry. Because ERISA does not define certain terms that are critical to the special rules, the PBGC issued an advance notice of proposed rulemaking. The notice was published in order to obtain the views of the public on whether a regulation is needed and on what it might contain. Because there are conflicting views among the public as to the need for this regulation, and because of the difficulty in developing appropriate definitions, the PBGC has decided that it will not proceed with this regulation.

Timetable:

Action	Date		FR	Cite
ANPRM	09/28/82	47	FR	42588
ANPRM Comment Period Begin	09/28/82			
ANPRM Comment Period End	11/29/82			
Withdrawn	02/27/85			

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA13

TRANSFERS OF LIABILITIES TO SINGLE-EMPLOYER PLANS: WAIVER OF MULTIEMPLOYER PLAN'S CONTINGENT LIABILITY

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1412(c) ERISA

CFR Citation: 29 CFR 2679

Abstract: Under section 4232(c), a multiemployer plan that transfers liabilities to a single-employer plan is contingently liable to PBGC, up to the amounts specified in section 4232(c), if the single-employer plan terminates within five years after the transfer. PBGC is authorized, however, to waive the contingent liability if it determines that its interests and the interests of plan participants and beneficiaries are adequately protected. This regulation will provide procedures for applying to PBGC for a waiver and standards under which waivers will be granted. Because of the small number of waiver requests received to date. PBGC has determined that this project is not a high priority, and that limited staff resources can be better applied to other projects. Accordingly, this regulation is withdrawn. To the extent that waiver procedures and standards are later shown to be needed, they will be incorporated into the regulation on Transfers From Multiemployer Plans to Single-Employer Plans, RIN 1212-AA20.

Timetable:

Action	Date	FR Cite
Withdrawn	10/30/84	NAME OF THE PARTY

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA15

BENEFIT REDUCTIONS IN TERMINATED SINGLE-EMPLOYER PENSION PLANS AND RECOUPMENT OF BENEFIT OVERPAYMENTS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1322 ERISA; 29 USC 1341 ERISA; 29 USC 1342 ERISA; 29 USC 1344 ERISA; 29 USC 1361 ERISA

CFR Citation: 29 CFR 2623

Abstract: The PBGC issued a final regulation to set forth rules designed:

(a) to reduce benefit overpayments

made to plan participants after the date of plan termination by requiring plan administrators to reduce benefit payments to the estimated level of Title IV benefits payable; (b) to define the circumstances under which the PBGC will recover overpayments from plan participants; and (c) to describe the method(s) by which the PBGC will recover overpayments. The regulation applies only to single-employer plans. This regulation is needed to establish rules and procedures for the prompt reduction of benefits after the date of plan termination in order to minimize overpayments to participants and to establish a formal procedure for PBGC recovery of overpayments to participants. This regulation will provide guidance to plan administrators and participants and minimize costs to the insurance system. No new costs will be added to plan sponsors because PBGC presently requests plan administrators to cut back benefits after termination to estimated guaranteed benefits. The effect of the rule in this respect will be simply to provide clear (cont)

Timetable:

Action	Date		FR	Cite
NPRM	10/31/83	48	FR	50111
NPRM Comment Period Begin	10/31/83	48	FR	50111
NPRM Comment Period End	12/30/83			
Final Action	01/29/85	50	FR	3892
Final Action Effective	02/28/85	50	FR	3892

Small Entity: No

Additional Information: ABSTRACT CONT: guidance as to the method and form of the cutback. The rule will greatly minimize losses to the insurance system because it will be far more likely that the overpayments in benefits will be small and will be capable of complete recoupment during the participant's lifetime.

Agency Contact: Mrs. Renae Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA02

COMPLETED REVIEWS GUARANTEED BENEFITS

Priority: Agency Determination

PBGC

Completed Actions

Legal Authority: 29 USC 1302; 29 USC 1322

CFR Citation: 29 CFR 2613

Abstract: The PBGC has expanded its review of transactions involving reversions of residual assets, to include additional PBGC regulations.

Accordingly, this review has been merged with that expanded review, RIN 1212-aa27, which has been retitled

"Transactions Involving Reversions of Residual Assets."

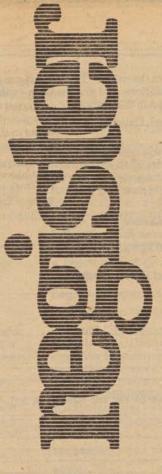
Timetable:

Action Date FR Cite
Withdrawn 02/27/85

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, [611], 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA28 [FR Doc. 85-6392 Filed 64-28-85; 8:45 am] BILLING CODE 7708-01-T



Monday April 29, 1985

Part XXXIX

Railroad Retirement Board

Semiannual Regulatory Agenda



RRB

RAILROAD RETIREMENT BOARD

20 CFR Ch. II

Semiannual Agenda of Regulations Under Development or Review

AGENCY: Railroad Retirement Board.

ACTION: Agenda of regulations under development or review.

SUMMARY: This agenda contains lists of regulations that the Board is developing

or proposes to develop in the next twelve months and regulations that are scheduled to be reviewed in that period.

ADDRESS: 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT:

Steven A. Bartholow, Deputy General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4935 (FTS 387-4935).

SUPPLEMENTARY INFORMATION:

Regulations that are routine in nature or pertain solely to internal agency

Current and Projected Rulemakings

management have not been included in the agenda. Current regulations that are proposed to be modified based on a completed review of the regulations are listed in the agenda as regulations under development.

DATED: February 20, 1985. By Authority of the Board. For the Board.

Beatrice Ezerski,

Secretary to the Board.

Se- quence Number	Title	Regulatio Identifier Number
1	Part 220 Disability Determinations Primary Insurance Amount Determinations Computing the Employee and Spouse Annuity Disclosure of Business Information	3220-AA0
2	Primary Insurance Amount Determinations	3220-AA0
3	Computing the Employee and Spouse Annuity	3220-AA0
4	Disclosure of Business Information	3220-AA1
5	Initial Determinations Under the Railroad Unemployment Insurance Act and Reviews of and Appeals from Such Determinations	
6	Annuity Beginning and Ending Dates	3220-AA1
7	Evidence Required For Payment	3220-AA1
8	Eligibility for an Annuity.	3220-AA1
9	Application for Annuity or Lump Sum	3220-AA1
10	Computing Supplemental Annuities	3220-AA1
11	Lump-Sum Payments	3220-AA1
12	Payments Pursuant to Court Decree or Property Settlement	3220-AA1
13	Garnishment of Benefits Paid Under the Railroad Retirement Act, the Railroad Unemployment Insurance Act, and Under any Other Act Administered by the Board	3220-AA2
14	Enforcement of Nondiscrimination on the Basis of Handicapped in Programs or Activities Conducted by the Railroad Retirement Board	3220-002
15	Waiver of Interest Penalties and Collection Costs with Respect to Collection of Certain Debts	3220-AA2
16	*Temporary Reduction in Benefit Payments Under the Railroad Unemployment Insurance Act	3220-AA2

^{*}Indicates priority regulation.

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
17	Definition and Creditability of Service	3220-AA04
18	Military Service	3220-AA05
19	Definition and Creditability of Compensation	3220-AA06
20	Definition and Creditability of Compensation	3220-AA07
21	Regulations Under the Regional Rail Reorganization Act of 1973	3220-AA09
22	Employers' Contributions And Contribution Reports	3220-AA20

RAILROAD RETIREMENT BOARD (RRB)

Current and Projected Rulemakings

1. PART 220 DISABILITY DETERMINATIONS

Legal Authority: 45 USC 231f(b)(5) CFR Citation: 20 CFR 220 Abstract: The Board's regulations with respect to disability determinations have not been updated for several years and they are, in certain respects, obsolete. When revised, this regulation

should ease the administration of disability benefits and result in greater consistency in disability determinations.

Timetable:		
Action	Date	FR Cite
NPRM	09/00/85	
Small Entit	v: Not Applicable	

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim, Chief of Planning and Procedures,

Chief of Planning and Procedures.
Railroad Retirement Board, Bureau of
Retirement Claims, 844 Rush Street,
Chicago, IL 60611, 312 751-4715

RIN: 3220-AA01

2. PRIMARY INSURANCE AMOUNT DETERMINATIONS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 225

Abstract: The computation of benefits under the Railroad Retirement Act of 1974 is quite complex and is not easily understood by beneficiaries. This proposed regulation would explain primary insurance amount determinations in a manner that will enable claimants and beneficiaries to more easily understand this phase of benefit computations.

Timetable:

Action	Date	FR	Cite
NPRM	09/07/83	48 FR	40390
Final Action	03/00/85		

Small Entity: Not Applicable

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim. Chief of Planning and Procedures. Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush Street, Chicago, IL 60611, 312 751-4715

RIN: 3220-AA02

3. COMPUTING THE EMPLOYEE AND SPOUSE ANNUITY

Legal Authority: 45 USC 2311(b)(5)

CFR Citation: 20 CFR 226

Abstract: The Board's regulations on the computation of employee and spouse annuities must be updated to conform to the Railroad Retirement Act of 1974 and to amendments to the Act made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983

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Action	Date	FR Cite
NPRM	09/00/85	1121118

Small Entity: Not Applicable

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim. Chief of Planning and Procedures, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush Street. Chicago, IL 60611, 312 751-4715

RIN: 3220-AA03

4. DISCLOSURE OF BUSINESS INFORMATION

Legal Authority: 5 USC 552 CFR Citation: 20 CFR 200.3

Abstract: The Department of Justice recently directed Federal agencies to establish procedures, preferably as regulations, to cover requests under the Freedom of Information Act for business information provided by private business concerns. A regulation is under development to comply with this directive.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: FTS 387-4935

Agency Contact: Steven A. Bartholow, Deputy General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4935

RIN: 3220-AA10

5. INITIAL DETERMINATIONS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT AND REVIEWS OF AND APPEALS FROM SUCH DETERMINATIONS

Legal Authority: 45 USC 355(b); 45 USC 362(l)

CFR Citation: 20 CFR 320

Abstract: The Board's regulation setting forth the procedures to be followed in rendering initial decisions and in requesting and handling reconsiderations and appeals from these decisions has been reviewed and a proposal to make certain revisions in this regulation is being developed. The proposed regulation would conform the procedures more closely to those

applicable under the Railroad Retirement Act.

Timetable:

Action	Date	FR Cite
NPRM	00700/00	

Small Entity: Not Applicable

Additional Information: FTS 387-4810

Agency Contact: Walter Witkovich, Chief of Adjudication, Railroad Retirement Board, Bur of Unemployment and Sickness Insurance, 844 Rush Street, Chicago, IL 60611, 312 751-4810

RIN: 3220-AA11

6. ANNUITY BEGINNING AND ENDING DATES

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 218

Abstract: Part 218 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Cmall En	Manufach Andianhla	

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim. Chief of Planning and Procedures.

Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, H. 60611, 312 751-4715

RIN: 3220-AA13

7. EVIDENCE REQUIRED FOR PAYMENT

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 219

Abstract: Part 219 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim, Chief of Planning and Procedures, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, IL 60611, 312 751-4715

RIN: 3220-AA14

8. ELIGIBILITY FOR AN ANNUITY

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 216

Abstract: Part 216 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NIDDM	06/00/85	

Small Entity: Not Applicable

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim, Chief of Planning and Procedures, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, IL 60611, 312 751-4715

RIN: 3220-AA15

9. APPLICATION FOR ANNUITY OR LUMP SUM

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 217

Abstract: Part 217 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Small Entit	v: Not Applicable	

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim, Chief of Planning and Procedures, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, IL 60611, 312 751-4715

RIN: 3220-AA16

10. COMPUTING SUPPLEMENTAL ANNUITIES

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 227

Abstract: Part 227 is being developed to describe how supplemental annuities as provided by the Railroad Retirement Act of 1974 are computed.

Timetable:

Action	Date	FR Cite
NPRM	09/07/83	18 FR 40390
Final Action	03/00/85	

Small Entity: Not Applicable

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim, Chief of Planning and Procedures, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, IL 60611, 312 751-4715

RIN: 3220-AA17

11. LUMP-SUM PAYMENTS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 234

Abstract: Part 234 is being revised to incorporate changes required by amendments to the Railroad Retirement Act and to simplify and clarify the language of that Part.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Small Entity	v: Not Applicable	

Additional Information: FTS 387-4715

Agency Contact: John R. Feldheim, Chief of Planning and Procedures, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, IL 60611, 312 751-4715

RIN: 3220-AA18

12. PAYMENTS PURSUANT TO COURT DECREE OR PROPERTY SETTLEMENT

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 295

Abstract: Section 419 of Public Law 98-76 amended section 14 of the Railroad Retirement Act of 1974 to make certain portions of annuities subject to division in connection with court decrees of divorce, annulment or legal separation. Part 295 will implement this amendment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: FTS 387-4941

Affected Sectors: None

Government Levels Affected: Local, State, Federal

Agency Contact: Karl T. Blank, General Attorney, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4941

RIN: 3220-AA19

13. • GARNISHMENT OF BENEFITS PAID UNDER THE RAILROAD RETIREMENT ACT, THE RAILROAD UNEMPLOYMENT INSURANCE ACT, AND UNDER ANY OTHER ACT ADMINISTERED BY THE BOARD

Legal Authority: 15 USC 1673(b)(2); 42 USC 659; 42 USC 661 to 662; 45 USC 231f(b)(5); 45 USC 362(1)

CFR Citation: 20 CFR 350.1(a); 20 CFR 350.5

Abstract: The Railroad Retirement Board (Board) proposes to revise 20 CFR 350. These regulations currently inform the public of procedures which must be followed to garnish, for purposes of satisfaction of an obligation to pay alimony or child support, benefits paid under the Railroad Retirement and Railroad Unemployment Insurance Acts. The revised regulations include garnishment of benefits paid under other Acts administered by the Board, and reduce the administrative burden on the Board resulting from garnishments.

Timetable:

Action	Date	FR	Cite
NDDM	03/00/85	ART.	

Small Entity: Not Applicable

Additional Information: FTS 387-4929

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Michael C. Litt. General Attorney, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4929

RIN: 3220-AA21

14. 9 ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAPPED IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE RAILROAD RETIREMENT BOARD

Legal Authority: 29 USC 791, 29 USC 792; 29 USC 794 Rehabilitation Act of 1973; 42 USC 4151 to 4157; EO 12067; EO 12250; PL 95-602, Sec 119

CFR Citation: 20 CFR 364; 28 CFR 41; 28 CFR 41.3(f); 28 CFR 41.5(b)(2); 28 CFR 41.31; 28 CFR 41.32; 28 CFR 41.51; 28 CFR 41.56 to .58; 29 CFR 1613; 41 CFR 101-19.600 to .607

Abstract: The proposed regulation provides for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), which prohibits discrimination on the basis of handicap. as it applies to programs or activities conducted by the Railroad Retirement Board.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Small Entit	y: Not Applicable	

Additional Information: FTS 387-4925

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Lawrence D. Smith I. Equal Employment Opportunity Officer. Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4925

RIN: 3220-AA22

15. WAIVER OF INTEREST PENALTIES AND COLLECTION COSTS WITH RESPECT TO COLLECTION OF CERTAIN DEBTS

Legal Authority: 31 USC 3717

CFR Citation: 20 CFR 200.6, 4 CFR 102.13

Abstract: The Railroad Retirement Board (Board) proposes to amend its regulations to provide for waiver of interest, penalties, and collection costs, as authorized by section 11 of the Debt Collection Act of 1982 (PL 97-365), in connection with the collection of certain debts arising from erroneous benefit payments under the several Acts administered by the Board.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Small Entity	: Not Applicable	

Additional Information: FTS 387-4935

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Steven A. Bartholow. Deputy General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4935

RIN: 3220-AA23

Completed:

Final Action

RIN: 3220-AA05

Reason

4877

16. TEMPORARY REDUCTION IN BENEFIT PAYMENTS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT

Date

Agency Contact: Robert Elling 312 751-

FR Cite

11/28/84 49 FR 46728

Priority: Agency Determination

Legal Authority: 45 USC 352(b); 45 USC 362(e)

CFR Citation: 20 CFR 302

Abstract: The Railroad Retirement Solvency Act of 1983 amended section 10(d) of the Railroad Unemployment Insurance Act to prohibit borrowing by the railroad unemployment insurance account from the Railroad Retirement Account after September 30, 1985. Without such borrowing authority and in the absence of corrective legislation. the railroad unemployment insurance system will not have sufficient funds after September 30, 1985, to pay full benefits. Part 302 would describe the methodology and procedures that the Board will follow in determining how and in what amounts benefits would be paid in the event full funding is unavailable.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Small Entit	v. Not Applicable	

Additional Information: FTS 387-4810

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Walter Witkovich. Chief of Adjudication, Railroad Retirement Board, Bureau of Unemployment and Sickness, Insurance, 844 Rush Street, Chicago, IL

60611, 312 751-4810 RIN: 3220-AA24

RAILROAD RETIREMENT BOARD (RRB)

Completed Actions

COMPLETED RULEMAKINGS 17. DEFINITION AND CREDITABILITY OF SERVICE

CFR Citation: 20 CFR 210

Completed:

Reason FR Cite Date Final Action 11/28/84 49 FR 46728

Small Entity: Not Applicable

Agency Contact: Robert Elling 312 751-

RIN: 3220-AA04

19. DEFINITION AND CREDITABILITY OF COMPENSATION

CFR Citation: 20 CFR 211

Small Entity: Not Applicable

Completed:

Reason FR Cite Date 11/28/84 49 FR 46728 Final Action

Small Entity: Not Applicable

Agency Contact: Robert Elling 312 751-4877

RIN: 3220-AA06

20. REPORTS AND INFORMATION TO **BE FILED BY EMPLOYERS**

CFR Citation: 20 CFR 209

18. MILITARY SERVICE

CFR Citation: 20 CFR 212

RRB

Completed Actions

		FR Cite
Final Action	11/28/84	49 FR 4672
Small Entity:	Not Applicable	e

21. REGULATIONS UNDER THE REGIONAL RAIL REORGANIZATION ACT OF 1973

CFR Citation: 20 CFR 395

Completed:

Reason Date FR Cite

Final Action 11/06/84 49 FR 44277

Small Entity: Not Applicable

Agency Contact: Walter Witkovich 312
751-4810

RIN: 3220-AA09

22. EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS CFR Citation: 20 CFR 345 Completed:

Reason Date FR Cite

Final Action 02/07/85 50 FR 5234

Small Entity: Not Applicable

Agency Contact: William Oczkowski 312 751-4590 RIN: 3220-AA20

[FR Doc. 85-6393 Filed 04-26-85; 8:45 am] BILLING CODE 7905-01-T



Monday April 29, 1985

Part XL

Selective Service System

Semiannual Regulatory Agenda



SSS

SELECTIVE SERVICE SYSTEM

32 CFR Ch. XVI

Regulatory Agenda

AGENCY: Selective Service System.

ACTION: Regulatory agenda.

SUMMARY: The purpose of this agenda is to report the proposed rulemaking

activities of the Selective Service System that might affect the processing of registrants under the Military Selective Service Act (50 U.S.C. App. 451 et seq.). This information will allow the public to participate in the System's decision-making at an early stage.

FOR FURTHER INFORMATION CONTACT: Henry N. Williams, General Counsel, Selective Service System, Washington, D.C. 20435, telephone [202] 724-1167. SUPPLEMENTARY INFORMATION: The agenda is published in accord with the requirements of E.O. 12291. Selective Service Regulations appear in 32 CFR Chapter XVI.

DATED: February 15, 1985. Thomas K. Turnage, Director of Selective Service.

The agenda follows:

SELECTIVE SERVICE SYSTEM (SSS)

Current and Projected Rulemakings

SELECTIVE SERVICE REGULATIONS; DEFERMENT OR EXEMPTION FROM MILITARY SERVICE

Legal Authority: 50 USC App. 451 et seq Military Selective Service Act; EO 11623

CFR Citation: 32 CFR Chapter XVI

Abstract: Various sections in 32 CFR Chapter XVI will be revised to increase clarity or expression and make them consistent with 32 CFR Part 1656 which was added at 48 FR 16675 (April 19, 1983). 32 CFR Parts 1662 and 1665 were published as final rules at 47 FR 7223 (February 18, 1982). The remainder of 32 CFR Chapter XVI (except 32 CFR Part 1660 which appears in 32 CFR Part 1660 (July 1, 1981)) was published as final rules at 47 FR 4640 (February 1, 1982).

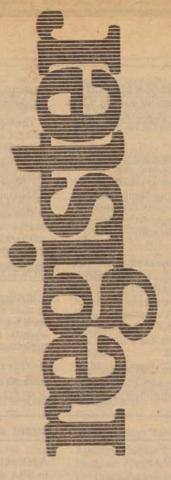
Timetable:

Action	Date	FR Cite
NPRM	10/00/85	2
NPRM Comment Period Begin	10/00/85	

Small Entity: No

Agency Contact: Henry N. Williams, General Counsel, Selective Service System, 1023 31st Street, NW, Washington, DC 20435, 202 724-1167

RIN: 3240-AA01 [FR Doc. 85-6394 Filed 04-26-85; 8:45 am] BILLING CODE 8015-01-T



Monday April 29, 1985

Part XLI

Small Business Administration

Semiannual Regulatory Agenda



SBA

SMALL BUSINESS ADMINISTRATION

13 CFR Ch. I

Improving Government Regulations; Semiannual Agenda

AGENCY: Small Business Administration.

ACTION: Publication of the semiannual agenda of regulations under review or development by the Small Business Administration.

summary: This is SBA's 12th semiannual agenda of regulations. Although not a regulatory Agency, SBA has attempted to draft agendas that met both the criteria and the spirit of the regulatory review process. This agenda is published pursuant to Executive Order 12291 and the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., Pub. L. 96-354, effective January 1, 1981.

FOR FURTHER INFORMATION CONTACT:

For further information on agenda items, the public is encouraged to contact the individual Agency official listed for the particular item.

For information concerning SBA overall Regulatory Review and Development Program or general semiannual agenda questions, contact Martin D. Teckler, Deputy General Counsel, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416, 202/653-6642.

SUPPLEMENTARY INFORMATION: The SBA agenda will contain many regulations which are limited in public impact, but they are included to increase public knowledge of all SBA regulatory activities and allow for increased public participation in the review and development process.

Public comments on SBA's previous agendas have been general, and all-were positive. None were directed at specific contents, nor were any changes suggested or recommended.

The agenda format has three parts. Part I, Current and Projected Rulemakings, includes rulemaking currently underway and scheduled to be completed shortly. Part II, Existing Regulations Under Review, includes existing regulations being reviewed within the Agency to determine whether to propose modifications through rulemaking. Part III, Completed Actions, includes regulations completed or withdrawn, and reviews completed since the preceding agenda.

Publication of this agenda does not impose any binding obligation on SBA with regard to any specific item in the agenda. Additional regulatory action not listed on the agenda is not precluded.

DATED: February 26, 1985. James C. Sanders, Administrator,

SMALL BUSINES'S ADMINISTRATION (SBA)

ELIGIBILITY REQUIREMENTS FOR CERTIFICATE OF COMPETENCY APPLICANTS

Legal Authority: 15 USC 637(b)(7)

CFR Citation: 13 CFR 125.5

Abstract: Revision of the conditions under which SBA will provide a certificate of competency relative to a small concern's ability to perform a government contract.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/12/82 4	7 FR 34972
NPRM	08/00/85	

Small Entity: No

Agency Contact: Robert J. Moffitt. Director, Office of Industrial Support Serv., Small Business Administration, Office of Industrial Assistance, 1441 L Street, NW, Washington, DC 20416, 202 653-7035

RIN: 3245-AA03

MINORITY SMALL BUSINESS AND CAPITAL OWNERSHIP DEVELOPMENT

Priority: Agency Determination, Major Legal Authority: 15 USC 637(a) CFR Citation: 13 CFR 124

Abstract: These regulations would completely revise eligibility and program management for the SBA's Minority Enterprise Program.

Timetable:

Action	Date		FR	Cite
NPRM	12/22/83	48	FR	56686
NPRM Comment Period Begin	12/22/83			
Comment Period extended to 3/21/84	02/17/84	49	FR	6103
NPRM Comment Period End	02/21/84			
Final Action	09/00/85			

Small Entity: Yes

Agency Contact: Carlos Sanchez, Acting Associate Administrator, Small Business Administration, 1441 L Street, NW, Room 317, Washington, DC 20416, 202 653-6407

RIN: 3245-AA12

CIVIL RIGHTS COMPLIANCE: DISCRIMINATION ON THE BASIS OF HANDICAP

Legal Authority: 42 USC 2000d-1

CFR Citation: 13 CFR 136

Current and Projected Rulemakings

Abstract: Prohibition of discrimination in SBA programs on the basis of

handicap.

I illietable.			
Action	Date	FR	Cite
NPRM	07/02/84	49 FR	27164
NPRM Comment Period Begin	07/02/84		
NPRM Comment Period End	10/30/84		
Final Action	05/00/85		

Small Entity: No

Agency Contact: George H. Robinson, Director, Small Business Administration, Office of EEO&C, 1441 L Street, NW, Washington, DC 20416, 202 653-6050

RIN: 3245-AA21

SIZE PROTESTS FOR SUBCONTRACTORS

Priority: Undetermined

Legal Authority: 15 USC 632(a) CFR Citation: 13 CFR 121

Abstract: Procedures for Size Protests for subcontractors.

Timetable: FR Cite Date Action 07/00/85 NPRM

Small Entity: Yes

Agency Contact: Donald P. Young. Associate Administrator, Small Business Administration, Office of Procurement & Technical Assistance. 1441 L Street, NW, Washington, DC 20416. 202 653-6635

RIN: 3245-AA25

AMENDMENTS TO INDUSTRIAL SIZE STANDARDS

Legal Authority: 15 USC 632(a); 15 USC 634(b)

CFR Citation: 13 CFR 121

Abstract: Size Standard for Dredging.

Timetable:

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Action	Date		FR	Cite
ANPRM	12/04/84	49	FR	47414
ANPRM Comment Period Begin	12/04/84	49	FR	47414
NPRM	12/04/84	49	FR	47412
NPRM Comment Period Begin	12/04/84			
ANPRM Comment Period End	01/18/85			
NPRM Comment Period End	01/18/85			
Final Action	05/00/85			

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Small Business Administration, Office of Size Standards, 1441 L Street, NW. Washington, DC 20416, 202 653-6373

RIN: 3245-AA29

SIZE STANDARDS

Priority: Agency Determination Legal Authority: 15 USC 632(a) CFR Citation: 13 CFR 121

Abstract: Revision of substantive rules governing compliance with small business size standards.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: Yes

Agency Contact: David R. Kohler, Associate General Counsel, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-

6373

RIN: 3245-AA40

MANAGEMENT ASSISTANCE

Legal Authority: 15 USC 634(b); 15 USC 637(b)(1)

CFR Citation: 13 CFR 129

Abstract: Authorization of professional and trade associations as identified volunteer programs under section 8(b)(1)(B) of the Small Business Act, 15 USC 637(b)(1)(B).

Timetable:

Action	Date	FR	Cite
NPRM	08/09/84	49 FR	31899
NPRM Comment Period Begin	08/09/84		
NPRM Comment Period End	09/24/84		
Final Action	09/00/85		
O			

Small Entity: Yes

Agency Contact: Barbara Jackson, Program Manager, Office of MA, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-

RIN: 3245-AA45

SMALL BUSINESS SIZE STANDARD: **ENGINEERING SERVICES**

Legal Authority: 15 USC 632(a) CFR Citation: 13 CFR 121

Abstract: Revising small business size standard for the engineering services industry.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/84	
End Review	12/01/84	
NPRM	04/00/85	

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA49

SMALL BUSINESS SIZE STANDARDS; **DEFINITION OF SMALL BUSINESS**

Legal Authority: 15 USC 631 et seq

CFR Citation: 13 CFR 121

Abstract: Establishment of new size standards, one each for business and secretarial schools, vocational schools. job training services, child care services, telephone communication, individual and family social services, and general services.

Timetable:

Action	Date		FR	Cite
Interim Final Rule	07/09/84	49	FR	27924
Individual and Family Social Services Size Standard Interim Final Rule	08/30/84	49	FR	34346
Interim Final Rule - General Services Size Standard	10/12/84	49	FR	39996
NPRM	04/00/85			

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA55

SIZE STANDARDS; TRAVEL **AGENCIES**

Legal Authority: 15 USC 632; 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Abstract: Review of Size Standards necessitated by GSA awards of travel contracts resulted in decision to proposed standard.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW. Washington, DC 20416, 202 653-6373

RIN: 3245-AA58

SIZE STANDARD; PETROLEUM REFINING

Legal Authority: 15 USC 632; 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Abstract: Barrels of throughput limitation revised for Petroleum Refining industry.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85	01/01/4	

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW. Washington, DC 20416, 202 653-6373

RIN: 3245-AA60

BUSINESS LOANS; SECONDARY MARKET SUBSTANTIVE RULES

Priority: Agency Determination Legal Authority: PL 98-352

CFR Citation: 13 CFR 122, Subparts G &

Abstract: Substantive rules governing Secondary Market sales of SBA guaranteed portions sold either individually or as part of pools composed solely of such guaranteed portions.

Timetable

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Action	Date	FR Cite
NPRM	12/18/84	49 FR 49106
NPRM Comment Period Begin	12/18/84	49 FR 49106
NPRM Comment - Period End	02/01/85	
Final Action	04/00/85	

Small Entity: Yes

Agency Contact: James W. Hammersley, Financial Analyst, Small Business Administration, 1441 L Street, NW, Room 800C, Washington, DC 20416, 202 653-5954

RIN: 3245-AA61

BUSINESS AND SPECIAL PURPOSE LOANS

Priority: Major

Legal Authority: 15 USC 634(b)(7); 15 USC 636(a); PL 97-35

CFR Citation: 13 CFR 118; 13 CFR 119; 13 CFR 120; 13 CFR 122; 13 CFR 130

Abstract: Incorporation of all basic loan policies, including borrower eligibility and participant eligibility into Part 120 and descriptions of and procedures relating to specific loan programs into Part 122 of Title 13, CFR.

Timetable:

Action	Date		FR	Cite
NPRM	09/25/84	49	FR	37614
NPRM Comment Period Begin	09/25/84	49	FR	37614
NPRM Comment Period End	11/26/84			
Final Action	06/00/85			

Small Entity: Yes

Agency Contact: Everett Shell, Chief. Loan Processing, Small Business Administration, Office of Business Loans, 1441 L Street, NW, Washington, DC 20416, 202 653-6470

RIN: 3245-AA63

SIZE STANDARDS; WHOLESALE

Legal Authority: 15 USC 634(b)(6); 15 USC 632

CFR Citation: 13 CFR 121

Abstract: Review of wholesale size standard as a result of February 9, 1984 general revision of size standards.

Timetahia

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Action	Date	FR Cite
NPPM	04/00/85	THE RESERVE

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Size Standards Staff, Small Business Administration, 1441 L Street. NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA64

BUSINESS LOAN POLICY

Legal Authority: 15 USC 634(b)(6) CFR Citation: 13 CFR 120

Abstract: Elimination of exception from media policy rule for radio and TV stations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	06/00/85	

Small Entity: Yes

Agency Contact: Charles R. Hertzberg. Deputy Associate Administrator for FA. Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6574

RIN: 3245-AA65

PROCUREMENT ASSISTANCE BREAK-OUT PROCUREMENT CENTER REPRESENTATIVES

Legal Authority: PL 98-577 CFR Citation: 13 CFR 125

Abstract: Revise regulations dealing with Break-out Procurement Center Representatives and Break-out procedures.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	The Party

Small Entity: Undetermined

Agency Contact: Donald P. Young, Associate Administrator for PTA, Small Business Administration, 1441 L Street. NW. Washington, DC 20416, 202 653-6635

RIN: 3245-AA73

CERTIFICATE OF COMPETENCY

Priority: Undetermined

Legal Authority: 15 USC 634(b)(6) CFR Citation: 13 CFR 125.5

Abstract: Overall revision to COC

regulations.

Timetable:

Action	Date	FR	Cite
NPRM	08/00/85	6-	THE REAL

Small Entity: Yes

Agency Contact: Robert Moffitt, Director. Office of Industrial Support Serv., Small Business Administration. 1441 L Street, NW, Room 626, Washington, DC 20416, 202 653-6582

RIN: 3245-AA74

PROCUREMENT ASSISTANCE. CERTIFICATION OF COMPETENCY

Legal Authority: PL 98-577 CFR Citation: 13 CFR 125.5

Abstract: Amend to eliminate referral option for contract actions under \$10,000.

Timetable:	THE STATE OF THE STATE OF		CINH
Action	Date	FR	Cite
NPRM	04/00/85		

Small Entity: Yes

Agency Contact: Robert Moffitt, Director, Office of Industrial Support Serv., Small Business Administration, 1441 L Street, NW, Room 626, Washington, DC 20416, 202 653-6582

RIN: 3245-AA75

O SMALL BUSINESS INVESTMENT COMPANIES; COMPUTATION OF NET GAIN IN MARKETABLE SECURITIES

Legal Authority: 15 USC 634(b)(6); 15 USC 686(a)

CFR Citation: 13 CFR 107

Abstract: Clarifies the meaning of "marketable securities" by excluding any securities which are restricted in any manner or form from the definition set forth in 13 CFR 107.303(b)(1).

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Action	Date		FR	Cite	
NPRM	11/27/84	49	FR	46553	
NPRM Commer Period Begin	nt 11/27/84	49	FR	46553	
NPRM Commer Period End	nt 12/27/84				
Final Action	04/00/85				

Small Entity: No

Agency Contact: Robert G. Lineberry.

Deputy Associate

Administrator/Investment, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6848

RIN: 3245-AA79

SMALL BUSINESS INVESTMENT COMPANIES: LIMITATIONS ON PORTFOLIO INVESTMENTS

Legal Authority: 15 USC 687 CFR Citation: 13 CFR 107

Abstract: Limitations on Portfolio Investments of SBIC's.

Timetable:

Date		FR	Cite
11/01/84	49	FR	44062
11/01/84	49	FR	44062
12/03/84			
12/11/84	49	FR	48201
04/00/85			
	11/01/84 11/01/84 12/03/84 12/11/84	11/01/84 49 11/01/84 49 12/03/84 12/11/84 49	11/01/84 49 FR 11/01/84 49 FR 12/03/84 12/11/84 49 FR

Small Entity: No

Agency Contact: Robert G. Lineberry. Deputy Associate Administrator/Investment, Small Business Administration, 1441 L Street,

NW, Washington, DC 20416, 202 653-6848

RIN: 3245-AA80

O SIZE STANDARD; CONSTRUCTION

Legal Authority: 15 USC 632; 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Abstract: Revision of standard for construction industry.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA82

SIZE STANDARDS, EXPORT TRADING COMPANIES

Priority: Undetermined

Legal Authority: 15 USC 634(b)(6): 15 USC 632

CFR Citation: 13 CFR 121

Abstract: Propose size standard for **Export Trading Companies**

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	A Company of the last

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Size Standards Staff, Small Business Administration, 1441 L Street. NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA83

SMALL BUSINESS ADMINISTRATION (SBA)

R&D POOL INCLUSION IN DEFENSE PRODUCTION POOL

Priority: Undetermined

Legal Authority: 15 USC 637(d); 15 USC

CFR Citation: 13 CFR 125.7

Abstract: Expansion of Defense Production Pool regulations to include R&D and other pooling requirements.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/84	BALL LA
End Review	08/00/85	

Small Entity: Yes

Agency Contact: Gene VanArsdale,

Deputy Associate Admin./Procurement, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6588

RIN: 3245-AA24

SIZE STANDARD FOR MARINE **ENGINEERING AND NAVAL** ARCHITECTURE

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Revising small business size standard for the marine engineering and naval architecture industry.

Existing Regulations Under Review

Timetable: Date FR Cite Action Begin Review 06/01/84 04/00/85 End Review NPRM 05/00/85

Small Entity: Yes

Agency Contact: Andrew A. Canellas. Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA50

Existing Regulations Under Review

SIZE STANDARDS; SHIPBUILDING AND REPAIR

Legal Authority: 15 USC 634(b)(6); 15 USC 632

CFR Citation: 13 CFR 121

Abstract: Whether ship repair component of the industry should have a separate size standard.

Timetable:

Action	Date	FR Cite		
Begin Review	03/01/85	SOUTH NEW		
End Review	06/00/85			
Small Entity:	Indetermined			

Agency Contact: Andrew Canellas, Director, Size Standards Staff, Small Business Administration, 1441 L Street,

NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA66

PROCUREMENT ASSISTANCE

Legal Authority: PL 98-577 CFR Citation: +3 CFR 125

Abstract: Review to ensure compliance with Pub. L. 98-577, the Competition in Contracting Act.

Timetable:

Date	FR Cite
04/00/85	TO THE STATE OF
08/00/85	
	04/00/85

Agency Contact: Gene VanArsdale, Director, Office of Policy and Liaison, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 292 653-6588

RIN: 3245-AA76

PROCUREMENT ASSISTANCE

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 125

Abstract: Disposition of logs from setaside sales.

Timetable:

Action	Date	FR CH
Begin Review	04/00/85	mal col
End Review	09/00/85	
Small Entity: 1	Undetermined	

Agency Contact: Joseph Kernan, Director, Office of Natural Resource Sales, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6078

RIN: 3245-AA77

SMALL BUSINESS ADMINISTRATION (SBA)

Completed Actions

COMPLETED RULEMAKINGS SIZE STANDARD - SALVAGE TIMBER SALES

Legal Authority: 15 USC 632(a) CFR Citation: 13 CFR 121

Abstract: Size standard for special salvage timber sale by Bureau of Land Management's new program.

Timetable:

Action	Date		FR	Cite
NPRM	10/18/84	49	FR	40877
NPRM Comment Period Begin	10/18/84			
NPRM Comment Period End	11/19/84			
Final Action	02/15/85	50	FR	6337
Final Action Effective	02/15/85	50	FR	6337

Small Entity: Yes

Agency Contact: Joseph E. Kernan, Director, Office/Natural Resources/Sales Ast, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6072

RIN: 3245-AA22

PREFERRED LENDER PROGRAM

Priority: Major

Legal Authority: 15 USC 634(b)(7) CFR Citation: 13 CFR 120.300 Abstract: Implementation of Preferred Lender Program.

Timetable:

Action	Date	FR Cite
NPRM	10/29/84	49 FR 43476
NPRM Comment Period Begin	10/29/84	mail in a conf
NPRM Comment Period End	11/28/84	
Final Action	12/31/84	49 FR 50605
Final Action Effective	12/31/84	49 FR 50605

Small Entity: Yes

Agency Contact: Edwin T. Holloway. Associate Administrator, Small Business Administration, Office of Finance and Investment, 1441 L Street, NW, Washington, DC 20416, 202 653-6632

RIN: 3245-AA28

SIZE STANDARD FOR FINANCIAL INSTITUTIONS

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Size standard applicable to financial institutions -- needed to implement Notice of Policy found at 49 FR 13091 (April 2, 1984).

Timetable:

Action	Date	FR Cite
NPRM	04/02/84	49 FR 13052
NPRM Comment Period Begin	04/02/84	
NPRM Comment Period End	06/01/84	
Final Action	10/16/84	49 FR 40398
Final Action Effective	11/15/84	49 FR 40398

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Office of Size Standards, Small Business Administration, 1441 I. Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA41

SMALL BUSINESS INVESTMENT COMPANIES

Legal Authority: 15 USC 683(b): 15 USC 687(c)

CFR Citation: 13 CFR 107

Abstract: Provides for the imposition of a one-time user fee on Small Business Investment Companies whose debentures are purchased or guaranteed by SBA.

Completed Actions

Timetable:			
Action	Date	FR	Cite
NPRM Comment Period Begin	04/13/84 04/13/84	49 FR	14764
Amendment adds information required under Paperwork Reduction Act	05/07/84	49 FR	19309
NPRM Comment Period End	06/12/84		
Final Action	10/29/84	49 FR	43540

Small Entity: No

Agency Contact: Robert G. Lineberry, Deputy Associate Administrator/Investment, Small

Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6848

RIN: 3245-AA42

BUSINESS LOANS; SALES OF THE GUARANTEED PORTION

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 120

Abstract: Requirement that all secondary market sales be evidenced by SBA Form 1086, Secondary Participation Guaranty and Certification Agreement, and prescription of proper execution of such form.

Timetable:

Action	Date	FR Cite
NPRM	07/02/84	49 FR 27162
NPRM Comment Period Begin	07/02/84	
NPRM Comment Period End	08/31/84	
Final Action	11/02/84	49 FR 44091
Final Action Effective	11/02/84	49 FR 44091

Small Entity: No

Agency Contact: James B. Ramsey,
Director of Secondary Market
Activities, Small Business
Administration, New York Regional
Office, 26 Federal Plaza 31st Floor, New
York, New York 10278, 212 264-5877

RIN: 3245-AA44

DISASTER LOANS; ECONOMIC

Legal Authority: 15 USC 634; 15 USC

CFR Citation: 13 CFR 123

Abstract: Loans to small businesses located in an area of economic dislocation that is the result of the drastic fluctuation in the currency of a country contiguous to the United States.

Timetable:

Action	Date	FR Cite
NPRM	08/14/84	49 FR 32530
NPRM Comment Period Begin	08/14/84	
NPRM Comment Period End	08/29/84	
Final Action	10/04/84	49 FR 39268
Final Action	10/04/84	49 FR 39268

Small Entity: Yes

Agency Contact: Bernard Kulik, Deputy Associate Administrator, Small Business Administration, 1441 L Street, NW, Disaster Assistance Division, Washington, DC 20416, 202 653-6879

RIN: 3245-AA46

DISCLOSURE OF INFORMATION

Legal Authority: 15 USC 634

CFR Citation: 13 CFR 102

Abstract: Revision of Disclosure of Information Regulations: disclosure of commercial debts to credit agencies.

Timetable:

Action	Date	FR Cite
Final Action	10/17/84	49 FR 40564
Final Action Effective	10/17/84	49 FR 40564

Small Entity: No

Agency Contact: Nicholas Kalcounos, Director, Freedom of Information/Priv. Acts, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6460

RIN: 3245-AA52

DISASTER LOANS

Priority: Undetermined

Legal Authority: 15 USC 634(b)(6); 15 USC 636(b)(3)

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CFR Citation: 13 CFR 123

Abstract: Rules concerning loans made for substantial economic injury caused by, or as a consequence of, action of the Federal Government.

Timetable:

Action	Date		FR	Cite
NPRM	08/21/84	49	FR	33198
NPRM Comment Period Begin	08/21/84			
NPRM Comment Period End	09/20/84			
Final Action	12/24/84	49	FR	50008
Final Action . Effective	01/07/85	49	FR	50008

Small Entity: Yes

Agency Contact: Bernard Kulik, Deputy Associate Administrator, Small Business Administration, Disaster Assistance, 1441 L Street, NW, Washington, DC 20416, 202 653-6879

RIN: 3245-AA53

SMALL BUSINESS SIZE STANDARDS

Legal Authority: 15 USC 632(a) CFR Citation: 13 CFR 121.5

Abstract: Delays the implementation of the nonmanufacturer rule as it applies to Government procurement requirements from the Defense Fuel Supply Center for certain refined petroleum products.

Timetable:

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Action	Date	FR Cite
Temporary Emergency Rule takes effect	06/29/84	49 FR 27925
Temporary Emergency Rule	07/09/84	49 FR 27925
Temporary Emergency Rule ends	12/31/84	49 FR 27925

Small Entity: Yes

Agency Contact: Charlie L. Dean, Chief Counsel for Special Programs, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-

RIN: 3245-AA56

COMPLETED REVIEWS COOPERATIVE PROGRAMS WITH EXPORT-IMPORT BANK

Legal Authority: 15 USC 636(a) CFR Citation: 13 CFR 107

Abstract: Extension of SBA lending authority for export loans.

Timetable:

Action	Date		FR	Cite
Begin Review	04/01/84			
End Review	10/15/84	49	FR	40238

Small Entity: Yes

Agency Contact: Edwin T. Holloway, Associate Administrator, Small Business Administration, Office of Finance and Investment, 1441 L Street, NW, Washington, DC 20416, 202 653-6632

RIN: 3245-AA32

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

• BUSINESS LOANS; FISCAL AND TRANSFER AGENT

Priority: Agency Determination

Legal Authority: 15 USC 634(b)(6); PL 98-352 (98 Stat. 329)

CFR Citation: 13 CFR 122, Subpart F

Abstract: Rules and procedures with respect to central registration provisions affecting SBA guaranteed loans sold in the secondary market.

Timetable:

Action	Date		FR	Cite
Final Action	10/11/84	49	FR	39837
Final Action Effective	02/15/85	49	FR	39837

Small Entity: No

Agency Contact: James W.
Hammersley, Financial Analyst, Small
Business Administration, 1441 L Street,
NW, Room 800C, Washington, DC
20416, 202 653-5954

RIN: 3245-AA62

© NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF SBA

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 112

Abstract: Effectuation of Title VI of the Civil Rights Act of 1964; defining "Federal financial assistance" for purposes of nondiscrimination and listing of affected programs.

Timetable:

Action	Date	FR	Cite
NPRM	02/09/84	49 FR	4948
NPRM Comment Period Begin	02/09/84		
NPRM Comment Period End	03/12/84		
Final Action	01/11/85	50 FR	1441
Final Action Effective	01/11/85	50 FR	1441

Small Entity: No

Agency Contact: Adelino Sanchez, Chief, Office of Civil Rights Compliance, Small Business Administration, 1441 L Street, NW, Room 501, Washington, DC 20416, 202 653-6054

RIN: 3245-AA69

NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF SBA; EFFECTUATION OF POLICIES OF FEDERAL GOVERNMENT AND SBA

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 113

Abstract: Revise Appendix A of Part 133 by updating listing of programs.

Timetable:

Action	Date	FR	Cite
Final Action Final Action Effective	01/11/85 01/11/85		1442 1442

Small Entity: No

Agency Contact: Adelino Sanchez, Chief, Office of Civil Rights Compliance, Small Business Administration, 1441 L Street, NW, Room 501, Washington, DC 20416, 202 653-6054

RIN: 3245-AA70

STANDARDS OF CONDUCT

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 105

Abstract: Responsibilities of Agency Standards of Conduct Counselor and Agency Ethics Officer transferred to Associate General Counsel for Financial Law.

Timetable:

Action	Date	FR C	te
Final Action Effective	08/07/84	49 FR 45	742
Final Action	11/20/84	49 FR 45	742

Small Entity: No

Agency Contact: Michael F. Kinkead, Attorney Adviser, Small Business Administration, 1441 L Street, NW, Room 722, Washington, DC 20416, 202 653-6381

RIN: 3245-AA81

[FR Doc. 85-6395 Filed 04-28-85; 8:45 am]

BILLING CODE 8025-01-T



Monday April 29, 1985

Part XLII

Tennessee Valley Authority

Semiannual Regulatory Agenda



TVA

TENNESSEE VALLEY AUTHORITY 18 CFR Ch. XIII

Regulatory Agenda

AGENCY: Tennessee Valley Authority.

ACTION: Regulatory agenda.

SUMMARY: As a nonregulatory agency, TVA originates very few regulations and thus does not ordinarily have agenda items to announce. However, TVA has one regulation under development and is therefore publishing a regulatory agenda in voluntary compliance with Executive Order No. 12291.

FOR FURTHER INFORMATION CONTACT: For further information please contact the person listed.

W. F. Willis,

General Manager.

TENNESSEE VALLEY AUTHORITY (TVA)

PROTECTION OF ARCHAEOLOGICAL RESOURCES

Legal Authority: 16 USC 470aa to 470ll CFR Citation: 18 CFR 1312

Abstract: The planned regulations will implement provisions of the Archaeological Resources Protection Act of 1979 by providing protection of archaeological resources on public lands in TVA custody and control. TVA will seek to protect such resources through permits authorizing excavation

or removal of resources, through civil penalties for unauthorized excavation or removal through preservation of archaeological resource collections and data, and through assuring confidentiality of information about resources when disclosure would threaten the resources. The planned regulations will supplement existing uniform regulations by assigning specific responsibilities within TVA.

Current and Projected Rulemakings

Timetable:

Action

Date FR Cite

NPRM

00/00/00

Small Entity: No

Agency Contact: Maxwell D. Ramsey, Program Manager, Cultural Resources, Tennessee Valley Authority, 241 Natural Resources Building, Norris, Tennessee 37828, 615 632-6450

RIN: 3316-AA02 [FR Doc. 85-6396 Filed 04-26-85; 8:45am] BILLING CODE 8120-01-T



Monday April 29, 1985

Part XLIII

Veterans Administration

Semiannual Regulatory Agenda



VA

VETERANS ADMINISTRATION 38 CFR Ch. I

Agenda of Federal Regulations

AGENCY: Veterans Administration.
ACTION: Publication of agenda of regulations.

summary: This agenda announces the regulations that the Veterans Administration will have under review, development or revision during the 12 month period from April 1985 to April 1986. The purpose in publishing this Agency's regulatory development activities is to allow all interested persons the opportunity to participate in the rulemaking process.

ADDRESSES: Interested persons are invited to comment on the regulations

listed in the agenda by contacting the individual agency contact listed for each regulation, or by writing to: Paperwork Management and Regulations Service (731), Veterans Administration, 810 Vermont Avenue, N.W., Washington, D.C. 20420.

FOR FURTHER INFORMATION CONTACT: Nancy McCoy (202) 389-2340.

SUPPLEMENTARY INFORMATION:

Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (Pub. L. 96-354) require that executive agencies publish in the Federal Register in April and October of each year, an agenda of regulations under development and review.

The Veterans Administration has no regulations considered major under the terms of E.O. 12291; however all of this agency's proposed rules and current rules under review, except those

considered to be internal agency policy management or routine regulations, have been listed in accordance with section 5.(a) of the executive order. This agenda incorporates those categories of information required pursuant to 5 U.S.C. 602(a) and 610(c) (Regulatory Flexibility Act).

The Veterans Administration has found that all rules listed in this agenda, if promulgated, will not have a significant economic impact on a substantial number of small entities as they are defined in 5 U.S.C. 601 - 612.

This agenda has been prepared in accordance with OMB Bulletin 85-6. DATED: February 21, 1985.

By direction of the Administrator. Dominick Onorato,

Associate Deputy Administrator for Information Resources Management.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Eligibility for Hospital, Domiciliary, or Nursing Home Care of Persons Discharged or Released from Active Military,	
	Naval or Air Service	
2	Considerations Applicable in Determining Eligibility for Domicillary Care	
3	Extensions to Community Nursing Home Care	
4	Definition - Domiciliary Care	
5	Standards of Nursing Home Care for State Veterans Homes	
6	Community Residential Care	
7	Readjustment Counseling	
8	Telecaption Television Decoders	
9	Amend VA Regulations to Correct Errors and to Add Additional Items	2900-AB57
10	Amend VA Regulations for the Purpose of Correcting Certain Specific Technical Points and to Make Certain Editorial Changes	2900-AB59
11	Medical Care for Veterans Receiving Vocational Training under Chapter 15	2900-AB60
12	Disposition of Veteran's Personal Funds and Effects on Station upon Death, or Discharge, or Unauthorized Absence, and of Funds and Effects Found on Station	2900-AB61
13	Grants to States for Construction and Acquisition of State Home Facilities	
14	Veterans Education; Certifications of Enrollment	
15	Disqualification of Lenders	2900-AA89
16	Social Security Numbers in Veterans Benefits Matters	2900-AA95
17	Charging of Interest on Loan Guaranty Indebtedness	2900-AB00
18	Veterans' Group Life Insurance	2900-AB04
19	National Service Life Insurance - Dividends	
20	Payment of Proceeds	
21	Veterans Education; Foreign Medical Schools	2900-AB09
22	Veterans Education; Accreditation Level	2900-AB23
23	Incarcerated Veterans; Commencing Dates of Subsistence Allowance; Reduction or Termination Dates of Subsistence Allowance	2900-AB26
		2900-AB34
24	Acquisition of Property Extension of Default Reporting Requirement	2900-AB35
25 26	Dependents' Education; Elimination of Processing Time.	2900-AB37
27	Dependents' Education: Eligibility for Special Restorative Training	2900-AB38
28	Veterans Education; Eligibility	2900-AB39
29	Veterans Education, Engiolity Veterans Education, Satisfactory Progress	2900-AB40
30	Veterans Education, Satisfactory Progress Veterans Education, Programs of Education at More Than One School	2900-AB41
31	Veterans Education; Programs of Education at work Than One School	
32	Veterans Education; VEAP Eligibility	2900-AB43

Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
33	Veterans Education; Cancellation of Unnecessary Regulations	2900-AB44
34	Effective Dates of Pension Awards	2900-AB46
35	Employee Fiduciaries	2900-AB50
36	Federal Fiduciary Commissions	2900-AB52
37	Temporary Program of Vocational Training for Certain New Pension Recipients	2900-AB53
38	Temporary Program for Trial Work Periods and Vocational Rehabilitation for Certain Veterans with Total Disability Ratings	2900-AB54
39	*Adjudication of Claims Based on Exposure to Dioxin or Ionizing Radiation	
40	Temporary Vocational Rehabilitation Programs and Automobile and Adaptive Equipment Allowance	
41	Incompetent-Estate Over \$1500 and Hospitalized.	
42	Veterans Education; Miscellaneous Administrative adjustments	
43	Veterans Education: New Monthly Rates.	
44	Reservists Education; New Education Program for Members of the Selected Reserve	
45	Veterans Education; New Education Program for Veterans	
46	Veterans Education; Delegation of Authority	
47	Veterans Education; VEAP High School Rates	2900-AB72
48	Veterans Education; Right to Initially Enroll in VEAP Suspended	
49	Increase Specially Adapted Housing Grant	
50	Veterans Services Officer to Select and Appoint or Recommend for Appointment the Person or Legal Entity to Receive Veterans Administration Benefits in a Fiduciary Capacity 2. Direct Payment	
51	Payment to the Wife or Husband of an Incompetent Veteran 2. Legal Custodian	2900-AB76
52	Investments by Legal Custodians.	
53	Veterans Services Officer's Action When Veteran's Estate Equals or Exceeds \$1,500 2. Determination of Value of Estate: 38 USC 3203(b)(1)	
54	Subsistence Allowance	2900-AB78
55	Appeals Regulations and Rules of Practice.	2900-AB79
56	Waiver of Overpayments Waiver - Third Persons Standards for Claims Collections	
57	Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance	2900-AB33 2900-AA21
58	Enforcement of Nondiscrimination on the Basis of Handicap in VA Programs	2900-AA21
59	Nondiscrimination on the Basis of Sex under Federal Assisted Education Programs and Activities	2900-AA87 2900-AB51
60	Recognition of Organizations, Representatives, Agents and Attorneys	2900-ABS1
61	Revision of Fees for Copies of VA Records	2900-AA38
62	Effect of General Counsel Opinions	
63	Inventions by Employees of Veterans Administration as Coinventors under Funding Agreements	2900-AB22
64	Environmental Effects of VA Actions.	2900-AB47
65	Investigation	2900-AB17
66	Veterans Administration Acquisition Regulation	2900-AB20

^{*}Indicates priority regulation.

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83	Outreach Program, Fee Contract Program Medical Records Disclosure Definitions Medical Services Veterans Education; Educational Assistance Test Program Vocational Rehabilitation Amendments Veterans Education; Special Restorative Training and Specialized Vocational Training Veterans Education; Change of Program Occupancy Requirements Certain Manufactured Housing Loans Veterans Education; Accreditation of Medical Residencies Premium Rates; Collection of any Indebtedness; Premium Waiver Dependents' Educational Assistance; Entitlement Categories of Administrative Separation	2900-AB19 2900-AB30 2900-AA41 2900-AA47 2900-AA49 2900-AA50 2900-AA74 2900-AA91 2900-AA96 2900-AA99 2900-AB14

VA

Completed Actions—Continued

Se- quence Number	Title	Regulation Identifier Number
84 85 86 87 88	Veterans Education; School Reimbursement	2900-AB25 2900-AB36 2900-AB45 2900-AB10 2900-AB58

VETERANS ADMINISTRATION (VA)

Current and Projected Rulemakings

DEPARTMENT OF MEDICINE AND SURGERY

1. ELIGIBILITY FOR HOSPITAL, DOMICILIARY, OR NURSING HOME CARE OF PERSONS DISCHARGED OR RELEASED FROM ACTIVE MILITARY, NAVAL OR AIR SERVICE

Legal Authority: PL 97-37

CFR Citation: 38 CFR 17.47(d); 38 CFR 17.47(e)

Abstract: Excludes nonserviceconnected ex-POW's from the requirement to sign the oath of inability to pay for medical care.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Jerome Hanes, Medical Administration Specialist, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2337

RIN: 2900-AA12

2. CONSIDERATIONS APPLICABLE IN DETERMINING ELIGIBILITY FOR DOMICILIARY CARE

Legal Authority: 38 USC 610(b); 38 USC 601(7)

CFR Citation: 38 CFR 17.48(c)(1)

Abstract: The existing regulation now defines the domiciliary program as the provision of a home with medical services as needed to veterans who have a chronic disability and who are unable to earn a living. The proposed change would clarify the mission of the domiciliary program as an integral part of the provision of health care services

by the VA by refocusing the definition from the provision of housing to the provision of continuing medical and rehabilitative services at a less intensive level than that provided in a hospital or nursing home, but at a higher level than that available in a residential setting.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Karen O. Walters, Medical Administration Specialist, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2337

RIN: 2900-AB07

3. EXTENSIONS TO COMMUNITY NURSING HOME CARE

Legal Authority: 38 USC 620 CFR Citation: 38 CFR 17.51a

Abstract: Existing regulations that permit an extension to an approved 6-month period of Community Nursing Home Care at VA expense are not definitive enough regarding the circumstances of an unusual nature which provide the impetus for granting such extensions. The proposed change will correct that deficiency.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Small Entit	y: No	

Agency Contact: Stuart E. Mount, Medical Administration Specialist, Veterans Administration, Department of Medicine & Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2851

RIN: 2900-AB21

4. DEFINITION - DOMICILIARY CARE

Legal Authority: 38 USC 610(b); 38 USC 601(7)

CFR Citation: 38 CFR 17.30(n)

Abstract: The existing regulation now defines the domiciliary program as the provision of a home with medical services as needed to veterans who have a chronic disability and who are unable to earn a living. The proposed change would clarify the mission of the domiciliary program as an integral part of the provision of health care services by the VA by refocusing the definition from the provision of housing to the provision of continuing medical and rehabilitative services at a less intensive level than that provided in a hospital or nursing home, but at a higher level than that available in a residential setting.

Timetable:

Action	Date	FR Cite
NIDDM	04/00/95	IN THE STATE OF

Small Entity: No

Agency Contact: Karen O. Walters, Medical Administration Specialist, Veterans Administration, Department of Medicine & Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2337

RIN: 2900-AB24

5. STANDARDS OF NURSING HOME CARE FOR STATE VETERANS HOMES

Legal Authority: 38 USC 642(a) CFR Citation: 38 CFR 17.165d

Abstract: The existing regulation now only refers to standards of care prescribed by the Administrator for State Veterans Homes. The proposed change will incorporate the nursing home standards of care into the VA Regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	The state of

Small Entity: No

Agency Contact: F. Brent Baker, Assistant State Home Program Coordinator, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3679

RIN: 2900-AB31

6. COMMUNITY RESIDENTIAL CARE

Legal Authority: 38 USC 630

CFR Citation: 38 CFR Not yet determined

Abstract: These regulations will clarify the legal status of the Community Residential Care program, setting standards and criteria for health and safety, facility resources, guidelines for costs of care, conditions under which the agency may cease referrals to noncomplying facilities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: J. R. Kelly, Chief, Community Care Programs, Veterans Administration, Department of Medicine and Surgery, Washington, DC 20420, 202 389-3692

RIN: 2900-AB32

7. @ READJUSTMENT COUNSELING

Legal Authority: 38 USC 612(a); PL 98-

CFR Citation: 38 CFR 17.57; 38 CFR 17.58

Abstract: This amendment changes the delimiting date from September 30, 1984, to September 30,1988 for which an eligible Vietnam era veteran may request readjustment counseling.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	in management

Small Entity: No

Agency Contact: Stuart Mount, Medical Administration Program Specialist, Veterans Administration, Department of Medicine & Surgery (136F), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2143

RIN: 2900-AB55

8. TELECAPTION TELEVISION DECODERS

Legal Authority: PL 98-528

CFR Citation: 38 CFR 17.115b; 38 CFR 17.115c

Abstract: This law authorizes the VA to furnish assistive devises to overcome the handicap of deafness, including telecaption television decoders, to any veteran who is profoundly deaf and is entitled to compensation on account of hearing impairment. As for telecaption TV decoders, VA policy previously limited the provision of this device to veterans who suffered an aberrant or morbid mental condition as a result of deafness. The law specifically authorizes the VA to provide this device but limits the provision to profoundly deaf veterans who are entitled to compensation for a hearing impairment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	THE RESERVE

Small Entity: Yes

Agency Contact: Donat Le Blanc, Program Analyst, Veterans Administration, Department of Medicine & Surgery (121), 810 Vermont Ave., NW, Washington, DC 20420, 202 389-2011

RIN: 2900-AB56

9. • AMEND VA REGULATIONS TO CORRECT ERRORS AND TO ADD ADDITIONAL ITEMS

Legal Authority: 38 USC 624; 38 USC 632

CFR Citation: 38 CFR 17.30 to 17.40

Abstract: These amendments specify for whom hospital, nursing home and intermediate care, and medical services may be provided in the Republic of the Philippines.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	a dead

Small Entity: No

Agency Contact: Stuart Mount, Medical Administration Program Specialist, Veterans Administration, Department of Medicine & Surgery (136F), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2143

RIN: 2900-AB57

10. AMEND VA REGULATIONS FOR THE PURPOSE OF CORRECTING CERTAIN SPECIFIC TECHNICAL POINTS AND TO MAKE CERTAIN EDITORIAL CHANGES

Legal Authority: 38 USC 628

CFR Citation: 38 CFR 17.61; 38 CFR 17.80 to 17.85

Abstract: To clearly reflect the action to be taken when a patient breaks a treatment appointment. Increase the maximum allowance for prosthetic repairs and more clearly define the eligibility requirement for the benefit.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		

Small Entity: No

Agency Contact: Stuart Mount, Medical Administration Program Specialist, Veterans Administration, Department of Medicine and Surgery (136F), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2143

RIN: 2900-AB59

11. • MEDICAL CARE FOR VETERANS RECEIVING VOCATIONAL TRAINING UNDER CHAPTER 15

Legal Authority: 38 USC 524; 38 USC 525; PL 98-543

CFR Citation: 38 CFR 17.56

Abstract: Section 301 of P.L. 98-543 authorizes the VA to provide certain benefits to those nonservice-connected veterans entitled to VA pension who are participating in a VA program of vocational training. Medical benefits authorized are analogous to those authorized to service-connected veterans participating in a VA vocational rehabilitation program under

VA

38 USC Chapter 31, such as hospital care and medical services.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/00/85

Small Entity: No

Agency Contact: Paul Tryhus, Medical Administration Program Specialist, Veterans Administration, Department of Medicine & Surgery (136F), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2143

RIN: 2900-AB60

12. © DISPOSITION OF VETERAN'S PERSONAL FUNDS AND EFFECTS ON STATION UPON DEATH, OR DISCHARGE, OR UNAUTHORIZED ABSENCE, AND OF FUNDS AND EFFECTS FOUND ON STATION

Legal Authority: 38 USC 210c

CFR Citation: 38 CFR 12.0 to 12.24

Abstract: Section 208 of Public Law 94-581 provides that unclaimed property or funds and effects left by a dependent or survivor of a veteran receiving medical care at a VA facility as a CHAMPVA beneficiary will be disposed of in the same or similar manner as such property left by a veteran. Also, estates of dependents or survivors of a veteran who dies intestate and without legal heirs while a patient in any VA facility or any hospital, while being furnished care or treatment therein by the VA will escheat to the U.S. Government. Some of these regulations have not been updated since 1948, therefore, editorial changes will be made which will not affect policy.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		

Small Entity: No

Agency Contact: Paul Tryhus, Medical Administration Program Specialist, Veterans Administration, Department of Medicine & Surgery (136F), 810 Vermont Avenue, NW, Washington, DC 20420, 202 369-2143

RIN: 2900-AB61

13. © GRANTS TO STATES FOR CONSTRUCTION AND ACQUISITION OF STATE HOME FACILITIES

Legal Authority: 38 USC 5031 to 5037; PL 98-528 CFR Citation: 38 CFR 17.170 to 17.177

Abstract: The existing regulation contains construction standards which need updating. P.L. 98-528 provides for the acquisition of property for use as State Veterans Homes. The proposed revised regulations will accomplish these changes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Long and

Small Entity: No

Agency Contact: F. Brent Baker, State Home Program Coordinator, Veterans Administration, Department of Medicine & Surgery (182C), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3679

RIN: 2900-AB62

DEPARTMENT OF VETERANS BENEFITS

14. VETERANS EDUCATION; CERTIFICATIONS OF ENROLLMENT

Legal Authority: PL 96-466

CFR Citation: 38 CFR 21.4137; 38 CFR 21.4203; 38 CFR 21.4204

Abstract: Limits certifications of enrollment to one term, quarter or semester at a time. This will prevent overpayments which the VA is making because of late reports of reductions or terminations in training.

Timetable:

Action	Date	FR Cite
NPRM	06/30/83	48 FR 30151
NPRM Comment Period Begin	06/30/83	
NPRM Comment Period End	08/01/83	
Final Action	00/00/00	
-		

Small Entity: No

Agency Contact: June Schaeffer, Ass't Dir for Policy & Prog Administration, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AA58

15. DISQUALIFICATION OF LENDERS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g)

CFR Citation: 38 CFR 36.4216; 38 CFR 36.4331

Abstract: Present regulations authorize the suspension of lenders and their principals and officers for practices detrimental to the best interests of veterans or the Government. In some cases, however, individual employees of lenders are found to have committed fraud or engaged in other improprieties. The amendment would authorize suspension of these employees from further participation in the Loan Guaranty Program.

Timetable:

Action	Date		FR	Cite
NPRM	04/05/84	49	FR	13553
NPRM Comment Period Begin	04/05/84			
NPRM Comment Period End	05/04/84			
Final Action	05/00/85			

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3042

RIN: 2900-AA89

16. SOCIAL SECURITY NUMBERS IN VETERANS BENEFITS MATTERS

Legal Authority: 38 USC 210(c); PL 97-365, Sec 4

CFR Citation: 38 CFR 1.575

Abstract: Authorizes the collection of a veteran's social security number and subsequent disclosure to the Internal Revenue Service as a condition of receiving a VA Guaranteed Home Loan or other extension of credit. This amendment is required by section 4 of Public Law 97-365, the Debt Collection Act of 1982, in order that Federal credit assistance decisions can be made with full knowledge of whether or not the applicant is a delinquent taxpayer.

Timetable:

Action	Date		FR	Cite
NPRM	08/02/84	49	FR	30980
NPRM Comment Period Begin	08/02/84			
NPRM Comment Period End	09/04/84			
Final Action	08/00/85			

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3042

RIN: 2900-AA95

17. CHARGING OF INTEREST ON LOAN GUARANTY INDEBTEDNESS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g); 38 USC 3115 as amended by Public Law 96-466

CFR Citation: 38 CFR 36.4285(d); 38 CFR 36.4323(e)

Abstract: Authorizes the charging of interest on Loan Guaranty Indebtedness at a rate to be prescribed from time to time by the Secretary of the Treasury. This amendment is mandated by 38 U.S.C. 3115, as amended by Public Law 96-466.

Timetable:

Action	Date	FR Cite
NPRM	07/17/84	49 FR 28887
NPRM Comment Period Begin	07/17/84	
NPRM Comment Period End	08/09/84	n Language Role
Final Action	06/00/85	

Small Entity: No

Agency Contact: Raymond Brodie,

Assistant Director for Loan Management, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3668

RIN: 2900-AB00

18. VETERANS' GROUP LIFE INSURANCE

Legal Authority: 38 USC 777(a) CFR Citation: 38 CFR 9.36

Abstract: Under existing law, no person may carry a combined amount of Servicemen's Group Life Insurance and Veterans' Group Life Insurance in excess of \$35,000 at any one time. Despite this provision, a significant number of insureds are paying premiums for both SGLI and VGLI in excess of the coverage allowed. The regulation will state that the Office of Servicemen's Group Life Insurance will be responsible only for the return of premiums paid in excess of the maximum allowable amount of

coverage. There is no cost to the Government.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24149
NPRM Comment Period Begin	06/12/84	
NPRM Comment Period End	07/11/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Robert W. Carey, Assistant Director for Insurance, Veterans Administration, VA Insurance Center, P.O. Box 8079, Philadelphia, PA 19101, 215 951-5360

RIN: 2900-AB04

19. NATIONAL SERVICE LIFE INSURANCE - DIVIDENDS

Legal Authority: 38 USC 707(c) CFR Citation: 38 CFR 8.26

Abstract: Effective July 1, 1972, a new dividend option was authorized for National Service Life Insurance, under which a NSLI policyholder may request that dividends on his or her participating policy be used to purchase additional paid-up insurance. The regulation change will update the existing regulation to reflect that paid-up addition dividend option is available.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24149
NPRM Comment Period Begin	06/12/84	
NPRM Comment Period End	07/11/84	
Final Action	03/00/85	

Small Entity: No .

Agency Contact: Robert W. Garey, Assistant Director for Insurance, Veterans Administration, VA Insurance Center, P.O. Box 8079, Philadelphia, PA 19101, 215 951-5360

RIN: 2900-AB05

20. PAYMENT OF PROCEEDS

Legal Authority: 38 USC 770(c)

CFR Citation: 38 CFR 9.18(d)

Abstract: Under prior law, when a Servicemen's Group Life Insurance or Veterans' Group Life Insurance claim was not filed within four years of the insured's death, the proceeds would escheat to the SGLI revolving fund. The law was amended to ensure that no claims are denied because of a failure to file within the four year period. There is no cost to the Government and beneficiaries will benefit by not being deprived of the proceeds.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24149
NPRM Comment -Period Begin	06/12/84	
NPRM Comment Period End	07/11/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Robert W. Carey, Assistant Director for Insurance, Veterans Administration, VA Insurance Center, P.O. Box-8079, Philadelphia, PA 19101, 215 951-5360

RIN: 2900-AB06

21. VETERANS EDUCATION; FOREIGN MEDICAL SCHOOLS

Legal Authority: 38 USC 1676 CFR Citation: 38 CFR 21.4260

Abstract: Provides additional criteria a foreign medical school must meet before a veteran's enrollment in the school's courses may be approved. The Veterans Administration is considering whether to require a foreign medical school to meet all or some of the criteria it must meet in order to participate in the Guaranteed Student Loan Program.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85		

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB09

22. VETERANS EDUCATION; ACCREDITATION LEVEL

Legal Authority: 38 USC 1788

CFR Citation: 38 CFR 21.4272; 38 CFR 21.4273

VA

Abstract: The regulations governing measurement of courses have assumed that when a college is accredited by a regional accrediting association, the accreditation extends to all the college's courses. This is not always the case. Consequently, when regulation users attempt to apply these regulations, they become confused. This proposal will rewrite the regulations to take into account the fact that some regional accrediting associations accredit colleges at various degree levels (associate degree, bachelor's degree, etc.).

Timetable:

Action	Date		FR	Cite
NPRM	05/24/84	49 F	R	21949
NPRM Comment Period Begin	05/24/84			
NPRM Comment Period End	06/25/84			
Final Action	04/00/85			

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB23

23. INCARCERATED VETERANS; COMMENCING DATES OF SUBSISTENCE ALLOWANCE; REDUCTION OR TERMINATION DATES OF SUBSISTENCE ALLOWANCE

Legal Authority: 38 USC 1508; 38 USC 1780; 38 USC 3012

CFR Citation: 38 CFR 21.276; 38 CFR 21.322; 38 CFR 21.324

Abstract: The regulations implement provisions of 1508 & 1780 which change the condition under which payment of subsistence allowance may be made to an incarcerated veteran pursuing a program of vocational rehabilitation under chapter 31, title 38, U.S. Code. The regulations implementing provisions of 3012 implement provisions establishing new dates for terminating payment of additional amounts of subsistence allowance for dependents of veterans in vocational rehabilitation programs under chapter 31. Issuance of regulations is required. There are no significant cost increases or savings as a result of these changes.

Timetable:

Action	Date	FR Cite
Final Action	09/00/85	

Small Entity: No

Agency Contact: Dr. Karen Boies, Asst. Dir., Policy & Program Development, Veterans Administration, Dept of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2886

RIN: 2900-AB26

24. ACQUISITION OF PROPERTY

Priority: Undetermined

Legal Authority: 38 USC 210(c); 38 USC 1816(a); PL 98-369, Sec 2512

CFR Citation: 38 CFR 36.4320; 38 CFR 36.4319(f); 38 CFR 36.4321(a); 38 CFR 36.4300

Abstract: There are currently no specific regulatory requirements as to when the VA may or may not accept conveyance of a property on which the VA-guaranteed loan securing it has been foreclosed. Pursuant to PL 98-369 the changed regulation will provide formulas and specifically define when the VA may acquire a property. The changed regulations will also clarify establishment of a cut off date for claim computation in cases in which liquidation of a loan is unduly delayed.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	-

Small Entity: No

Agency Contact: Raymond Brodie, Assistant Director for Loan Management, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3668

RIN: 2900-AB34

25. EXTENSION OF DEFAULT REPORTING REQUIREMENT

Legal Authority: 38 USC 210(c); 38 USC 1816(a)

CFR Citation: 38 CFR 36.4600(c)(1)

Abstract: Present regulations require that lenders holding leans sold by the Veterans Administration must furnish the VA with a notice of default within 30 days after a lean has become two full installments in default. The regulatory change will require lenders to report such a default within 60 days

instead of thirty. This change will provide lenders additional time to service loans and result in less defaults being reported which are subsequently cured.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	The same of

Small Entity: No

Agency Contact: Raymond Brodie, Assistant Director for Loan Management, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3668

RIN: 2900-AB35

26. DEPENDENTS' EDUCATION; ELIMINATION OF PROCESSING TIME

Legal Authority: 38 USC 3003(a)

CFR Citation: 38 CFR 21.3032

Abstract: This regulation will be amended to eliminate a statement that the time the VA takes to process a claim can be considered when determining how long a person will remain eligible to receive dependents' educational assistance. The law no longer allows the VA to consider processing time.

Timetable:

Action	Date	FR Cite
NPRM	11/26/84	49 FR 46441
NPRM Comment Period Begin	11/26/84	
NPRM Comment Period End	12/24/84	
Final Action	05/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, Washington, DC 20420, 202 389-2092

RIN: 2900-AB37

27. DEPENDENTS' EDUCATION: ELIGIBILITY FOR SPECIAL RESTORATIVE TRAINING

Legal Authority: 38 USC 1743(b)

CFR Citation: 38 CFR 21.3330; 38 CFR 21.3332

Abstract: These regulations will be amended to make clear that only eligible children may receive special restorative training as provided by law. The language currently used has caused confusion as to what people may be eligible for these benefits.

Timetable:

Action	Date	FR Cite
NPRM	10/09/84	49 FR 39572
NPRM Comment Period Begin	10/09/84	
NPRM Comment Period End	11/08/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, Washington, DC 20420, 202 389-2092

RIN: 2900-AB38

28. VETERANS EDUCATION; ELIGIBILITY

Legal Authority: PL 98-223

CFR Citation: 38 CFR 21.1022; 38 CFR 21.1040; 38 CFR 21.3022; 38 CFR 21.4020; 38 CFR 21.4022

Abstract: These regulations implement those provisions of the Veterans' Compensation and Program Improvements Amendments of 1984 which affect people eligible to receive benefits under the dependents' educational assistance program or the G.I. Bill. The regulations deal with situations when someone is eligible for educational assistance under more than one of the programs administered by the VA.

Timetable:

Action	Date	FR Cite
NPRM	12/24/84	49 FR 49858
NPRM Comment Period Begin	12/24/84	
NPRM Comment Period End	01/24/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir. for Policy & Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB39

29. VETERANS EDUCATION; SATISFACTORY PROGRESS

Legal Authority: 38 USC 1674 CFR Citation: 38 CFR 21.4203 Abstract: The VA wishes to amend the regulation dealing with reports of a veteran's or eligible person's unsatisfactory progress in their training under the C.I. Bill. The amended regulation will make clear that only the school's regularly prescribed standards of progress will be used in determining if a veteran's or eligible person's progress is unsatisfactory.

Timetable:

Action	Date	FR Cite
NPRM	01/11/85	50 FR 1549
NPRM Comment Period Begin	01/11/85	
NPRM Comment Period End	02/11/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass't Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB40

30. VETERANS EDUCATION; PROGRAMS OF EDUCATION AT MORE THAN ONE SCHOOL

Legal Authority: 38 USC 1652 CFR Citation: 38 CFR 21.4252

Abstract: The VA wishes to amend this regulation to recognize that the first portion of the subjects or courses in a baccalaureate program beyond those necessary for an associate degree may be given at a private as well as a public 2-year college. The amendment will also address the fact that the remainder of these programs may be offered at private as well as a public 4-year college or university.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	S. CENTRAL

Small Entity: No

Agency Contact: June C. Schaeffer, Ass't Director for Policy & Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 262 389-2092

RIN: 2900-AB41

31. VETERANS EDUCATION; COURSE SUBSTITUTION

Legal Authority: 38 USC 1772

CFR Citation: 38 CFR 21.4131; 38 CFR 21.4132

Abstract: The VA wishes to amend these regulations to set a limit upon how far back in the past a State Approving Agency can set the effective date for the approval of a course. This will eliminate excessively long delays in approving courses. The VA is considering a one year time limit.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass't Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, 202 389-2092

RIN: 2900-AB42

32. VETERANS EDUCATION; VEAP ELIGIBILITY

Legal Authority: PL 98-223

CFR Citation: 38 CFR 21.5022; 38 CFR 21.5040; 38 CFR 21.5058; 38 CFR 21.5060

Abstract: These regulations implement those provisions of the Veterans'
Compensation and Program
Improvements Amendments of 1984 which affect the Post-Vietnam Era
Veterans' Educational Assistance
Program (VEAP). The most far-reaching provision permits those veterans who are eligible for both VEAP and the G.I.
Bill to elect which one they will receive benefits under.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
-		

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy & Program Admin, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB43

33. VETERANS EDUCATION; CANCELLATION OF UNNECESSARY REGULATIONS

Legal Authority: 38 USC 1780(d)

VA

CFR Citation: 38 CFR 21.4136; 38 CFR 21.4137; 38 CFR 21.4235; 38 CFR 21.4237

Abstract: The VA wishes to cancel several paragraphs in some sections dealing with the G.I. Bill. These paragraphs are redundant. The agency wishes to amend a paragraph dealing with advance payment so that it is in agreement with other paragraphs on the same subject.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, Washington, DC 20420, 202 389-2092

RIN: 2900-AB44

34. EFFECTIVE DATES OF PENSION AWARDS

Legal Authority: PL 98-369 CFR Citation: 38 CFR 3.400

Abstract: Limits the effective date of a disability or death pension award to date of receipt of claim unless certain specific conditions are satisfied.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	49 FR 50742
NPRM Comment Period Begin	12/31/84	
NPRM Comment Period End	01/30/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Central Office, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-3605

RIN: 2900-AB46

35. • EMPLOYEE FIDUCIARIES

Legal Authority: 38 USC 210 CFR Citation: 38 CFR 0.735-21

Abstract: The existing regulation falls under the general rules of conduct for employees. The intended change will bar most employees from becoming fiduciaries for beneficiaries of VA benefits and establish an exemption to the bar under a limited number of

circumstances such as when the employee is a close relative.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (274), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3644

RIN: 2900-AB50

36. ● FEDERAL FIDUCIARY COMMISSIONS

Legal Authority: PL 98-223, Sec 207; 38 USC 3202(a)

CFR Citation: 38 CFR 13.64

Abstract: This is a new regulation which gives the Veterans Services Officer authority to allow certain fiduciaries to obtain a modest fee from the incompetent beneficiary's estate for fiduciary services rendered.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	TALL STATE

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (274), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3644

RIN: 2900-AB52

37. TEMPORARY PROGRAM OF VOCATIONAL TRAINING FOR CERTAIN NEW PENSION RECIPIENTS

Legal Authority: PL 98-543, Sec 301

CFR Citation: 38 CFR 21

Abstract: The pilot program is directed to evaluating the effectiveness of a vocational training and related services in restoring veterans to gainful employment and realizing cost benefits. During the period February 1, 1985, through January 31, 1989, veterans awarded pension may be eligible for up to 24 months or more of vocational training to prepare for and enter employment. Under this program every veteran under age 50 who begins to receive a pension award on or after February 1, 1985, will participate in a

vocational evaluation to be arranged by the VA. Veterans who are age 50 and older and are awarded pension after February 1, 1985, may apply for an evaluation of their ability to profit from vocational training. Vocational training for up to 24 months or more and up to 18 months of employment services will be provided for program participants. A veteran will continue to receive pension during the period of training and employment services. Pension will be reduced or terminated following adjustment in employment when work income exceeds the annual income limitation applicable to pension.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	The same of

Small Entity: No

Agency Contact: Dr. Karen G. Boies, Asst. Director, Policy & Program Development, Veterans Administration, Department of Veterans Benefits (282), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2886

RIN: 2900-AB53

38. TEMPORARY PROGRAM FOR TRIAL WORK PERIODS AND VOCATIONAL REHABILITATION FOR CERTAIN VETERANS WITH TOTAL DISABILITY RATINGS

Legal Authority: PL 98-543, Sec 111

CFR Citation: 38 CFR 21

Abstract: The pilot program is directed at evaluating the effectiveness of a program of employment and or vocational rehabilitation services in enabling veterans in receipt of disability ratings by virtue of individual unemployability to become employed. During the period from February 1. 1985, through January 31, 1989, the veteran with a total disability rating due to IU (Individual Unemployability) who wishes to return to work will be protected for 12 consecutive months of employment. The VA will provide vocational rehabilitation and/or employment services to assist veterans to train for or to secure employment. A veteran with an IU rating prior to February 1, 1985, may choose to use these employment services or be considered for training under the VA vocational rehabilitation program. In either case, the veteran's IU rating remains protected for 12 months if he or she secures employment. For veterans

receiving an IU rating from February 1, 1985, and through January 31, 1989, an evaluation to determine if a vocational goal is feasible is required, and if it is, lack of participation will be considered in the veteran's next review of eligibility.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: No

Agency Contact: Dr. Karen G. Boies, Asst. Director, Policy & Program Development, Veterans Administration, Department of Veterans Benefits (282), 810 Vermont Ave, NW, Washington, DC 20420, 202 389-2886

RIN: 2900-AB54

39. • ADJUDICATION OF CLAIMS BASED ON EXPOSURE TO DIOXIN OR IONIZING RADIATION

Priority: Agency Determination Legal Authority: PL 98-542

CFR Citation: 38 CFR 1.17, (New); 38 CFR 3.102; 38 CFR 3.311a, (New); 38 CFR 3.311b, (New); 38 CFR 3.813, (New)

Abstract: These regulations provide guidelines for evaluating scientific studies, restate the reasonable doubt doctrine, provide standards and criteria for adjudicating claims based on exposure to dioxin or ionizing radiation, and provide for interim benefits in certain cases of chloracne and porphyria cutanea tarda.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Department of Veterans Benefits (211B), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3005

RIN: 2900-AB64

40. TEMPORARY VOCATIONAL REHABILITATION PROGRAMS AND AUTOMOBILE AND ADAPTIVE EQUIPMENT ALLOWANCE

Legal Authority: PL 98-543

CFR Citation: 38 CFR 3.341; 38 CFR 3.342; 38 CFR 3.343; 38 CFR 3.808

Abstract: These regulations provide for specific adjudicative actions on certain pension and total disability compensation awards when veterans required to participate in temporary vocational rehabilitation programs fail to do so. Also included are amendments increasing the automobile allowance and adaptive equipment eligibility.

Timetable:

half deleted and a second and a second		
Action	Date	FR Cite
NPRM -	06/00/85	No. of the last
Concil Entite	e Ma	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Department of Veterans Benefits (211B), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3005

RIN: 2900-AB65

41. • INCOMPETENT-ESTATE OVER \$1500 AND HOSPITALIZED

Legal Authority: PL 98-543; 38 USC 210(c)

CFR Citation: 38 CFR 3.556; 38 CFR 3.557; 38 CFR 3.558

Abstract: These amendments provide for waiver of withholding of benefits in certain incompetent veteran cases because of financial hardship, excludes the value of an incompetent veteran's home from estate computation in certain cases, and makes other technical changes.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	man walling
Conell Entil	are blo	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Department of Veterans Benefits (211B), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3005

RIN: 2900-AB66

42. • VETERANS EDUCATION; MISCELLANEOUS ADMINISTRATIVE ADJUSTMENTS

Legal Authority: PL 98-525

CFR Citation: 38 CFR 21.1022; 38 CFR 21.3022; 38 CFR 21.4005; 38 CFR 21.4009; 38 CFR 21.4020; 38 CFR 21.4022; 38 CFR 21.4134; 38 CFR 21.4153; 38 CFR 21.4201;

38 CFR 21.4206; 38 CFR 21.4207; 38 CFR 21.4209; 38 CFR 21.4250

Abstract: The Veterans' Educational
Assistance Act of 1984 established a
new educational program for veterans
and servicemembers, and a new
educational program for members of the
Selected Reserves. Some of the
provisions of the new programs affect
the administration of the GI Bill for
Vietnam Era veterans. The affected
regulations will be brought into
agreement with the law.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	200/E (0.00)

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB67

43. • VETERANS EDUCATION; NEW MONTHLY RATES

Legal Authority: PL 98-543

CFR Citation: 38 CFR 21.1041; 38 CFR 21.1045; 38 CFR 21.3046; 38 CFR 21.3030; 38 CFR 21.3333; 38 CFR 21.4136; 38 CFR 21.4137; 38 CFR 21.4236; 38 CFR 21.4279; 38 CFR 21.4503; 38 CFR 21.4612; 38 CFR 21.4632

Abstract: The Veterans' Benefits
Improvement Act of 1984 raised the
monthly rate of educational assistance
allowance payable to veterans training
under the GI Bill. This change will bring
the pertinent regulations into agreement
with the law.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/01/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB68

44. ● RESERVISTS EDUCATION; NEW EDUCATION PROGRAM FOR MEMBERS OF THE SELECTED RESERVE

Legal Authority: 10 USC 2131 et seq CFR Citation: Not vet determined

Abstract: A new education program for members of the Selected Reserve has been established by law. Regulations are needed so that the new program may be properly administered.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	Miles

Small Entity: Undetermined

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB69

45. • VETERANS EDUCATION; NEW EDUCATION PROGRAM FOR VETERANS

Legal Authority: 38 USC 1401 et seq

CFR Citation: Not yet determined

Abstract: A new education program for veterans and servicemembers has been established by law. Regulations are needed so that the new program may be properly administered.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	THE REAL PROPERTY.

Small Entity: Undetermined

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB70

46. • VETERANS EDUCATION; DELEGATION OF AUTHORITY

Legal Authority: 38 USC 212

CFR Citation: 38 CFR 21.4001

Abstract: The regulation currently delegates to the Director, Education Service the authority to approve lengthy

programs of special restorative training.

This change will delegate this authority

instead to the Director, Vocational Rehabilitation and Counseling Service.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	- In will see

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB71

47. ● VETERANS EDUCATION; VEAP HIGH SCHOOL RATES

Legal Authority: PL 98-543 CFR Citation: 38 CFR 21.5136

Abstract: The Veterans' Benefits
Improvement Act of 1984 raised the
monthly rate of educational assistance
allowance payable to some veterans
training in high school under VEAP.
This change will bring the pertinent
regulation into agreement with the law.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/01/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB72

48. ● VETERANS EDUCATION; RIGHT TO INITIALLY ENROLL IN VEAP SUSPENDED

Legal Authority: PL 98-525, Sec 704 CFR Citation: 38 CFR 21,5054

Abstract: The Department of Defense Authorization Act, 1985 prohibits a member of the Armed Forces from initially enrolling in VEAP during the period beginning on July 1, 1985 and ending on June 30, 1988. This change will bring the pertinent regulation into agreement with the law.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	GLASSIAN

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB73

49. • INCREASE SPECIALLY ADAPTED HOUSING GRANT

Legal Authority: 38 USC 210(c); 38 USC 801(b); PL 98-543

CFR Citation: 38 CFR 36,4404(b)(2)

Abstract: Specially Adapted Housing Assistance is available for service-connected disabled veterans who are blind or who have lost or lost the use of both hands. The maximum amount of this grant was increased from \$5,000 to \$6,000 by Public Law 98-543. A conforming change is being made to the regulations.

Timetable:

Action	Date	FR Cite
NIDDM	06/00/05	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits (264), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3042

RIN: 2900-AB74

50. ● 1. VETERANS SERVICES
OFFICER TO SELECT AND APPOINT
OR RECOMMEND FOR APPOINTMENT
THE PERSON OR LEGAL ENTITY TO
RECEIVE VETERANS
ADMINISTRATION BENEFITS IN A
FIDUCIARY CAPACITY 2. DIRECT
PAYMENT

Legal Authority: 38 USC 3202(a)

CFR Citation: 38 CFR 13.55; 38 CFR 13.56

Abstract: 38 CFR 13.55 authorizes the VSO to select and appoint a fiduciary and defines the types of payees authorized to receive payments in fiduciary cases. The intended change updates the authority language to more closely reflect changes to 38 USC 3202:

removes gender specific terminology and reference to mental illness; and, further clarifies the types of payees available for selection.

38 CFR 13.56 defines classes of beneficiaries who may be paid directly. The intended change clarifies the conditions for direct payment.

Timetable:

Action		Date	FR	Cite	
NDDM	O' THE THE	07/00/85			

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (274), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3644

RIN: 2900-AB75

51. 6 1. PAYMENT TO THE WIFE OR **HUSBAND OF AN INCOMPETENT** VETERAN 2. LEGAL CUSTODIAN

Legal Authority: 38 USC 3202

CFR Citation: 38 CFR 13.57; 38 CFR

Abstract: 38 CFR 13.57 specifies types of VA benefits that may be paid to spouse payee. The intended change broadens the class of payments to include VA insurance.

38 CFR 13.58 explains in part duties expected of a legal custodian. The intended change will clarify the custodian's authority to purchase a burial agreement for the incompetent beneficiary.

Timetable:

Action	Date	FR	Cite
NPRM	07/00/85	TELL .	100 H

Small Entity: No

Agency Contact: William B. Saliski, Ir., Program Analyst, Veterans Administration, Department of Veterans Benefits (274), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3644

RIN: 2900-AB76

52. 9 INVESTMENTS BY LEGAL CUSTODIANS

Legal Authority: 38 USC 3202 CFR Citation: 38 CFR 13.103

Abstract: The regulation gives Federally appointed legal custodian fiduciaries authority to invest surplus VA funds in savings bonds, or interest or dividend-paying accounts in State or Federally insured institutions. The intended regulation will give authority for investments in pre-need burial plans.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	SUB-LIVE CO. THE

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (274), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3644

RIN: 2900-AB77

53. • 1. VETERANS SERVICES OFFICER'S ACTION WHEN **VETERAN'S ESTATE EQUALS OR EXCEEDS \$1,500 2. DETERMINATION** OF VALUE OF ESTATE; 38 USC 3203(B)(1)

Legal Authority: 38 USC 3203(b)(1); PL 98-543, Sec 402

CFR Citation: 38 CFR 13.108; 38 CFR 13,109

Abstract: 38 CFR 13.108 defines the VSO's action and responsibility when a veteran is subject to discontinuance of payments under 38 USC 3203(b)(1). The intended change simplifies the title. updates the language of subsection (a) and further defines the VSO responsibilities regarding waiver of discontinuance under PL 98-543.

38 CFR 13.109 defines estate for purposes of the \$1,500 limitation. The intended change further defines assets and incorporates two new exclusions on the basis of PL 98-543 and an unpublished General Counsel's opinion.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	La Die congre
Small Entity	v. No	

Agency Contact: William B. Saliski, Ir., Program Analyst, Veterans Administration, Department of Veterans Benefits (274), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3644

RIN: 2900-AB78

54. • SUBSISTENCE ALLOWANCE

Legal Authority: PL 98-543, Sec 201 CFR Citation: 38 CFR 21,260

Abstract: Public Law 98-543 increased the rate for payment of subsistence allowance by 10 percent effective October 1, 1984. Issuance of regulations is required. There are no significant cost savings or increases as a result of this change.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	THE STATE OF

Small Entity: No

Agency Contact: Dr. Karen G. Boies, Asst. Director, Policy & Program Development, Veterans Administration, Department of Veterans Benefits (282). 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2886

RIN: 2900-AB79

BOARD OF VETERANS APPEALS 55. APPEALS REGULATIONS AND **RULES OF PRACTICE**

Legal Authority: PL 97-377, Sec 156 Quayle Amendment; EO 12436; 38 USC 4002; 38 USC 4004(c)

CFR Citation: 38 CFR 19.2: 38 CFR 19.157; 38 CFR 19.176; 38 CFR 19.179

Abstract: Revises the examples of the Board of Veterans Appeals' appellate jurisdiction to include claims for certain Social Security benefits under PL 97-377, Sec 156. Adds a new subsection to the Board of Veterans Appeals Rules of Practice No. 57 to reflect the Board's traditional practice of allowing an "informal hearing" by accepting written argument from some appellants' representatives. Retitles and adds a new subsection to the Board of Veterans Appeals Rules of Practice No. 76 to reflect the Board's traditional practice of requesting, in some cases, legal opinions from the General Counsel of the Veterans Administration. Retitles Board of Veterans Appeals Rules of Practice No. 79 to reflect that an appellant's representative will be given

VA

a copy of any General Counsel opinion obtained, and will be given 60 days to respond.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	CAN LINE

Small Entity: No

Agency Contact: Mr. Jan Donsbach, Special (Legal) Assistant, Veterans Administration, Board of Veterans Appeals, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2978

RIN: 2900-AB29

OFFICE OF BUDGET AND FINANCE 56. WAIVER OF OVERPAYMENTS WAIVER - THIRD PERSONS STANDARDS FOR CLAIMS COLLECTIONS

Legal Authority: 38 USC 3102; PL 97-365

CFR Citation: 38 CFR 1.962; 38 CFR 1.963(c); 38 CFR 1.900 to 1.954

Abstract: 38 CFR 1.962 will be revised by redefining the term "overpayment" to exclude those payments received by third parties who are neither payees nor beneficiaries. Section 1.963(c) will be deleted because benefit payments received by third parties, who are neither payees nor beneficiaries will no longer be considered for waiver. The revision to these two sections is done under 38 U.S.C. 3102. Sections 1.900 to 1.954 will be revised to comply with Pub. L. 97-365, which amended the Federal Claims Collection Act of 1966 and the Federal Claims Standards (4 CFR 101.1 to 101.5).

Timetable:

Action	Date		FR	Cite
NPRM	11/21/84	49	FR	45870
NPRM Comment Period Begin	11/21/84			
NPRM Comment Period End	12/21/84		11.	
Final Action	03/00/85			

Small Entity: No

Agency Contact: Peter T. Mulhern, Special Asst. for Fiscal Systems, Veterans Administration, Office of Budget and Finance, Washington, DC 20420, 202 389-3405

RIN: 2900-AB33

EQUAL OPPORTUNITY STAFF 57. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 42 USC 6101 et seq

CFR Citation: 38 CFR 18

Abstract: To establish standards for determining what age discrimination is and procedures for enforcing the Age Discrimination Act of 1975, according to the government-wide age discrimination regulations at 45 CFR Part 90. There are no alternatives to issuing these regulations. Beneficiaries, potential beneficiaries and the general public will benefit from assisted programs which are provided free from prohibited discrimination based on age.

Timetable:

Action	Date	FR Cite
NPRM	11/18/83	48 FR 52485
NPRM Comment Period Begin	11/18/83	
NPRM Comment Period End	12/19/83	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Ana M. del Toro, Equal Opportunity Specialist, Veterans Administration, Office of Equal Opportunity, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2150

RIN: 2900-AA21

58. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN VA PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 38 CFR 15

Abstract: Provides for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, as it applies to programs or activities conducted by the VA. Section 504 prohibits discrimination on the basis of handicap. There is no other alternative to the issuance of this regulation since it implements a legislative mandate. Qualified handicapped individuals will be assured of equal participation in programs or activities conducted by the VA.

Timetable:

Date	FR Cite
04/00/85	
	V. 1000000000000000000000000000000000000

Small Entity: No

Agency Contact: Ana M. del Toro, Equal Opportunity Specialist, Veterans Administration, Office Of Equal Opportunity, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2150

RIN: 2900-AA87

59. NONDISCRIMINATION ON THE BASIS OF SEX UNDER FEDERAL ASSISTED EDUCATION PROGRAMS AND ACTIVITIES

Legal Authority: 20 USC 1681 et seq; 38 USC 210(a); EO 12250

CFR Citation: 38 CFR 18

Abstract: To establish standards and procedures for enforcing Title IX of the Education Amendments of 1972 in educational programs and activities receiving Federal financial assistance from the VA. Title IX prohibits 'discrimination on the basis of sex. There are no alternatives to the issuance of the regulations.

Participants, potential participants and the public in general will benefit from Federally assisted programs provided free from prohibited discrimination based on sex.

Timetable:

Action	Date	1	FR	Cite
NPRM	04/25/79	44	FR	24320
NPRM Comment Period Begin	04/25/79			
NPRM Comment Period End	05/25/79			
Final Action	10/00/85			

Small Entity: Undetermined

Agency Contact: Ana M. del Toro, Equal Opportunity Specialist, Veterans Administration, Office of Equal Opportunity (006B), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2150

RIN: 2900-AB51

OFFICE OF THE GENERAL COUNSEL 60. RECOGNITION OF ORGANIZATIONS, REPRESENTATIVES, AGENTS AND ATTORNEYS

Legal Authority: 38 USC 210(c)(1); 38 USC 3402; 38 USC 3404

CFR Citation: 38 CFR 14.664; 38 CFR 14.627 to 14.637

Abstract: Includes definitions; requirements for recognition of organizations by the VA; requirements for recognition of representatives,

Current and Projected Rulemakings

agents and attorneys; powers of attorney; use of paralegals, law clerks and law students; requirements for space and office facilities.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	The same of the same of

Small Entity: No

Agency Contact: Andrew J. Mullen, Deputy Assistant General Counsel, Veterans Administration, Office of the General Counsel, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2440

RIN: 2900-AA38

61. REVISION OF FEES FOR COPIES OF VA RECORDS

Legal Authority: 38 USC 3302; 5 USC 552(a)(4)(A); 5 USC 552a(f)(5)

CFR Citation: 38 CFR 1.526; 38 CFR 1.555; 38 CFR 1.577(f)

Abstract: Revises VA fee schedules currently in effect for the Privacy Act, the Preedom of Information Act, and 38 U.S.C. Sec 3301 to remove inconsistencies and establish a comprehensive uniform fee schedule. The alternative would be to leave the regulations unchanged. This would result in continued confusion in their application and loss of revenue to the Government since an increase in the fees is contemplated. There is no increased cost to the Government due to these changes.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: David N. Stone, Director, Veterans Administration, Paperwork Management and Regulations Service, Office of Information Management & Statistic, 810 Vermont Ave., NW, Washington, DC 20420, 202 389-3616

RIN: 2900-AB18

62. EFFECT OF GENERAL COUNSEL OPINIONS

Legal Authority: 38 USC 210(c)(1); 38 USC 4004(c)

CFR Citation: 38 CFR 14.507

Abstract: Clarifies the effect of General Counsel opinions with respect to

binding and precedential legal interpretations. No alternatives are being considered. The change will assist VA personnel in understanding the effect of General Counsel opinions. It will benefit the public by enhancing the accessibility of General Counsel opinions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	THE REAL PROPERTY.

Small Entity: No

Agency Contact: Andrew J. Mullen, Deputy Assistant General Counsel, Veterans Administration, Office of the General Counsel, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2440

RIN: 2900-AB22

63. INVENTIONS BY EMPLOYEES OF VETERANS ADMINISTRATION AS COINVENTORS UNDER FUNDING AGREEMENTS

Legal Authority: 35 USC 200 to 207 CFR Citation: 38 CFR 1.635 to 1.643

Abstract: Under affiliation agreements between VA Medical Centers and local Colleges or Universities, VA employees and University employees are sometimes coinventors. Universities have requested VA to assign its interest in any such inventions to the University. Pub. L. No. 96-517 authorizes the VA to so assign its interest in certain circumstances, provided the invention was made under a funding agreement between the agency and the coinventing entity. These regulations will set forth the procedure and criteria for determination of patent right ownership in these situations. No costs will be imposed on the public. The public will benefit from consolidation of patent rights on one entity because this facilitates licensing and marketing of the invention, and thereby makes the invention available for public use.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Diana M. Bloss, Deputy Assistant General Counsel (024B), Veterans Administration, Office of General Counsel, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3651

RIN: 2900-AB47

OFFICE OF CONSTRUCTION 64. ENVIRONMENTAL EFFECTS OF VA ACTIONS

Legal Authority: 42 USC 4231 et seq; EO 11514; EO 11991; 40 CFR 1500 to 1508

CFR Citation: 38 CFR 26

Abstract: To implement provisions of National Environmental Policy Act of 1969 and EO 11514, as amended by EO 11991, and to provide policy and procedures for VA officials regarding environmental considerations when authorizing any VA action that affects the environment in the United States.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Undetermined

Agency Contact: Jon Baer, Director, Land Management Service, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2922

RIN: 2900-AB17

OFFICE OF THE INSPECTOR GENERAL

65. INVESTIGATION

Legal Authority: 5 USC Appendix Inspector General Act of 1978

CFR Citation: 38 CFR 1.450 to 1.455

Abstract: This revision publishes for the information of all concerned, the duties, responsibilities and authority of the Inspector General. No alternatives are being considered. There will be no additional costs as a result of this change.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	made, fals
and the second		

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Mr. Jack H. Kroll, Assistant Inspector General, Veterans Administration, Office of Inspector General, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2915

RIN: 2900-AB28

OFFICE OF PROCUREMENT AND SUPPLY

66. VETERANS ADMINISTRATION **ACQUISITION REGULATION**

Legal Authority: PL 98-369 CFR Citation: 48 CFR 801 to 872 Abstract: The Competition in Contracting Act of 1984 substantially changed the basic statutes underlying the Federal procurement system. The changes to the Veterans Administration Acquisition Regulation will reflect these changes that the Competition in Contracting Act made to the Federal Acquisition Regulation.

Timetable:

Completed:

Final Action

Final Action

Effective

389-2337

Small Entity: No

Reason

Action	Date	FR Cite
Interim Final Rule	03/29/85	

70. MEDICAL SERVICES

CFR Citation: 38 CFR 17.48(b)

Action	Date	FR Cite
NPRM Comment Period Begin	04/01/85	ADDRESS.
NPRM Comment Period End	06/01/85	
Final Action	07/30/85	

Small Entity: Yes

Agency Contact: Chris A. Figg, Chief, Policy Section, Veterans

Administration, Office of Procurement and Supply (90), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2334

RIN: 2900-AB49

VETERANS ADMINISTRATION (VA)

Completed Actions

COMPLETED RULEMAKINGS **67. OUTREACH PROGRAM, FEE** CONTRACT PROGRAM

CFR Citation: Not yet determined

Completed:

FR Cite Date Reason 02/13/85 Withdrawn

Small Entity: No

Agency Contact: Edward J. Lord 202

389-3303

RIN: 2900-AA00

RIN: 2900-AB30

Agency Contact: Gene Lambert 202

Date

11/21/83

68. MEDICAL RECORDS DISCLOSURE

CFR Citation: 38 CFR 1.514

Completed:

FR Cite Date Reason 02/13/85 Withdrawn

Small Entity: No

Agency Contact: Harold Ramsey 202 389-2589

RIN: 2900-AA22

69. DEFINITIONS

CFR Citation: 38 CFR 17.30(m)

Completed:

Date FR Cite Reason 12/26/84 49 FR 50029 Final Action Final Action 11/21/83 Effective

Small Entity: No

Agency Contact: Jerome J. Hanes 202 389-2337

RIN: 2900-AB19

71. VETERANS EDUCATION; **EDUCATIONAL ASSISTANCE TEST**

CFR Citation: 38 CFR 21.5700 to 21.5900

Completed:

PROGRAM

Reason Date FR Cite 07/18/84 49 FR 29058 Final Action 10/01/83 Final Action Effective

Small Entity: No

Agency Contact: June Schaeffer 202 389-2092

RIN: 2900-AA01

72. VOCATIONAL REHABILITATION AMENDMENTS

CFR Citation: 38 CFR 21.50 to 21.98

Completed:

FR Cite Reason Date 10/18/84 49 FR 40810 Final Action

Small Entity: No

Agency Contact: Dr. Karen Boies 202 389-2886

RIN: 2900-AA47

FR Cite

12/26/84 49 FR 50029

73. VOCATIONAL REHABILITATION **AMENDMENTS**

CFR Citation: 38 CFR 21.100 to 21.102; 38 CFR 21.120 to 21.134; 38 CFR 21.140 to 21.156; 38 CFR 21.160 to 21.162; 38 CFR 21.210 to 21.224; 38 CFR 21.240 to 21.242; 38 CFR 21.250 to 21.258; 38 CFR 21.380 to 21.406; 38 CFR 21.420; 38 CFR 21.430

Completed:

FR Cite Reason Date 10/18/84 49 FR 40810 Final Action

Small Entity: No

Agency Contact: Dr. Karen Boies 202 389-2886

RIN: 2900-AA48

74. VOCATIONAL REHABILITATION **AMENDMENTS**

CFR Citation: 38 CFR 21.180 to 21.198; 38 CFR 21.280 to 21.284; 38 CFR 21.290 to 21.299; 38 CFR 21.360 to 21.362; 38 CFR 21.370 to 21.376; 38 CFR 21.410 to 21.414

Completed:

Date FR Cite Reason 10/18/84 49 FR 40810 Final Action

Small Entity: No

Agency Contact: Dr. Karen Boies 202 389-2886

RIN: 2900-AA49

Completed Actions

75. VOCATIONAL REHABILITATION AMENDMENTS

CFR Citation: 38 CFR 21.260 to 21.276; 38 CFR 21.310 to 21.314; 38 CFR 21.320 to 21.334; 38 CFR 21.340 to 21.350

Completed:

Reason	Date	FR	Cite
Final Action	10/18/84	49 FR	40810

Small Entity: No

Agency Contact: Dr. Karen Boies 202 389-2886

RIN: 2900-AA50

76. VETERANS EDUCATION; SPECIAL RESTORATIVE TRAINING AND SPECIALIZED VOCATIONAL TRAINING

CFR Citation: 38 CFR 21.3300; 38 CFR 21.3301; 38 CFR 21.3303; 38 CFR 21.3304; 38 CFR 21.3306; 38 CFR 21.3307; 38 CFR 21.3331; 38 CFR 21.4105; 38 CFR 21.4232; 38 CFR 21.4276

Completed:

Reason	Date	FR	Cite
Final Action Final Action	10/24/84 09/18/84	49 FR	42725
Effective			

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AA74

77. VETERANS EDUCATION; CHANGE OF PROGRAM

CFR Citation: 38 CFR 21.5232

Completed:

Reason	Date		FR	Cite
Final Action	09/24/84	49	FR	37383
Final Action Effective	08/27/84			

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AA91

78. OCCUPANCY REQUIREMENTS

CFR Citation: 38 CFR 36.4306

Completed:

Reason	Date		FR	Cite
Final Action Final Action	10/23/84 11/23/84	49	FR	42570

Small Entity: No

Agency Contact: George D. Moerman 202 389-3042

RIN: 2900-AA96

79. CERTAIN MANUFACTURED HOUSING LOANS

CFR Citation: 38 CFR 36.4300, Series

Completed:

Reason	Date	FR Cite
Final Action Final Action Effective	01/24/85 01/03/85	50 FR 3333

Small Entity: No

Agency Contact: George D. Moerman 202 389-3042

RIN: 2900-AA99

80. VETERANS EDUCATION; ACCREDITATION OF MEDICAL RESIDENCIES

CFR Citation: 38 CFR 21.4265

Completed:

Reason	Date	F	R	Cite
Final Action	10/09/84	49 F	R	39544
Final Action Effective	09/19/84			

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AB01

81. PREMIUM RATES; COLLECTION OF ANY INDEBTEDNESS; PREMIUM WAIVER

CFR Citation: 38 CFR 8.3; 38 CFR 8.85; 38 CFR 8.113

Completed:

Reason	Date	FR Cite
Final Action	08/31/84	49 FR 34483
Final Action	09/01/84	
Effective		

Small Entity: No

Agency Contact: Robert W. Carey 215 951-5360

RIN- 2900-AR14

82. DEPENDENTS' EDUCATIONAL ASSISTANCE; ENTITLEMENT

CFR Citation: 38 CFR 21.3044; 38 CFR 21.3045

Completed:

Reason	Date		FR	Cite
Final Action Final Action Effective	12/14/84 11/21/84	49	FR	48692

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AB16

83. CATEGORIES OF ADMINISTRATIVE SEPARATION

CFR Citation: 38 CFR 3.12

Completed:

Reason	Date		FR	Cite
Final Action	11/02/84	49	FR	44099
Final Action Effective	10/01/82			

Small Entity: No

Agency Contact: Robert M. White 202 389-3005

RIN: 2900-AB20

84. VETERANS EDUCATION; SCHOOL REIMBURSEMENT

CFR Citation: 38 CFR 21.4009

Completed:

Reason	Date	3	FR	Cite
Final Action	09/11/84	49	FR	35629
Final Action Effective	08/20/84			

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AB25

85. INCREASE LOAN FEE FOR HOUSING LOANS

CFR Citation: 38 CFR 36.4232; 38 CFR 36.4254; 38 CFR 36.4312; 38 CFR 36.4504

Completed:

Date	FR Cite
02/11/85	50 FR 5754
08/17/84	
	02/11/85

Small Entity: No

Agency Contact: George D. Moerman 202 389-3042

RIN: 2900-AB36

VA

Completed Actions

85. DEPENDENCY OF PARENTS -COMPENSATION

CFR Citation: 38 CFR 3.250

Completed:

Reason	Date		FR	Cite
Final Action	11/30/84	49	FR	47004
Final Action Effective	05/01/84			

Small Entity: No

Agency Contact: Robert M. White 202

389-3005

RIN: 2900-AB45

87. DISINTERMENTS FROM NATIONAL CEMETERIES

CFR Citation: 38 CFR 1.621(d)

Completed:

Reason	Date	FR Cite
Final Action Final Action Effective	08/31/84 08/16/84	49 FR 34482

Small Entity: Not Applicable

Agency Contact: Sonja McCombs 202 389-2987

RIN: 2900-AB10

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

88. • AMEND VA REGULATIONS TO PROVIDE AN EXTENSION TO THE TERMINATION DATE FOR PROVIDING CONTRACT CARE OUTSIDE THE UNITED STATES

Legal Authority: 38 USC 601(4)(C)(v) as amended by P.L. 98-528

CFR Citation: 38 CFR 17.50b(e)

Abstract: The authority for treating veterans through contract service expired on September 30, 1984, for Puerto Rico, the Virgin Islands, and the Territories and possessions. This amendment extends the expiration date to September 30, 1985.

Timetable:		
Action	Date	FR Cite
Final Action Effective	01/30/85	TX STATE OF
Final Action	02/05/85	50 FR 4974

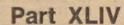
Small Entity: No

Agency Contact: Stuart Mount, Medical Administration Program Specialist, Veterans Administration, Department of Medicine & Surgery (136F), 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2143

RIN: 2900-AB58 [FR Doc. 85-6397 Filed 04-26-65; 8:45 am] BILLING CODE 8320-01-T



Monday April 29, 1985



Department of
Defense/General
Services
Administration/
National Aeronautics
and Space
Administration

Federal Acquisition Regulation; Semiannual Regulatory Agenda

FAR

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION/NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Ch. 1

Unified Agenda of Federal Regulations

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Semiannual agenda.

summary: This agenda provides summary descriptions of regulations being developed by the Civilian Agency Acquisition Council and the Defense Acquisition Regulatory Council, in conformance with Executive Order 12291, Federal Regulation. This agenda is being published to allow interested persons an opportunity to participate in the rule making process.

The FAR Secretariat has attempted to list all regulations pending at the time of publication except for minor and routine or repetitive actions, but unanticipated requirements may result in the issuance of regulations that are not included in this agenda. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the dates shown.

FOR FURTHER INFORMATION CONTACT: Roger M. Schwartz, Director, FAR

Secretariat, (202) 523-4755.

SUPPLEMENTARY INFORMATION: DoD, GSA, and NASA under their several statutory authorities jointly issue and maintain the Federal Acquisition Regulation (FAR) and prescribe the FAR system. Revisions to the FAR are made through periodic issuance of Federal Acquisition Circulars (FAC's). None of the regulations listed in this agenda are considered major under Executive Order 12291, Federal Regulations.

Allan W. Beres.

Assistant Administrator for Acquisition Policy.

Current and Projected Rulemakings

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION/NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

• FEDERAL ACQUISITION REGULATION (FAR) - FEDERAL ACQUISITION CIRCULAR 84-10

Priority: Undetermined

Legal Authority: 40 USC 486 (c); 42 USC 2453 (c); 10 USC Chapter 137

CFR Citation: 48 CFR 1-4; 48 CFR 1-9; 48 CFR 1-15; 48 CFR 1-19; 48 CFR 1-20; 48 CFR 1-22; 48 CFR 1-29; 48 CFR 1-32; 48 CFR 1-52; 48 CFR 1-53

Abstract: To revise the FAR to [1] conform with records disposition standards prescribed by the National Archives and Records Service; (2) conform with revisions in 41 U.S.C. 46-48c regarding Purchases from the Blind and Other Severely Handicapped; (3) exclude debarred and suspended contractors from conducting business with the Government as agents or representatives of other contractors; (4) require inclusion of contract identification codes on Standard Forms (SF's) 26 and 33; (5) replace interim coverage on Small Business Size Standard; (6) incorporate revisions proposed by the Small Business Administration; (7) revise SF 295 and related instructions to clarify Labor Surplus Area Subcontracting Program reporting instructions; (8) provide Government-wide acquisition policy with respect to labor standards for contracts involving construction; (9) include, for use in small purchases, a clause on federal, state, and local taxes; (10) implement the Debt Collection Act; and (11) revise SF's 1406, 1415, and Optional Form 347.

Timetable:

Action	Date	FR Cite
Final Action	07/01/85	
Final Action Federal Acquisition Circular 64-10	07/01/85	

Small Entity: Undetermined

Agency Contact: Roger M. Schwartz, Director, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VR-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA00

FEDERAL ACQUISITION REGULATION (FAR) - FEDERAL ACQUISITION CIRCULAR 84-9

Priority: Undetermined

Legal Authority: 40 USC 486(c); 42 USC 2453(c); 10 USC Chapter 137

CFR Citation: 48 CFR 1-14; 48 CFR 1-15; 48 CFR 1-27; 48 CFR 1-31; 48 CFR 1-32; 48 CFR 1-49; 48 CFR 1-52; 48 CFR 1-53

Abstract: To revise the FAR to (1) provide guidance under the rules of sealed bidding with respect to acceptable evidence in establishing the date of mailing of a late bid; (2) extend applicability of the FAR policy on evaluation of prompt payment discounts

to include awards under negotiation as well as sealed bidding; (3) reinstate rules that were in the Defense Acquisition Regulation regarding items or work efforts to be included in Makeor-Buy programs; (4) provide Government-wide acquisition policy with respect to rights in data and copyrights; (5) provide a greater degree of flexibility with respect to retainage of funds from construction contract progress payments; (6) implement the Prompt Payment Act and OMB Circular A-125; (7) revise the contract cost principle on allowability of costs for compensated personal absences; (8) reinstate, in the termination clause for cost reimbursement contracts, certain language that was used in the Defense Acquisition Regulation and the Federal Procurement Regulations; and (9)

Timetable:

Action	Date	FR Cite
Final ActionFederal Acquisition Circular 84-9	06/01/85	

discontinue Standard Form 36.

Small Entity: Undetermined

Current and Projected Rulemakings

Agency Contact: Roger M. Schwartz, Director, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VR-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA01

FEDERAL ACQUISITION REGULATION (FAR) - FEDERAL ACQUISITION CIRCULAR 84-11

Priority: Undetermined

Legal Authority: 40 USC 486(c): 42 USC 2453(c): 10 USC Chapter 137

CFR Citation: 48 CFR 1-19; 48 CFR 1-22; 48 CFR 1-31; 48 CFR 1-35; 48 CFR 1-52

Abstract: To revise the FAR to (1) bring the FAR into conformance with the Small Business Administration's definition of the term "number of employees"; (2) raise the threshold of applicability from \$10,000 to \$25,000 with respect to the contract clause on "Utilization of Women-Owned Small Businesses" in order to reflect a corresponding increase in the Small Purchase limitation; (3) bring the FAR into conformance with the Small Business Act with respect to the award of a contract to a small business pending final determination of its eligibility for award under the WalshHealy Public Contracts Act; (4) provide coverage in the contract cost principles with respect to the allowability of public relations costs; and (5) implement OFPP Policy Letter 84-1 on Federally Funded Research and Development Centers.

Timetable:

Action	Date	FR Cite
Final ActionFederal Acquisition Circular 84-11	08/01/85	

Small Entity: Undetermined

Agency Contact: Roger M. Schwartz, Director, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VR-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA02

FEDERAL ACQUISITION REGULATION (FAR) - FEDERAL ACQUISITION CIRCULAR 84-8

Priority: Undetermined

Legal Authority: 40 USC 486(c); 42 USC 2453(c); 10 USC Chapter 137

CFR Citation: 48 CFR 1-19; 48 CFR 1-28; 48 CFR 1-36; 48 CFR 1-44 Abstract: To revise the FAR to (1) require Standard Form (SF) 1442 rather than SF 26 to be used in construction contracts under the Small Business Administration's "8(a)" program; (2) bring the FAR into conformance with Public Law 98-269 regarding responsibility for furnishing certified copies of Miller Act payment bonds; (3) revise usage requirements for three contract clauses whose use is inappropriate in cost reimbursement architect engineer contracts; and (4) revise terminology and definitions to eliminate an ambiguity with respect to industrial facilities.

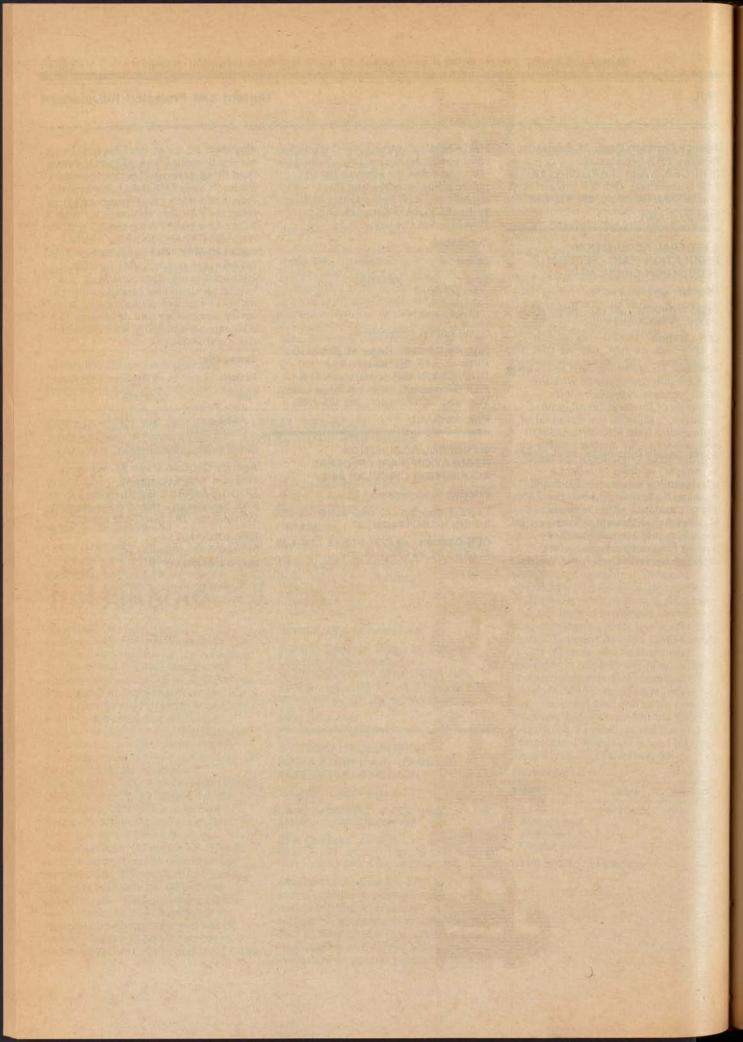
Timetable:

Action	Date	FR Cite
Final ActionFederal Acquisition Circular 84-8	05/01/85	

Small Entity: Undetermined

Agency Contact: Roger M. Schwartz, Director, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VR-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA03 [FR Doc. 85-7908 Filed 04-26-85; 8:45am] BILLING CODE 6820-61-T





Monday April 29, 1985

Part XLV

Commodity Futures Trading Commission

Semiannual Regulatory Agenda

COMMODITY FUTURES TRADING COMMISSION

17 CFR Ch. I

Regulatory Flexibility Agenda

AGENCY: Commodity Futures Trading Commission.

ACTION: Publication of regulatory flexibility agenda.

Trading Commission, in accordance with the requirements of the Regulatory Flexibility Act, is publishing a semiannual agenda of significant rules which the Commission expects to propose or promulgate over the next year. The Commission welcomes comments from small entities and others upon the subject area of the agenda.

ADDRESS: Comments should be sent to: Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581, Attention: Secretariat.

FOR FURTHER INFORMATION CONTACT: Harold L. Hardman, Esquire, Office of the General Counsel, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581 (202) 254-9880.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, 5 U.S.C. 601, et seq. ("RFA"), sets forth a number of requirements for agency rulemaking. Among other things, the RFA requires that:

- (a) During the months of October and April of each year, each agency shall publish in the Federal Register a regulatory flexibility agenda which shall contain:
- A brief description of the subject area of any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities;
- (2) A summary of the nature of any such rule under consideration for each subject area listed in the agenda pursuant to paragraph (1), the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and
- (3) The name and telephone number of an agency official knowledgeable concerning the items listed in paragraph (1).

5 U.S.C. 602(a). Accordingly, the Commission has prepared an agenda of significant rules which it presently expects may be considered during the course of the next year. The agenda lists all significant rules which may be considered by the Commission within the next year, irrespective of their potential impact on small entities.

The Commission's agenda represents its best estimate at this time of

significant rules which will be considered sometime over the next twelve months. In this regard, section 602(d) of the RFA, 5 U.S.C. 602(d), provides: "Nothing in [section 602] precludes an agency from considering or acting on any matter not included in a regulatory flexibility agenda, or requires an agency to consider or act on any matter listed in such agenda." In addition to publishing the regulatory flexibility agenda, the Commission also makes available to the public, on a monthly basis, a calendar listing rules that the Commission intends to consider that month.

The Commission is publishing its
April 1985 Regulatory Flexibility Agenda
as part of the April 1985 Unified Agenda
of Federal Regulations. The Unified
Agenda of Federal Regulations is
coordinated by the Office of
Management and Budget pursuant to
Executive Order 12291. While
participation by executive agencies in
that Agenda is mandatory, independent
agencies, such as the Commission,
participate in the Unified Agenda on a
voluntary basis.

The Commission's April 1985 Regulatory Flexibility Agenda is set forth below.

Issued in Washington, D.C., on February 27, 1985, by the Commission. Jean A. Webb,

Secretary of the Commission.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Regulations Permitting the Grant, Offer and Sale of Options on Physical Commodities (Dealer Options)	3038-AA03
2	Regulation of Leverage Transactions	3038-AA04
3	Large Trader Reporting to Exchanges	3038-AA09
4	Minimum Financial and Related Reporting Requirements for Futures Commission Merchants	3038-AA10

¹Other than the Commission rules currently under review in conjunction with the Commission's pending and anticipated rulemakings as discussed above, the Commission does not intend to conduct any reviews of its existing regulations during the next year. In this regard, pursuant to the plan established by the Commission pursuant to section 610 of the RFA, 5 U.S.C. 610, for a ten year periodic review of its rules, the Commission will commence review of its rules in November, 1985. 46 FR 29952 [June 4, 1981].

We note that the Commission has devoted significant resources to several studies mandated by Congress in the Futures Trading Act of 1982. See The Futures Trading Act of 1982, Pub. L. No. 97-444, 205(4) (trading activities of large hedgers in cattle,

hog and pork belly markets). 236(a) (effects on economy of trading futures markets by persons possessing material nonpublic information), and 237 (regulatory experience of National Putures Association), 96 Stat. 2300, 2324-25, and 2325-28 (1983). Some of these studies have resulted in suggestions for the issuance or revision of Commission rules.

²The Commission has published its definitions of small entity to be used by the Commission in connection with rulemaking proceedings. 47 FR 18618 (Apr. 30, 1982). Pursuant to those definitions, the Commission is not required to list many of the agenda items contained in this regulatory flexibility agends. See 5 U.S.C. 602(a)(1). Moreover, the Commission has previously certified, pursuant to

section 605 of the RFA. 5 U.S.C. 605, that certain items contained in this agenda will not have a significant economic impact on a substantial number of small entities. Accordingly, listing of an item in this regulatory flexibility agenda should not in any event, be taken as a determination that a rule, when proposed or promulgated, will in fact require a regulatory flexibility analysis. However, the Commission hopes that the publication of an agenda which includes significant rules, regardless of their potential impact on small entities, may serve the public generally by providing an early and meaningful opportunity to participate in and comment on the formulation of new or revised regulations.

Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
5	Speculative Position Limits	3038-AA24
6	Exemption for Certain Entities from Regulation as a Commodity Pool Operator	3038-4430
7	Regulations Governing the Offer and Sale of Foreign Futures Contracts in the United States	3038-AA33
8	Commodify Options: Margins	2020 4424
9	Contract Market Enforcement of Floor Broker Registration Requirements	3038-AA36
10	Reporting Requirements	3038-AA38
- 11	Activities of Persons Possessing Material, Nonpublic Information	3038-AA39
12	Trade Time-Sequencing Standards and Exchange Audit Trail Systems	3038-AA40

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
13 14 15 16	Authorization to Perform Portions of the Commission's Registration Functions Risk Disclosure by Futures Commission Merchants to Customers. Service Fees. Exemption From Speculative Position Limits For Certain Spread Positions.	3038-AA13 3038-AA15 3038-AA18 3038-AA35
17	Procedures Regarding the Disclosure of Information and the Testimony of Present or Former Commission Members and Employees in Response to Subpoenas or Other Demands of a Court or ETC	3038-AA41 3038-AA42

COMMODITY FUTURES TRADING COMMISSION (CFTC)

Current and Projected Rulemakings

1. REGULATIONS PERMITTING THE GRANT, OFFER AND SALE OF OPTIONS ON PHYSICAL COMMODITIES (DEALER OPTIONS)

Legal Authority: 7 USC 6c(b) Commodity Exchange Act, Sec 4c(b); 7 USC 6c(d) Commodity Exchange Act, Sec 4c(d); 7 USC 12a(5) Commodity Exchange Act, Sec 8a(5)

CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 32

Abstract: Congress has directed the Commission to issue regulations permitting grantors and futures commission merchants to grant, offer and sell so-called "dealer options" on certain physical commodities subject to certain conditions specified by statute and such other uniform and reasonable requirements as the Commission may prescribe. At present, the only persons who may lawfully grant dealer options are United States domiciles who, on May 1, 1978, were in the business of buying, selling, producing or otherwise using that commodity. The Commission has reproposed rules, principally concerning registration of dealer option grantors, requirements for the segregation of customer funds, disclosure to customers and prospective customers, and minimum financial requirements. The Commission intends to re-evaluate the proposed rules in light of regulatory changes that have occurred since 1980 and expects to decide whether to adopt or repropose rules in late 1985.

Timetable:

Action	Date		FR	Cite
NPRM	12/20/78	43	FR	59396
NPRM	04/27/81	46	FR	23469
Final Action	12/00/85			

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Robert H. Rosenfeld, Esquire, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA03

2. REGULATION OF LEVERAGE TRANSACTIONS

Legal Authority: 7 USC 12a Commodity Exchange Act, Sec 8a; 7 USC 23 Commodity Exchange Act, Sec 19; 7 USC 16a Sec 237 of FTA 82, amending, Sec 26 of FTA of 78 CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 4; 17 CFR 31; 17 CFR 145; 17 CFR 147; 17 CFR 190

Abstract: On January 16, 1984, the Commission adopted interim final rules which establish a comprehensive regulatory scheme applicable to certain leverage transactions. 49 FR 5498 (Feb. 13, 1984). The regulations, among other things, impose registration, financial, segregation, disclosure and recordkeeping requirements upon persons engaged in the business of offering and selling to the public leverage contracts for the delivery of certain commodities. The regulations generally became effective on April 13, 1984. Commission rules 31.1 and 31.2, which impose temporary moratoria on the entry of new persons or firms into the leverage business, remain in effect. Subsequently, the Commission solicited public comment concerning whether and how the interim rules could be amended to encompass the marketing of certain "short sales" of leverage transactions to the public. The Commission has determined to make such amendments to the interim rules. On January 2, 1985, certain of these

amendments which are technical in nature were published in final form without further notice and comment procedures. 50 FR 22. At that time, other more substantive amendments also were (cont)

Timetable:

Action	Date	FR	Cite
NPRM Marketing of Short Sales	03/08/84	49 FR	8624
NPRM	01/02/85	50 FR	102
Final Action Technical Amendments	01/02/85	50 FR	22
Final Action	06/30/85		

Small Entity: No

Additional Information: ABSTRACT CONT: published in proposed form for public comment. The comment period ended February 1, 1985. 50 FR 102 (Jan. 2, 1985).

Agency Contact: Lawrence B. Patent, Special Counsel, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA04

3. LARGE TRADER REPORTING TO EXCHANGES

Legal Authority: 7 USC 6g Commodity Exchange Act, Sec 4g; 7 USC 6i Commodity Exchange Act, Sec 4i; 7 USC 7(d) Commodity Exchange Act, Sec 5(d); 7 USC 12a(5) Commodity Exchange Act, Sec 8a(5)

CFR Citation: 17 CFR 15; 17 CFR 16; 17 CFR 17; 17 CFR 18; 17 CFR 21

Abstract: The Commission has proposed a rule which would require exchanges to collect, process and forward to the Commission, in machine readable form, information which the Commission currently collects from futures commission merchants and foreign brokers on series '01 reports and form 102. The rule is intended to enhance effective market surveillance programs by the exchanges and to alleviate, to some extent, the duplicative reporting burden currently imposed on some exchange member firms.

Timetable:

Action	Date		FR Cite
NPRM	08/27/80	45	FR 57141
Final Action	00/00/00		

Small Entity: Not Applicable

Agency Contact: Lamont L. Reese, Commodity Futures Trading Commission, Division of Economic Analysis, 2033 K Street, NW, Washington, DC 20581, 202 254-3310

RIN: 3038-AA09

4. MINIMUM FINANCIAL AND RELATED REPORTING REQUIREMENTS FOR FUTURES COMMISSION MERCHANTS

Legal Authority: 7 USC 6d Commodity Exchange Act, Sec 4d; 7 USC 6f Commodity Exchange Act, Sec 4f; 7 USC 12a Commodity Exchange Act, Sec 8a

CFR Citation: 17 CFR 1.17

Abstract: The Commission has proposed amendments to certain of its minimum financial and related reporting requirements for futures commission merchants ("FCMs"), as well as the basic financial reporting form for FCMs, Form 1-FR. One proposed amendment would alter the minimum dollar amount of adjusted net capital which must be maintained by FCMs. The Commission has also proposed a further amendment to the minimum financial regulations regarding the treatment of undermargined accounts. In addition, the Commission has proposed one specific capital charge relating to concentration of positions, and has invited further comment to assist it in the development of further appropriate minimum financial regulations concerning concentration of positions.

Timetable:

Action	Date	FR Cite
NPRM	06/25/80	45 FR 42633
NPRM	12/01/80	45 FR 79498
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Paul Bjamason, Chief Accountant, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA10

5. SPECULATIVE POSITION LIMITS

Legal Authority: 7 USC 6a Commodity Exchange Act, Sec 4a

CFR Citation: 17 CFR 1; 17 CFR 150

Abstract: Section 4a of the Commodity Exchange Act was amended recently to provide that it is a violation of the Commodity Exchange Act for any person to violate any bylaw, rule, regulation, or resolution of any contract market which fixes speculative position limits. Rules relating to Commission set speculative position limits will be considered in light of these amendments to the Act. In addition, the Futures Trading Act of 1982 amended Section 4a of the Act, 7 U.S.C. Sec. 6a (1982), to give the Commission additional authority with respect to speculative position limits.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Paul M. Architzel, Chief Counsel, Commodity Futures Trading Commission, Division of Economic Analysis, 2033 K Street, NW, Washington, DC 20581, 202 254-6990

RIN: 3038-AA24

6. EXEMPTION FOR CERTAIN ENTITIES FROM REGULATION AS A COMMODITY POOL OPERATOR

Legal Authority: 7 USC 2 Commodity Exchange Act, Sec 2(a)(1); 7 USC 6k Commodity Exchange Act, Sec 4k; 7 USC 6l Commodity Exchange Act, Sec 4k; 7 USC 6m Commodity Exchange Act, Sec 4m; 7 USC 6n Commodity Exchange Act, Sec 4n; 7 USC 60 Commodity Exchange Act, Sec 4o; 7 USC 12a Commodity Exchange Act, Sec 8a; 7 USC 18 Commodity Exchange Act, Sec 14

CFR Citation: 17 CFR 3; 17 CFR 4

Abstract: In connection with the Commission's reauthorization in 1982, the Senate Committee on Agriculture, Nutrition and Forestry recommended that the Commission should generally exempt certain otherwise regulated entities, that met certain criteria, from regulation as a commodity pool operator ("CPO") unless these entities have other attributes or features that would warrant their regulation as a CPO. These entities include an entity regulated under the Investment Company Act of 1940, an insurance company, a bank or trust company acting in its fiduciary capacity and subject to regulation by any state or the United States, and a defined benefit plan that is subject to the Employee Retirement Income Security Act of 1974 and is insured by the Pension Benefit Guaranty Corporation. See S. Rep. No. 97-384, 97th Cong., 2d Sess. 60 (1980).

Current and Projected Rulemakings

The Commission has proposed a rule that, if adopted, generally would implement this Congressional recommendation.

Timetable:

Action	Date	FR Cite		
NPRM	02/08/84	49 FR 4778		
Final Action	03/31/85			

Small Entity: No

Agency Contact: Barbara Stern, Special Counsel for Commodity Pool Operators, Commodity Futures Trading Commission, and Commodity Trading Advisors, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA30

7. REGULATIONS GOVERNING THE OFFER AND SALE OF FOREIGN FUTURES CONTRACTS IN THE UNITED STATES

Legal Authority: 7 USC 6(b) Commodity Exchange Act, Sec 4(b)

CFR Citation: Not yet determined

Abstract: Section 4(b) of the Commodity Exchange Act, as amended by the Futures Trading Act of 1982, authorizes the Commission to adopt rules and regulations proscribing fraud in the offer and sale of foreign futures contracts in the United States and requiring minimum financial standards, the keeping of books and records, the safeguarding of customer funds and the registration with the Commission of any person located in the United States who engages in the offer and sale of such contracts. The Commission has published an advance notice of proposed rulemaking to assist in determining the need for a more formal regulatory program to implement the provisions of Section 4(b) of the Act.

Timetable:

Action	Date	-	FR	Cite
ANPRM	07/25/84	49	FR	29963
Final Action	12/00/85			

Small Entity: Undetermined

Agency Contact: Robert H. Rosenfeld, Esquire, Commodity Futures Trading Commission, Division of Trading and Markets, Washington, DC 20581, 202 254-8955

RIN: 3038-AA33

8. COMMODITY OPTIONS; MARGINS

Legal Authority: 7 USC 6c Commodity Exchange Act, Sec 4c; 7 USC 6d Commodity Exchange Act, Sec 4d; 7 USC 6f Commodity Exchange Act, Sec 4f; 7 USC 7 Commodity Exchange Act, Sec 5; 7 USC 7a Commodity Exchange Act, Sec 5a; 7 USC 12a(5) Commodity Exchange Act, Sec 8a(5)

CFR Citation: 17 CFR 1; 17 CFR 33

Abstract: The Commission is proposing to amend Commission regulation 33.4(a)(2), which currently provides that a contract market applying for designation to trade commodity option contracts must require full payment of option premiums by the contract market's clearing organization. Under the proposed rule amendment, a contract market could choose instead to adopt rules permitting its members to make a deposit with respect to the option premium, subject to certain proposed requirements. In addition, the Commission is proposing to amend regulations 1.3, 1.12 and 1.17 to reflect in its minimum financial requirements for futures commission merchants the margin treatment which may be accorded option positions under proposed amendments to regulation 33.4(a)(2).

Timetable:

Action	Date	FR Cite	
ANPRM	03/15/83	48 FR 10857	7
Rule-related Notice	10/31/83	48 FR 50073	3
NPRM	03/09/84	49 FR 8937	
Final Action	06/30/85		

Small Entity: Undetermined

Agency Contact: Robert H. Rosenfeld, Esquire, Commodity Futures Trading Commission, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA34

9. CONTRACT MARKET ENFORCEMENT OF FLOOR BROKER REGISTRATION REQUIREMENTS

Legal Authority: 7 USC 6c Commodity Exchange Act 4c; 7 USC 6c Commodity Exchange Act 4e; 7 USC 6f Commodity Exchange Act 4f; 7 USC 7 Commodity Exchange Act 5; 7 USC 12a Commodity Exchange Act 8a; 7 USC 7a Commodity Exchange Act 5a

CFR Citation: 17 CFR 1.62

Abstract: Persons acting as floor brokers on a contract market are required to register as such with the Commission pursuant to section 4e of the Act. However, the Commission has

found numerous instances in which persons apparently have acted as floor brokers without being registered as such. The Commission believes that contract markets can, as part of their own membership registration procedures and without significant additional burden, affirmatively assist the Commission to ensure that their members who engage in brokerage are registered with the Commission. The Commission thus is proposing to require that each contract market adopt a rule which provides that before a person may execute orders for others on the floor of that contract market, the person must be registered with the Commission as a floor broker. The comment period for this proposed rule ended on January 16, 1985.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31442
NPRM Comment Period Begin	08/07/84	
NPRM Comment Period -End	01/16/85	
Final Action	06/30/85	

Small Entity: No

Agency Contact: Lawrence B. Delins and Jane C. Kang. Attorneys, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA36

10. • REPORTING REQUIREMENTS

Legal Authority: 7 USC 2 Commodity Exchange Act, Sec 2(a)(1); 7 USC 6c Commodity Exchange Act, Sec 4c; 7 USC 6d Commodity Exchange Act, Sec 4d; 7 USC 6f Commodity Exchange Act, Sec 4d; 7 USC 6g Commodity Exchange Act, Sec 4d; 7 USC 6k Commodity Exchange Act, Sec 4k; 7 USC 6i Commodity Exchange Act, Sec 4k; 7 USC 6i Commodity Exchange Act, Sec 4m; 7 USC 6n Commodity Exchange Act, Sec 4m; 7 USC 7 Commodity Exchange Act, Sec 4m; 7 USC 7 Commodity Exchange Act, Sec 5a; 7 USC 12a Commodity Exchange Act, Sec 8a

CFR Citation: 17 CFR 16; 17 CFR 17; 17 CFR 18; 17 CFR 21

Abstract: The Commission may propose changes concerning its rules for reporting by contract markets, members of contract markets, futures commission merchants, foreign brokers, and large traders. The primary purpose of the proposed amendments would be to facilitate the collection and processing of data and to clarify the type of

information that the Commission requires. Specifically, the proposed rule changes would include the following: Amendments to Part 16 which would require contract markets to provide options large trader information by expiration month and by strike price; Amendments to Part 17 which would require contract market members. future commission merchants, and foreign brokers to supply futures large trader data on Commission compatible machine readable data media. In addition, foreign brokers would be required to transmit reports on its Form 40; and Amendments to Part 21 which would require that certain information obtained on special call by the Commission be reported on machine readable media.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Lamont L. Reese, Commodity Futures Trading Commission, Division of Economic Analysis, 2033 K Street, NW, Washington, DC 20581, 202 254-3310

RIN: 3038-AA38

11. O ACTIVITIES OF PERSONS POSSESSING MATERIAL, NONPUBLIC INFORMATION

Legal Authority: 7 USC 5 Commodity Exchange Act, Sec 3; 7 USC 6b Commodity Exchange Act, Sec 4b; 7 USC 7 Commodity Exchange Act, Sec 5; 7 USC 7a Commodity Exchange Act, Sec 5a; 7 USC 8 Commodity Exchange Act, Sec 5a; 7 USC 8 Commodity Exchange Act, Sec 6; 7 USC 13a Commodity Exchange Act, Sec 6b; 7 USC 12 Commodity Exchange Act, Sec 8; 7 USC 12a Commodity Exchange Act, Sec 8a; 7 USC 13 Commodity Exchange Act, Sec 9

CFR Citation: 17 CFR 1

Abstract: The Commission has proposed to adopt regulation 1.59 which would require designated selfregulatory organizations to adopt rules that prohibit their employees from trading certain futures or options contracts which are related to their employment responsibilities and from divulging material, nonpublic information obtained as a result of employment at the self-regulatory organization. It also would be a violation of proposed regulation 1.59 for an employee to divulge material, nonpublic information obtained by reason of employment at a selfregulatory organization. Finally, the proposed regulation would require exchanges to adopt rules prohibiting members of their governing boards from trading in certain markets prior to the announcement of market regulatory decisions.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	

Small Entity: No

Agency Contact: De'Ana J. Hamilton, Attorney, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW Washington, DC 20581, 202 254-8955

RIN: 3038-AA39

12. TRADE TIME-SEQUENCING STANDARDS AND EXCHANGE AUDIT TRAIL SYSTEMS

Legal Authority: 7 USC 6b Commodity Exchange Act, Sec 4b; 7 USC 6c Commodity Exchange Act, Sec 4c; 7 USC 6g Commodity Exchange Act, Sec 4g; 7 USC 6j Commodity Exchange Act, Sec 4j; 7 USC 7 Commodity Exchange Act, Sec 5; 7 USC 7a Commodity Exchange Act, Sec 5a; 7 USC 12 Commodity Exchange Act, Sec 5a; 7 USC 12 Commodity Exchange Act, Sec 8; 7 USC 12a Commodity Exchange Act, Sec 8a; 7 USC 12c Commodity Exchange Act, Sec 8c

CFR Citation: 17 CFR 1

Abstract: The Commission has proposed an amendment to its regulation 1.35 (g) which would require that the time of trade execution be recorded to the nearest minute by each party to all transactions executed on the contract markets. The amendments would require that this trade execution time also appear on the trade register. which the contract markets are required to maintain pursuant to Commission regulation 1.35(e). The proposed amendments also would require that a mechanical or electronic time recordation system be used by the parties to each trade, although the proposed amendments also provide that, as an interim measure, other than mechanical or electronic means may be employed to capture the trade execution time to the nearest minute. The amendments are intended to enhance the audit trail capabilities of the contract markets, thus improving the ability to detect and prosecute trade practice abuses.

Timetable:

Action	Date		FR	Cite
NPRM	12/27/84	49	FR	5019
NPRM Comment Period Begin	12/27/84	50	FR	8639
NPRM Comment Period End	04/26/85			
Final Action	12/00/85			

Small Entity: No

Agency Contact: Thomas M. McGivern. Attorney, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA40

COMMODITY FUTURES TRADING COMMISSION (CFTC)

Completed Actions

COMPLETED RULEMAKINGS 13. AUTHORIZATION TO PERFORM PORTIONS OF THE COMMISSION'S

REGISTRATION FUNCTIONS

CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 140; 17 CFR 145

Completed:

Reason	Date		FR	Cite
Final Action	10/09/84	49	FR	39518
Final Action	11/16/84	49	FR	45418

Small Entity: No

Agency Contact: Linda Kurjan 202 254-8955

RIN: 3038-AA13

14. RISK DISCLOSURE BY FUTURES COMMISSION MERCHANTS TO CUSTOMERS

CFR Citation: 17 CFR 1.55(d)

Completed:

Reason	Date	A	FR	Cite	1
Final Action	02/08/85	50	FR	5380	

Small Entity: No

Agency Contact: Kevin M. Foley 202 254-8955

RIN: 3038-AA15

15. SERVICE FEES

CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 5; 17 CFR 12; 17 CFR 31; 17 CFR 145; 17 CFR 146; 17 CFR 147

Completed:

Reason	Date	FR	Cite
Final Action	01/08/85	50 FR	928

Completed Actions

Small Entity: No

Agency Contact: Molly G. Bayley 202

254-7556

RIN: 3038-AA18

16. EXEMPTION FROM SPECULATIVE POSITION LIMITS FOR CERTAIN SPREAD POSITIONS

CFR Citation: 17 CFR 150

Completed:

Reason	Date	FR	Cite
Final Action	09/20/84	49 FR	36825

Small Entity: No

Agency Contact: Paul Architzel 202

254-6990

RIN: 3038-AA35

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

17. PROCEDURES REGARDING THE DISCLOSURE OF INFORMATION AND THE TESTIMONY OF PRESENT OR FORMER COMMISSION MEMBERS AND EMPLOYEES IN RESPONSE TO SUBPOENAS OR OTHER DEMANDS OF A COURT OR ETC

Legal Authority: 5 USC 301; 7 USC 4a(j) Commodity Exchange Act, Sec. 2(a)(11); 7 USC 12a(5) Commodity Exchange Act, Sec. 8a(5); 31 USC 9701

CFR Citation: 17 CFR 140.735-9; 17 CFR

Abstract: The Commission has adopted rules establishing formal procedures governing the manner in which subpoenas seeking information from Commission records may be served and governing requests for Commission authorization for employees, including former members and employees of the Commission, to testify pursuant to subpoena or other demand of a court or other authority.

Timetable:

Action	Date	FR Cite
NPRM	11/14/84	49 FR 45015
Final Action	03/20/85	50 FR 3149
Final Action Effective	04/19/85	50 FR 3149

Small Entity: Not Applicable

Additional Information: TITLE CONT: Other Authority

Agency Contact: Whitney Adams, Deputy General Counsel, Commodity Futures Trading Commission, Office of the General Counsel, 2033 K Street, NW. Washington, DC 20581, 202 254-9880

RIN: 3038-AA41

18. COLLECTION OF CLAIMS OWED THE UNITED STATES ARISING FROM ACTIVITIES UNDER THE COMMISSION'S JURISDICTION

Legal Authority: 7 USC 9 Commodity Exchange Act, Sec 6(b); 7 USC 9a Commodity Exchange Act, Sec 6(d); 7 USC 12a(5) Com-

modity Exchange Act, Sec 8a(5); 31 USC 3701 to 3719 Fed Claims Coll Act of 1966 as amended 1982

CFR Citation: 17 CFR 143

Abstract: The Commission has adopted rules to implement the Federal Claims Collection Act of 1966, as amended by the Debt Collection Act of 1982 and interpreted by the Department of Justice and General Accounting Office in the Federal Claims Collection Standards. These rules state the procedures the Commission will follow to collect claims owed the United States arising from activities under the Commission's jurisdiction. The rules also state under what circumstances interest and penalty charges on claims may be assessed or waived by the Commission. The rules are intended to ensure fair and expeditious collection of unpaid claims

Timetable:

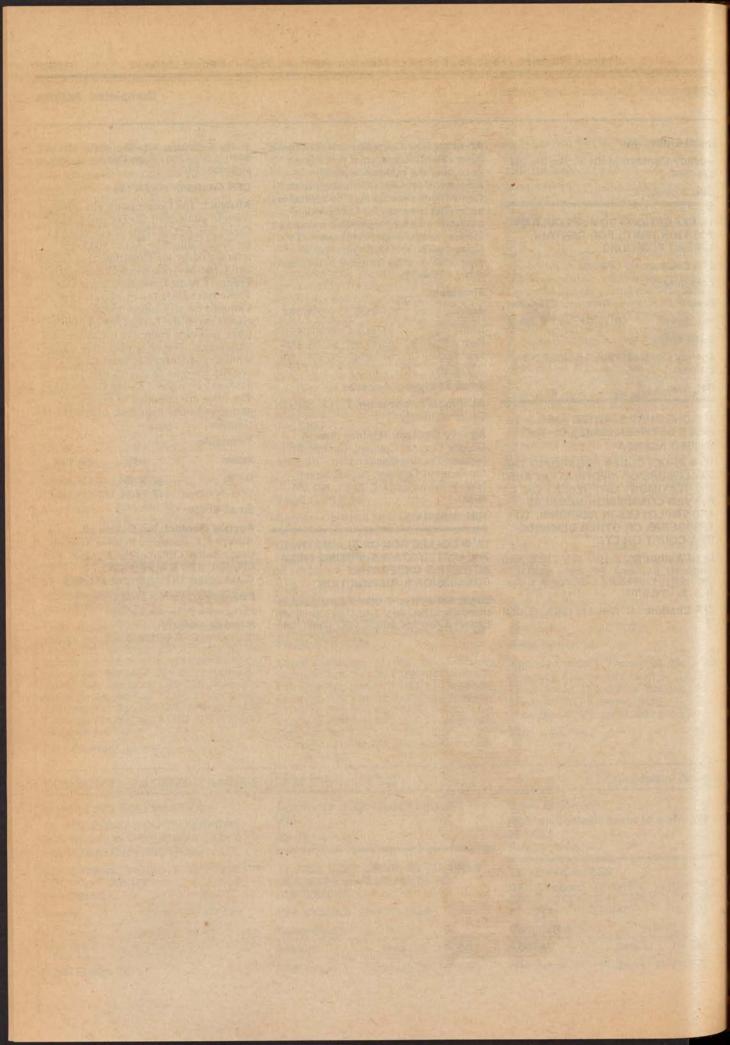
Action	Date		FR	Cite	
NPRM	12/10/84	49	FR	48060	
Final Action	02/08/85	50	FR	5383	

Small Entity: No

Agency Contact: Jeri E. Ruscoll. Attorney, Commodity Futures Trading Commission, Office of the General Counsel, 2033 K Street, NW, Washington, DC 20581, 202 254-9880

RIN: 3038-AA42 [FR Doc. 85-6496 Filed 04-26-85; 8:45 am]

BILLING CODE 6351-01-T





Monday April 29, 1985

Part XLVI

Consumer Product Safety Commission

Semiannual Regulatory Agenda

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Regulatory Flexibility Act; Semiannual Regulatory Flexibility and Unified Agendas

AGENCY: Consumer Product Safety Commission.

ACTION: Publication of regulatory flexibility and unified agendas.

SUMMARY: The Regulatory Flexibility
Act (RFA) requires each Federal agency
to publish twice each year a regulatory
flexibility agenda listing for a 12-month
period rules expected to be proposed or
promulgated which may have a
significant economic impact on a
substantial number of small entities. In
this document, the Commission
publishes its ninth semiannual
regulatory flexibility agenda.

Additionally, although not required to do so, the Commission has elected to comply voluntarily with those provisions of Executive Order 12291 which require executive agencies to publish an agenda of regulatory actions under development or review during the succeeding 12 months by the agency and which further provide that such an agenda may be incorporated with an agency's regulatory flexibility agenda published in accordance with the RFA.

DATE: The Commission welcomes comments from small entities, including small businesses, small organizations, and small governmental units, upon each subject area of the agenda. Written comments concerning the agenda should be received in the Office of the Secretary by June 29, 1985.

ADDRESS: Comments on the regulatory flexibility agenda should be sent to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, telephone [301] 492-6800, and should be titled "Regulatory Flexibility Agenda."

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact: Iris R. Liskey, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207, telephone [301] 492-6554. All inquiries from the press and broadcast media should be directed to Lou Brott, Office of Public Affairs, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (202) 634-7780. For further information regarding a particular item on the agenda, consult the individual listed in the column headed "Contact" for that particular item.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601 et seq.), contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small businesses, small governmental organizations, and other small entities. Section 602 of the Act (5 U.S.C. 602) requires each agency to publish twice each year a regulatory flexibility agenda containing a brief description of any rule expected to be proposed or promulgated which may have a "significant economic impact" on a "substantial number" of small entities. The agency must also provide a summary of the objectives and legal basis for each agenda item and a schedule for acting on each item, as well as the name and address of the agency official knowledgeable about the items listed. Further, agencies are required to provide notice of their agendas to small

entities and solicit their comments by direct notification or by inclusion in publications likely to be obtained by such entities.

In addition, President Reagan's Executive Order 12291 requires executive agencies to publish, twice each year, a regulatory agenda of proposed regulations under development or review and further states that such an agenda may be incorporated with an agenda published under the RFA. While the Commission, as an independent regulatory agency, is not required to follow Executive Order 12291, the Commission is complying voluntarily with those provisions concerning publication of a regulatory agenda.

The ninth semiannual regulatory flexibility agenda, published below, lists for a 12-month period anticipated regulatory activities under development or review. These include all such activities, not only those which may have a significant economic impact on a substantial number of small entities.

The agenda contains a brief description and summary of each regulatory activity, including the objectives and legal basis for each; an approximate schedule of target dates, subject to revision, for the development or completion of each activity; and the name and telephone number of a knowledgeable agency official concerning particular items on the agenda. All agency contacts have the same address: Consumer Product Safety Commission, Washington, D.C. 20207.

DATED: March 27, 1985. Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	*Consumer product safety standard for "chain saws and their component and replacement parts"	3041-AA00
2	*Upholstered furniture cigarette flammability standard	3041-AA01
3	Petition CP 82-6. Petition to initiate a mandatory standard to limit the formaldehyde that could be released from pressed wood products made with urea-formaldehyde resins	3041-AA03
4	Flammability classification regulations	3041-AA05
- 5	Asbestos in selected consumer products	3041-AA11
6	Petition AP 83-1. Petition to require labeling of constrained-spring twist-on connectors with aluminum wire	3041-AA21
7	Requirements for the special packaging of household substances; advance notice of proposed rulemaking and notice of opportunity for oral presentations	3041-AA22
8	Petition AP 83-2. Petition to require a labeling rule for crimp type electrical connectors	3041-AA26

Current and Projected Rulemakings-Continued

Se- quence Number	Title	Regulation Identifier Number
9	Petition CP 83-1. Petition to establish standards for recuperative gas furnaces to address corrosion of the furnace and its venting system	3041-AA27
10	Petition CP 83-2. Petition to establish standards for swimming pool covers	3041-AA38
11	Petition HP 84-1. Petition to request amendment to the regulations on electrical toys to exempt electronic video games	3041-AA41
12	Petition PP 84-1. Petition to require special packaging for liquid household bleach products	3041-AA45
13	Petition HP 84-2. Petition to request amendments to electrical toy regulations (16 CFR 1505)	3041-AA49
14	Petition CP 84-2. Petition to request safety standards for shoulder pads worn by Lacrosse players	3041-AA50
15	Federal Hazardous Substances Act regulations for first aid labeling of products containing more than 5 percent of benzene or 10 percent of toluene, xylene, or petroleum distillates	3041-AA52

^{*}Indicates priority regulation.

Existing Regulations Under Review

eview	3041-AA19 3041-AA20 3041-AA24 3041-AA25
evi evi	8W

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
21 22 23 24	Amendments to clothing textile standard apparel revision	3041-AA04 3041-AA06 3041-AA15
25	Exemptions of cyclically administered oral contraceptives from special packaging requirements under the Poison Prevention Packaging Act	3041-AA31
26	Exemption of certain conjugated estrogens and progestins from special packaging requirements under the Poison Prevention Packaging Act	3041-AA44
27 28	Petition CP 84-1. Petition to require hand guards on lawn mower blades when they are shipped for consumer use Proposed amendment of rules governing commission involvement in voluntary standards activities	3041-AA46 3041-AA48

^{*}Indicates priority regulation.

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Current and Projected Rulemakings

1. CONSUMER PRODUCT SAFETY STANDARD FOR "CHAIN SAWS AND THEIR COMPONENT AND REPLACEMENT PARTS"

Priority: Major

Legal Authority: 15 USC 2058(a) CPSA

CFR Citation: 16 CFR Chapter II

Abstract: The Commission staff has continued working with industry to

develop a voluntary standard to address kickback injuries associated with chain saws. Recently a committee of the American National Standards Institute (ANSI) and representatives of the Portable Power Equipment Manufacturers Association (formerly the Chain Saw Manufacturers Association) completed work on requirements to reduce kickback injuries which will be submitted to ANSI for final approval and publication as an ANSI standard.

In the Federal Register of May 5, 1982, the Commission published an advance notice of proposed rulemaking to begin a proceeding for development of a mandatory consumer product safety standard to reduce risks of kickback injuries associated with chain saws.

If the recently developed requirements are approved and published as an ANSI voluntary standard, the Commission staff will evaluate the effectiveness of the standard and the extent to which the chain saw industry conforms to that standard. (cont)

Timetable:

Action	Date		FR	Cite
ANPRM	05/05/82	47	FR	19369
ANPRM Comment Period Begin	05/05/82	47	FR	19369
ANPRM Comment Period End	07/06/82			

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: These factors must be considered by the Commission before taking any final action with regard to the proceeding for development of a mandatory consumer product safety standard for chain saws.

Agency Contact: Carl W. Blechschmidt, Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA00

2. UPHOLSTERED FURNITURE CIGARETTE FLAMMABILITY STANDARD

Priority: Major

Legal Authority: 15 USC 1193 FFA; 15 USC 1194 FFA

CFR Citation: 16 CFR 1633

Abstract: On August 15, 1984, the staff briefed the Commission on results of testing by the Commission's laboratory to evaluate resistance to cigarette ignition of upholstered furniture from current production. The samples tested by the Commission's laboratory were made in conformance with recently adopted changes to the Voluntary Action Program of the Upholstered Furniture Action Council for production of furniture with improved resistance to cigarette ignition. The staff reported that significant improvements had been made to cigarette ignition resistance of upholstered furniture and discussed areas in which further improvements may be possible. Cooperative efforts are being continued with industry to further improve the cigarette ignition

resistance of upholstered furniture. In 1981 the Commission voted to defer mandatory regulatory action on upholstered furniture in order to work with manufacturers participating in the Voluntary Action Program of the Upholstered Furniture Action Council (UFAC). This program may eliminate the need for a mandatory standard.

Timetable:

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Action	Date	FR Cite
The state of the s		

Next Action Undetermined

Small Entity: Yes

Affected Sectors: 25 FURNITURE AND FIXTURES

Agency Contact: James Hoebel, Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA01

3. PETITION CP 82-6. PETITION TO INITIATE A MANDATORY STANDARD TO LIMIT THE FORMALDEHYDE THAT COULD BE RELEASED FROM PRESSED WOOD PRODUCTS MADE WITH UREA-FORMALDEHYDE RESINS

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 2051 Consumer Product Safety Act; 15 USC 2058 Consumer Product Safety Act

CFR Citation: Not yet determined

Abstract: During FY 1983, the Commission's work in this project focused on developing information on consumer exposure to formaldehyde from pressed wood products in conventional homes, as well as developing improved formaldehyde measurement methods that could be used by manufacturers for quality control purposes. In correspondence received August 19, 1982, the Consumer Federation of America (CFA) petitioned the Commission to institute a mandatory product safety standard to limit the amount of formaldehyde that could be released from pressed wood products made with urea-formaldehyde resin. Work on this petition has been included within the Commission's ongoing priority project on pressed wood products. A staff briefing package on the status of this project and recommendations pertaining to the CFA petition will be forwarded to the Commission in FY 1985 for their consideration.

Timetable:

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Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: James Hoebel, Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA03

4. FLAMMABILITY CLASSIFICATION REGULATIONS

Legal Authority: 15 USC 1261(I) FHSA; 15 USC 1269(a) FHSA

CFR Citation: 16 CFR 1500.3(b)(10); 16 CFR 1500.3(c)(6); 16 CFR 1500.43

Abstract: On April 26, 1984, the Commission published in the Federal Register a proposal to amend its regulations for classifying extremely flammable, flammable and combustible hazardous substances which release ignitible vapors. These flammability classifications are used for regulatory purposes, including hazard labeling. The amendments change the definition of these classifications and specify a different test method for determining the classification of these substances. If issued on a final basis, the changes would bring the Commission's procedures into general conformity with the practices of other federal agencies and voluntary standards setting organizations.

Timetable:

Action	Date		FR	Cite
NPRM	04/26/84	49	FR	17956
NPRM Comment Period Begin	04/26/84	49	FR	17956
NPRM Comment Period End	08/24/84			

Next Action Undetermined

Small Entity: No

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, 301 492-6980

RIN: 3041-AA05

5. ASBESTOS IN SELECTED CONSUMER PRODUCTS

Legal Authority: 15 USC 1261 et seq FHSA; 15 USC 2058 CPSA; 15 USC 2080(b) CPSA

Current and Projected Rulemakings

CFR Citation: Not yet determined

Abstract: Hazard information shows that asbestos presents a risk of cancer and respiratory disease. During FY 1985, the Commission will decide whether additional regulatory activity, including an ANPRM, may be appropriate. In July 1983, the Commission received the report of the Chronic Hazard Advisory Panel (CHAP) on Asbestos. The CHAP was convened in January 1983, based on a Commission decision of March 1982. The Commission is continuing to test selected consumer products for release of asbestos fibers and is a charter member in the Federal Asbestos Task Force.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/79	44 FR 60057
Notice of availability of CHAP report	05/25/83	48 FR 23473

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Sandra Eberle, Program Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA11

6. PETITION AP 83-1. PETITION TO REQUIRE LABELING OF CONSTRAINED-SPRING TWIST-ON CONNECTORS WITH ALUMINUM WIRE

Legal Authority: 15 USC 2076(e) CPSA

CFR Citation: Not yet determined

Abstract: In correspondence dated December 1, 1982, Dr. Jesse Aronstein petitioned the Commission to issue a regulation that would require the labeling of electrical wiring connectors of the constrained-spring twist-on type to advise consumers that a fire hazard may result if such connectors are used with aluminum wiring. If the Commission grants the petition, it will begin a rulemaking proceeding to issue the rule requested by the petition.

m		

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Melvin Spencer, Assistant Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA21

7. REQUIREMENTS FOR THE SPECIAL PACKAGING OF HOUSEHOLD SUBSTANCES; ADVANCE NOTICE OF PROPOSED RULEMAKING AND NOTICE OF OPPORTUNITY FOR ORAL PRESENTATIONS

Legal Authority: 15 USC 1472 PPPA; 15 USC 1473 PPPA

CFR Citation: 16 CFR 1700.20

Abstract: On January 19, 1983 the Commission published an Advanced Notice of Proposed Rulemaking soliciting comments on ways to amend the existing child resistant packaging requirements to improve the effectiveness and efficiency of these requirements.

Timetable:

Action	Date	FR Cite
ANPRM	01/19/83	48 FR 2389
ANPRM Comment Period Begin	01/19/83	48 FR 2389
ANPRM Comment Period End	03/21/83	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Virginia A. White, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA22

8. PETITION AP 83-2. PETITION TO REQUIRE A LABELING RULE FOR CRIMP TYPE ELECTRICAL CONNECTORS

Legal Authority: 15 USC 2076(e) CPSA; 5 USC 553(e) APA

CFR Citation: Not yet determined

Abstract: In correspondence dated May 1, 1983, Dr. Jesse Aronstein petitioned the Commission to issue a regulation that would require the labeling of electrical wiring connectors of the hand-tool crimp type delineating the applications for which the manufacturer considers the connectors to be suitable and would provide a warning regarding possible hazardous consequences if used in non-rated applications. If the Commission grants the petition, it will initiate a rulemaking proceeding to issue the rule requested by the petition.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Melvin Spencer, Assistant Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA26

9. PETITION CP 83-1. PETITION TO ESTABLISH STANDARDS FOR RECUPERATIVE GAS FURNACES TO ADDRESS CORROSION OF THE FURNACE AND ITS VENTING SYSTEM

Legal Authority: 5 USC 553(e) APA; 15 USC 2056 CPSA; 15 USC 2058 CPSA

CFR Citation: Not yet determined

Abstract: In correspondence dated April 7, 1983, the City of Cincinnati (Ohio), Department of Buildings and Inspections petitioned the Commission to establish safety standards to address the risk of injury associated with combustion products, possibly including carbon monoxide entering the living space of homes where recuperative gas furnaces are installed. If the Commission grants the petition, it will begin a rulemaking proceeding to issue the standard requested by the petition.

Timetable:

-		1000
Action	Date	ED Cite
MCHOIL	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Stanley Morrow.

Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA27

10. PETITION CP 83-2. PETITION TO ESTABLISH STANDARDS FOR SWIMMING POOL COVERS

Legal Authority: 15 USC 2056 CPSA; 15 USC 2058 CPSA

CFR Citation: Not yet determined

Abstract: In correspondence dated May 23, 1983 and July 22, 1983, Dr. Arnold Stockton petitioned the Commission to develop a standard for swimming pool covers to address the hazards to persons, especially children, who might fall on the cover. If the Commission grants the petition, it will begin a rulemaking proceeding to address this risk.

Timetable:

Action

Date

FR Cite

Next Action Undetermined
Small Entity: Undetermined

Agency Contact: Ronald L. Medford, Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207,

301 492-6554 RIN: 3041-AA38

11. PETITION HP 84-1. PETITION TO REQUEST AMENDMENT TO THE REGULATIONS ON ELECTRICAL TOYS TO EXEMPT ELECTRONIC VIDEO GAMES

Legal Authority: 15 USC 1261 FHSA; 15 USC 1262 FHSA

CFR Citation: 16 CFR 1505

Abstract: In correspondence dated December 21, 1983, the Consumer Electronic Group of the Electronic Industries Association petitioned the Commission to request an amendment to the regulation on electrical toys that would exempt electronic video games from coverage. If the Commission grants the petition it will proceed to develop an exemption to the standard.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Melvin Spencer, Assistant Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA41

12. PETITION PP 84-1. PETITION TO REQUIRE SPECIAL PACKAGING FOR LIQUID HOUSEHOLD BLEACH PRODUCTS

Legal Authority: 15 USC 1472 PPPA; 15 USC 1473 PPPA

CFR Citation: 16 CFR 1700.14

Abstract: In correspondence dated March 8, 1984, Ms. Christine F. Atkins petitioned the Commission to initiate rulemaking to require child-resistant packaging on household liquid bleach products. If the petition is granted, the Commission will begin rulemaking proceedings to issue the special packaging requested by the petition.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Virginia A. White, Senior Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA45

13. PETITION HP 84-2. PETITION TO REQUEST AMENDMENTS TO ELECTRICAL TOY REGULATIONS (16 CFR 1505)

Legal Authority: 15 USC 1261 FHSA; 15 USC 1262 FHSA

CFR Citation: 16 CFR 1505

Abstract: In correspondence dated March 8, 1984, the Toy Manufacturers of America petitioned the Commission to amend the requirements for electronically operated toys or other articles electronically operated and intended for use by children. If the Commission grants the petition it will begin a rulemaking proceeding to amend the regulation as requested by the petitioner.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Melvin Spencer, Assistant Program Manager, Consumer Product Safety Commission, Consumer Product Safety Commission, 301 492-6554

RIN: 3041-AA49

14. • PETITION CP 84-2. PETITION TO REQUEST SAFETY STANDARDS FOR SHOULDER PADS WORN BY LACROSSE PLAYERS

Legal Authority: 5 USC 553(e) APA; 15 USC 2056 CPSA

CFR Citation: Not yet determined

Abstract: In correspondence dated August 21, 1984, Dr. Richard F. Edlich petitioned the Commission to request safety standards for shoulder pads worn by Lacrosse players. If the Commission grants the petition it will begin a rulemaking proceeding to issue the rule requested by the petitioner.

Timetable:

Action

Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Stanley Morrow, Project Manager, Consumer Product Safety Commission, Consumer Product Safety Commission, 301 492-6554

RIN: 3041-AA50

15. FEDERAL HAZARDOUS
SUBSTANCES ACT REGULATIONS
FOR FIRST AID LABELING OF
PRODUCTS CONTAINING MORE THAN
5 PERCENT OF BENZENE OR 10
PERCENT OF TOLUENE, XYLENE, OR
PETROLEUM DISTILLATES

Legal Authority: 15 USC 1261(p)(1) FHSA

CFR Citation: 16 CFR 1500.14(b)(3)

Abstract: After considering the recommendations of the Final Report of the Toxicological Advisory Board, the Commission voted in February 1985, to direct the staff to prepare a draft proposal to amend the FHSA regulations for first aid labeling of products containing more than 5 percent of benzene or 10 percent of toluene, xylene, or petroleum distillates

Current and Projected Rulemakings

to delete the requirement that the instructions contain the direction "if swallowed, do not induce vomiting." Current expert opinion is that whether to induce vomiting as a first aid treatment is a decision that should be made on a product-by-product or case-by-case basis, depending on the toxicity and amount ingested.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Virginia A. White, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, D. C.20207, 301 492-6957

RIN: 3041-AA52

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Existing Regulations Under Review

16. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 2051 et seq CPSA

CFR Citation: 16 CFR 1009; 16 CFR 1019; 16 CFR 1115; 16 CFR 1201; 16 CFR 1202; 16 CFR 1205; 16 CFR 1207; 16 CFR 1209; 16 CFR 1212; 16 CFR 1301; 16 CFR 1302; 16 CFR 1303; 16 CFR 1304; 16 CFR 1305; 16 CFR 1401; ...

Abstract: On October 22, 1982, the Commission published a Federal Register notice listing seventeen (17) rules and standards (issued under the Consumer Product Safety Act), soliciting comments on these rules which it will review pursuant to the requirements of the Regulatory Flexibility Act. The Commission will review these rules to determine if they should be revoked, amended, or continued in effect without change.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	10/22/82	47 FR 46861
Public Comment Period Ends	12/27/82	
Publication in Federal Register -	04/00/85	
Completion of review activity		
Small Entity: Va	The state of	

Annual of

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, 301 492-6980

RIN: 3041-AA19

17. RULE REVIEW

Legal Authority: 5 USC 610 RFA; 15 USC 1193 FFA; 15 USC 1194 FFA; 15 USC 2079 CPSA

CFR Citation: 16 CFR 1608; 16 CFR 1610; 16 CFR 1611; 16 CFR 1615; 16 CFR 1616; 16 CFR 1630; 16 CFR 1631; 16 CFR 1632

Abstract: On February 2, 1984, the Commission published a Federal Register Notice listing eight (8) rules and standards issued under the Flammable Fabrics Act, and soliciting comments on those rules. The Commission will review these rules under the provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without changes.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	02/02/84	49 FR 4103
Public Comment Period Ends	04/02/84	49 FR 4103
Next Action Und	determined	

Next Action Undetermine

Small Entity: Yes

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, 301 492-6980

RIN: 3041-AA20

18. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 1471 PPPA

CFR Citation: 16 CFR 1700; 16 CFR 1701; 16 CFR 1702; 16 CFR 1704

Abstract: The Commission plans to publish a Federal Register Notice listing four (4) rules and standards issued under the Poison Prevention Packaging Act, and soliciting comments on those rules. The Commission will review these rules under the provisions of the Regulatory Flexibility Act to determine if the rules should be revoked,

amended, or continued in effect without

changes. Timetable:

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Action	Date	FR Cite
Lionoit.	Date	I I'L CILC

Next Action Undetermined

Small Entity: Yes

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, 301 492-6930

RIN: 3041-AA24

19. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 1261 FHSA

CFR Citation: 16 CFR 1500; 16 CFR 1501; 16 CFR 1505; 16 CFR 1507; 16 CFR 1508; 16 CFR 1509; 16 CFR 1510; 16 CFR 1511; 16 CFR 1512

Abstract: On February 22, 1984, the Commission published a Federal Register Notice listing nine (9) rules and standards issued under the Federal Hazardous Substances Act, soliciting comments on those rules. The Commission will review these rules under provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without changes.

Timetable:

Action	Date		FR	Cite
Notice to solicit comments	02/22/84	49	FR	6504
Public Comment Period Ends	04/23/84	49	FR	6504

Next Action Undetermined

Small Entity: Yes

Existing Regulations Under Review

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, 301 492-6980

RIN: 3041-AA25

20. EXEMPTION FROM CLASSIFICATION AS A BANNED TOY OR OTHER BANNED ARTICLE FOR USE BY CHILDREN -- CAPS (PAPER OR PLASTIC)

Legal Authority: 15 USC 1261(f)1(D); 15 USC 1262(e)(1); 15 USC 2079(a); 15 USC 1261(q)(1)(a); 15 USC 1261(s)

CFR Citation: 16 CFR 1500.18(a)(5); 16 CFR 1500.86(a)(6)

Abstract: For more than ten years a regulation has existed under the Federal Hazardous Substances Act that was an "interim" regulation. Caps producing sound levels in the range of 138-158 decibels have been banned, but are exempt from the ban if they are properly labeled and if firms producing them report to the Commission on programs to reduce the sound levels. The Commission will be considering whether to revoke the exemption and thus ban the caps or to expand the exemption to allow their marketing without any restrictions. Any action will be based on as-yet-undetermined analyses of the various costs and benefits associated with these two

approaches or any other approaches that the Commission might pursue.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Linda Glatz, Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA35

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Completed Actions

COMPLETED RULEMAKINGS 21. AMENDMENTS TO CLOTHING TEXTILE STANDARD APPAREL REVISION

CFR Citation: 16 CFR 1610.37; 16 CFR 1610.38

Completed:

Reason	Date	FR Cite
Final Action	12/14/84	49 FR 48683
Final Action	01/14/85	49 FR 48683

Small Entity: No

Agency Contact: James Hoebel 301 492-6554

RIN: 3041-AA04

22. CLOTHING TEXTILES AND VINYL PLASTIC FILM FLAMMABILITY STANDARDS AMENDMENT

CFR Citation: 16 CFR 1610; 16 CFR 1611

Completed:

Reason	Date	FR Cite
Final Action	03/26/85	50 FR 7754
Final Action	04/29/85	50 FR 7754
Effective		

Small Entity: No

Agency Contact: James Hoebel 301 492-6554

RIN: 3041-AA06

23. HAZARDOUS SUBSTANCES LABELING REQUIREMENTS

Priority: Major

CFR Citation: 16 CFR 1500.121

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Date		FH	Cite
12/28/84	49	FR	50374
12/30/85	49	FR	50374
	12/28/84	12/28/84 49	12/28/84 49 FR

Small Entity: Yes

Agency Contact: Charles M. Jacobson 301 492-6400

RIN: 3041-AA15

24. PETITION HP 83-1. PETITION TO HALT THE SALE OF AND BAN THE USE OF POTASSIUM DICHROMATE PRODUCTS IN RESIDENTIAL HUMIDIFIERS

CFR Citation: 00 CFR Not Yet Determined

Completed:

Reason	Date	FR Cite
Petition Denied	03/20/85	-
Small Entity:	Undetermined	
and the second second		W444 W

Agency Contact: Virginia A. White 301 492-6957

RIN: 3041-AA31

25. EXEMPTIONS OF CYCLICALLY
ADMINISTERED ORAL
CONTRACEPTIVES FROM SPECIAL
PACKAGING REQUIREMENTS UNDER
THE POISON PREVENTION
PACKAGING ACT

CFR Citation: 16 CFR 1700.14

Completed:

Reason	Date	FR	Cite
Final Action	11/07/84	49 FR	44455
Final Action	11/07/84	49 FR	44455
Effective			

Small Entity: Undetermined

Agency Contact: Virginia A. White 301 492-6957

RIN: 3041-AA37

26. EXEMPTION OF CERTAIN
CONJUGATED ESTROGENS AND
PROGESTINS FROM SPECIAL
PACKAGING REQUIREMENTS UNDER
THE POISON PREVENTION
PACKAGING ACT

CFR Citation: 16 CFR 1700.14

Completed:

Reason	Date		FR	Cite
Final, Action	12/28/84	1000	OF RE	50386
Final Action Effective	12/28/84	49	FR	50386

Small Entity: No

Agency Contact: Virginia A. White 301 492-6957

RIN: 3041-AA44

27. PETITION CP 84-1. PETITION TO REQUIRE HAND GUARDS ON LAWN MOWER BLADES WHEN THEY ARE SHIPPED FOR CONSUMER USE

CFR Citation: 15 CFR 1205

Completed Actions

Completed:

Reason

Date

FR Cite

Petition Denied

02/06/85

Small Entity: Undetermined

Agency Contact: Stanley Morrow 301

492-6554

RIN: 3041-AA46

28. PROPOSED AMENDMENT OF **RULES GOVERNING COMMISSION** INVOLVEMENT IN VOLUNTARY STANDARDS ACTIVITIES

CFR Citation: 16 CFR 1032

Completed:

Reason

Date

FR Cite

Withdrawn

01/16/85

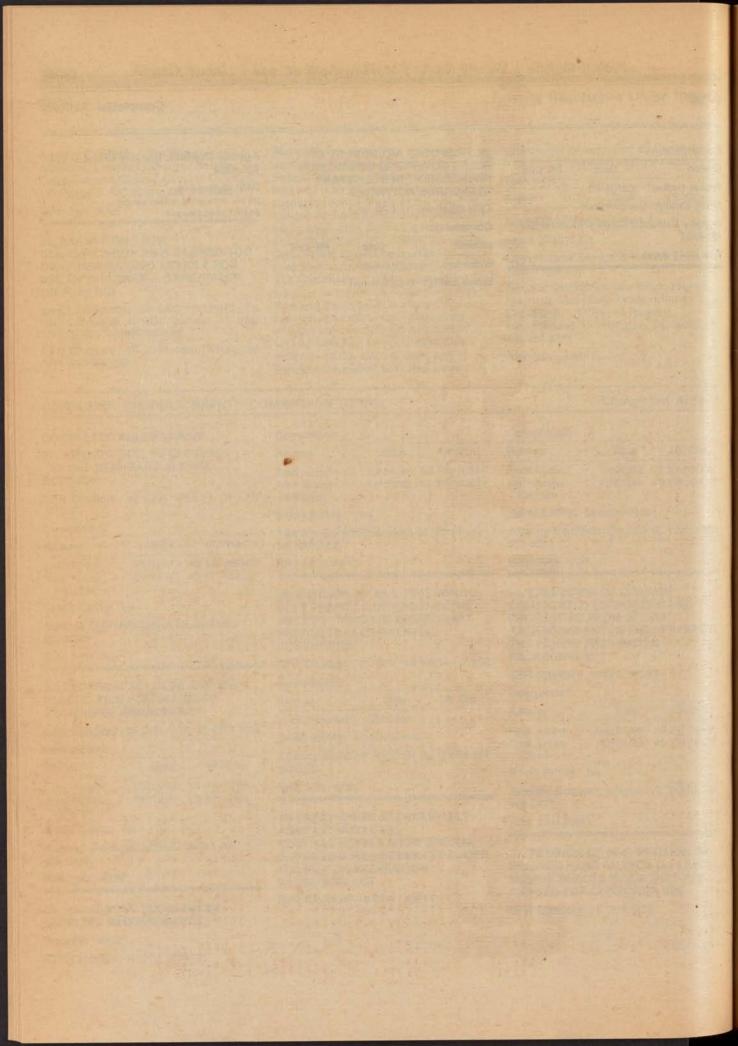
Small Entity: Undetermined

Agency Contact: Douglas L. Noble 301 492-6550

RIN: 3041-AA48

[FR Doc. 85-7909 Filed 04-26-85; 8:45 am]

BILLING CODE 6355-01-T



Monday April 29, 1985

Part XLVII

Farm Credit Administration

Semiannual Regulatory Agenda

FARM CREDIT ADMINISTRATION 12 CFR Ch. VI

Unified Agenda of Federal Regulations

AGENCY: Farm Credit Administration.

ACTION: Department Unified Agenda of Regulations and review list.

SUMMARY: The Farm Credit
Administration, as an independent
regulatory agency in voluntary
compliance with Executive Order 12291,
sets forth the following agenda of
regulations which it will have under
development and review during the
period of April 1985 through October
1985.

FOR FURTHER INFORMATION CONTACT: Dorothy J. Acosta, Associate General Counsel, Office of General Counsel,

Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4020).

[/03-003-4020].

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601, et seq.), contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small entities. Farm Credit Administration ("FCA") regulations which apply to Farm Credit System banks and associations do not and will not have a substantial impact on small entities. None of the entities regulated by the FCA fall within the definition of small entities in the Regulatory Flexibility Act. While many associations through which banks lend

are smaller in size than their banks, they are not independently operated, as they are closely supervised by the banks, which must approve most of their operating policies. The associations rely exclusively on their supervising banks for their source of funds. Furthermore, the associations do not compete with each other since, as with their supervising banks, each serves only a particular geographic area.

While FCA is an independent Agency exempt from Executive Order 12291, we believe that participating in this joint publication will further the public interest by including FCA in a single source of information concerning current and projected rulemaking and reviews of existing regulations.

Donald E. Wilkinson, Governor.

Current and Projected Rulemakings

Se- quence Number	TIVLIX TILE Title	Regulation Identifier Number
1	Farm Credit Administration	3052-AA00
2	Senior Deputy Governor, Deputy Governors and General Counsel	
3	Other Administrative Units.	. 3052-AA02
4	Farm Credit Districts and Institutions	3052-AA03
5	Part 601 - Employee Responsibilities and Conduct	. 3052-AA04
6	Part 602 - Releasing Information	
7	Part 602 - Releasing Information	
8	Part 603 - Privacy Act Regulations	. 3052-AA07
9	Part 604 - Meetings of the Federal Farm Credit Board	
10	Limitation on Special Assignments	3052-AA09
11	Liquidation of Associations.	3052-AA10
12	Cooperative Eligibility	
13	Part 614 - Loan Policies and Operations.	. 3052-AA12
14	Loans Outside of Bank's Territory - Banks for Cooperatives	3052-AA13
15	Methods of Financing	3052-AA36
16	Obligations Eligible for Discount or Purchase	
17	Part 615 - Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations	
18	Part 611-Subpart GAmendments to Association Charters and Mergers and Consolidations	. 3052-AA43
19	*Part 602 - Releasing Information	3052-AA49
20	Part 602 - Releasing Information	3052-AA50
21	*Part 614 - Loan Policies and Operations Subpart Q Banks for Cooperatives Financing International Trade	. 3052-AA52
22	Part 601 - Employee Responsibilities and Conduct	3052-AA53
23	*Banks for Cooperatives	3052-AA54
24	Part 603 - Privacy Act Regulations	3052-AA55
25	Part 611 - Organization	3052-AA56
26	Part 612 - Personnel Administration, Subpart A Human Resources Management	. 3052-AA57
27	Part 614 - Loan Policies and Operations	3052-AA58
28	*Banks for Cooperatives' Earnings	3052-AA59
29	Part 615 - Funding and Fiscal Affairs	3052-AA60
30	Part 615 - Funding and Fiscal Affairs	CONTROL AND AND
31	Equal Housing Lender Poster	
32	*Frequency of Examinations and Audits	3052-AA63
33	Part 617 - Examination, Audits and Investigations	3052-AA64
34	Publication of Reports	

^{*}Indicates priority regulation.

Existing Regulations Under Review

Se- quence Number	The Arrange Sales and Arrange and Control of the Co	Regulation Identifier Number
35 36	Overall Review of 12 CFR Parts 611 - 618	3052-AA48 3052-AA51

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
37 38 39	Interest Rate Programs. Part 612-Subpart B-Standards of Conduct for Directors, Officers, and Employees. Part 602-Subpart C-Testimony and Production of Documents in Legal Proceedings Not Involving the Farm Credit Administration.	3052-AA22 3052-AA44 3052-AA45

FARM CREDIT ADMINISTRATION (FCA)

Current and Projected Rulemakings

1. FARM CREDIT ADMINISTRATION

Legal Authority: PL 92-181; PL 96-592; 12 USC 1141(b)

CFR Citation: 12 CFR 600.1

Abstract: Technical amendment change of address for Farm Credit Administration.

Timetable:

Action	Date	FR	Cite	
NPRM	04/00/85	The same		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acesta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA00

2. SENIOR DEPUTY GOVERNOR, DEPUTY GOVERNORS AND GENERAL COUNSEL

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211; 12 USC 2252(16)

CFR Citation: 12 CFR 600.4

Abstract: Technical amendment correct various titles and reference incorporation of Fiscal Agency.

Timetable:

Action Date FR Cite
NPRM 04/00/85

Small Entity: No.

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA01

3. OTHER ADMINISTRATIVE UNITS

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 600.5

Abstract: Technical amendment - to reflect current organizational divisions and sections.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	HEALT IN SECTION

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4029

RIN: 3052-AA02

4. FARM CREDIT DISTRICTS AND INSTITUTIONS

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 600:10

Abstract: Technical amendment - to correct address of various district banks.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA03

5. PART 601 - EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 601.101; 12 CFR 601.126; 12 CFR 601.127; 12 CFR 601.140; 12 CFR 601.176

Abstract: Technical amendments - to correct division and agency name changes.

Timetable:

Action Date FR Cite
NPRM 04/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA04

6. PART 602 - RELEASING INFORMATION

Legal Authority: PL 92-181; 12 USC 2246; 12 USC 2252(16)

CFR Citation: 12 CFR 602.200 to 602.245; 12 CFR 614.4015; 12 CFR 617.7080; 12 CFR 618.8300 to 618.8350

Abstract: Clarify existing policies and procedures with respect to the release of information and/or documents obtained in or resulting from the conduct of official business by employees of the Farm Credit Administration and the Farm Credit System.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116) Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA05

7. PART 602 - RELEASING INFORMATION

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 602.260; 12 CFR 602.261

Abstract: Technical amendments to correct division and agency name changes.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 04/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA06

8. PART 603 - PRIVACY ACT REGULATIONS

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 603.300; 12 CFR 603.310; 12 CFR 603.340

Abstract: Technical amendments - to indicate agency, division and address changes.

Timetable:

Action Date FR Cite

NPRM 04/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116) Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean,VA 22102-5090, 703 883-4020

RIN: 3052-AA07

9. PART 604 - MEETINGS OF THE FEDERAL FARM CREDIT BOARD

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 604.300; 12 CFR 604.305; 12 CFR 604.310; 12 CFR 604.315; 12 CFR 604.320; 12 CFR 604.325; 12 CFR 604.330; 12 CFR 604.335; 12 CFR 604.340

Abstract: Technical amendments renumber entire Part to coincide with numbering system used on other Parts. Sections 604.325 and 604.340 will reflect agency, division and address changes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	200

Small Entity: Not Applicable

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA08

10. LIMITATION ON SPECIAL ASSIGNMENTS

Legal Authority: PL 92-181; PL 96-592: 12 USC 2211

CFR Citation: 12 CFR 611.1031

Abstract: Technical amendment - to indicate incorporation of Fiscal Agency.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Current and Projected Rulemakings

FCA

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA09

11. LIQUIDATION OF ASSOCIATIONS

Legal Authority: PL 92-181; 12 USC 2183(b)

CFR Citation: 12 CFR 611.1130; 12 CFR 611.1140

Abstract: The Farm Credit Administration will, on a priority basis, expand its existing regulation dealing with involuntary liquidation. Present regulations provide general authority for the Governor to declare an association insolvent and place it in the hands of a receiver or conservator under such terms as the Governor may prescribe on a case-by-case basis. The new regulations will address such topics as: who may act as receiver; the powers and duties of a receiver; the standards for the exercise of the Farm Credit Administration's discretion; procedural questions; jurisdictional questions and priority of claimants against the associations.

Timetable:

Action	Date	FR Cite
NPRM	02/13/85	50 FR 6000
NPRM Comment Period Begin	02/13/85	
NPRM Comment Period End	03/15/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Gary L. Norton, Senior Attorney, Office of General Counsel, 1501 Farm Credit Drive, McLean, VA 22102-5090

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA10

12. COOPERATIVE ELIGIBILITY

Legal Authority: PL 92-181; 12 USC 2129 CFR Citation: 12 CFR 613.3110

Abstract: Amend eligibility standards for cooperatives, and reference services of cooperatives.

Timetable:	PI SHOULD	of side of
Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA11

13. PART 614 - LOAN POLICIES AND OPERATIONS

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211

CFR Citation: 12 CFR 614.4710; 12 CFR 614.4900

Abstract: Technical amendments - to indicate Fiscal Agency incorporation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	Med to the

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-683-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA12

14. LOANS OUTSIDE OF BANK'S TERRITORY - BANKS FOR COOPERATIVES

Legal Authority: PL 92-181; PL 96-592; 12 USC 2128

CFR Citation: 12 CFR 614,4080

Abstract: Amend international trade financing regulations to eliminate statutory conflict and address the issue of which bank will finance particular international transactions. Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA13

15. METHODS OF FINANCING

Legal Authority: PL 92-181; PL 96-592; 12 USC 2075

CFR Citation: 12 CFR 614.4600

Abstract: Loan qualification to be qualified as to eligibility requirements.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, J501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA36

16. OBLIGATIONS ELIGIBLE FOR DISCOUNT OR PURCHASE

Legal Authority: PL 92-181; PL 96-592; 12 USC 2075

CFR Citation: 12 CFR 614.4610

Abstract: Loan participations to be qualified as to eligibility requirements.

Timetable:

Action

Date FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 [703-883-4116]

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA37

17. PART 615 - FUNDING AND FISCAL AFFAIRS, LOAN POLICIES AND OPERATIONS, AND FUNDING OPERATIONS

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211

CFR Citation: 12 CFR 615.5010; 12 CFR 615.5103; 12 CFR 615.5105

Abstract: Technical amendments - to indicate Fiscal Agency incorporation.

Timetable:

Action Date FR Cite

NPRM 04/00/85

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA38

18. PART 611-SUBPART G--AMENDMENTS TO ASSOCIATION CHARTERS AND MERGERS AND CONSOLIDATIONS

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 611.1120; 12 CFR 611.1121; 12 CFR 611.1123; 12 CFR 611.1124

Abstract: These amendments are intended to set forth the procedures

applicable to various charter amendments and to make the merger and consolidation process operate more efficiently and to ensure that voting stockholders are adequately informed regarding the issues affecting the association.

Timetable:

Action Date FR Cite

NPRM 07/20/84 49 FR 29404

NPRM Comment Period Begin

NPRM Comment 09/19/84

Period End

Final Action 03/00/85

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA43

19. PART 602 - RELEASING INFORMATION

Priority: Agency Determination

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: Not yet determined

Abstract: Disclosure of information by System banks to stockholders and FCA. Regulations to be developed will require annual reports to shareholders and specify the contents thereof; of Farm Credit institutions require and information statement to be sent to shareholders prior to annual meetings at which directors are elected and specify the contents thereof; require reports of condition and performance to be submitted to FCA and specify the contents thereof; and set accounting standards to be followed by institutions of the Farm Credit System.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/00/85

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA49

20. PART 602 - RELEASING INFORMATION

Legal Authority: 12 USC 2246; 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 602.200; 12 CFR 602.205; 12 CFR 602.215; 12 CFR 602.265

Abstract: Technical amendments to correct division and agency title changes and agency address.

Timetable:

Action Date FR Cite
NPRM 06/00/85

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA50

21. PART 614 - LOAN POLICIES AND OPERATIONS SUBPART Q -- BANKS FOR COOPERATIVES FINANCING INTERNATIONAL TRADE

Priority: Agency Determination

Legal Authority: 12 USC 2128; 12 USC 2252(16); PL 92-181

CFR Citation: Not yet determined

Abstract: Regulation to define "substantial benefit" as it refers to banks for cooperatives ability to enter into international financing agreements.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA52

22. PART 601 - EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 601.130; 12 CFR 601.150; 12 CFR 601.165; 12 CFR 601.170; 12 CFR 601.180

Abstract: Technical amendments to correct division names and agency titles. Correct reference to OPM.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/00/85

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA53

23. • BANKS FOR COOPERATIVES

Priority: Agency Determination

Legal Authority: 12 USC 2243; PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 600.60

Abstract: Technical amendment to correct reference to location of Central Bank for Cooperatives.

Timetable:

Action	Date	FR Cite
NIDDAA	06/00/05	

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA54

24. PART 603 - PRIVACY ACT REGULATIONS

Legal Authority: 12 USC 2246; 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 603.315; 12 CFR 603.320; 12 CFR 603.325; 12 CFR 603.335; 12 CFR 603.335

Abstract: Technical amendments to indicate agency title and address changes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	11 20 18 S

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA55

25. PART 611 - ORGANIZATION

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 611.300; 12 CFR 611.500; 12 CFR 611.1001; 12 CFR 611.1100

Abstract: Technical amendments to indicate agency title, division and address changes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	Christian State

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA56

26. PART 612 - PERSONNEL ADMINISTRATION, SUBPART A -HUMAN RESOURCES MANAGEMENT

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 612.2000; 12 CFR 612.2080; 12 CFR 612.2120

Abstract: Technical amendments to indicate agency names and division changes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	1 - 1 - 1 - 1

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Gredit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA57

27. PART 614 - LOAN POLICIES AND OPERATIONS

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 614.4051; 12 CFR 614.4530; 12 CFR 614.4710; 12 CFR 614.4900

Abstract: Technical amendments to indicate title and division changes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA58

28. • BANKS FOR COOPERATIVES' EARNINGS

Priority: Agency Determination

Legal Authority: 12 USC 2252(16); PL 92-

CFR Citation: 12 CFR 615.5370

Abstract: Amendment to lift restrictions on bank for cooperatives distribution of earnings to unallocated reserve.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	OCHIGA LAND

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA59

29. PART 615 - FUNDING AND FISCAL AFFAIRS

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 615.5135; 12 CFR 615.5140; 12 CFR 615.5143; 12 CFR 615.5150; 12 CFR 615.5151; 12 CFR 615.5160

Abstract: Amendments to broaden, yet control, types of eligible investments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA60

30. PART 615 - FUNDING AND FISCAL AFFAIRS

Legal Authority: 12 USC 2252(16); PL 92-

CFR Citation: 12 CFR 615.5495; 12 CFR 615.5496

Abstract: Technical amendments to reflect current organizational, division, and section changes and to correct reference to Fiscal Agency.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	The same

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Dorothy J. Acosta. Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA61

31. • EQUAL HOUSING LENDER POSTER

Legal Authority: 12 USC 2252(16); PL 92-

CFR Citation: 12 CFR 613.3170

Abstract: Technical amendment to indicate agency, division, and address changes.

Timetable:

Action Date FR Cite	Action	Date	FR Cite
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NPRM 06/00/85

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA62

32. • FREQUENCY OF EXAMINATIONS AND AUDITS

Priority: Agency Determination

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 617,7060

Abstract: Amendment to change requirement that FLBAs be examined and audited every 18 months.

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85	NSW.	BILLI

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Gounsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA63

33. • PART 617 - EXAMINATION, AUDITS AND INVESTIGATIONS

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 617.7000; 12 CFR 617,7010; 12 CFR 617.7020; 12 CFR 12 CFR 617.7050; 12 CFR 617.7030; 12 CFR 617.7100; CFR 617,7080; 12 617,7110; 12 CFR 617,7120

Abstract: Technical amendments to reflect organizational changes.

Timetable:

Action	Date .	FR Cite
NPRM	06/00/85	Belline S

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA64

34. • PUBLICATION OF REPORTS

Legal Authority: 12 USC 2252(16); PL 92-

CFR Citation: 12 CFR 618.8200

Abstract: Technical amendment to change dates combined financial statements are published.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	active of
all transports		

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA65

FARM CREDIT ADMINISTRATION (FCA)

35. OVERALL REVIEW OF 12 CFR PARTS 611 - 618

Priority: Undetermined

Legal Authority: 12 USC 2252(16); PL 92-181; 12 USC 2227; 12 USC 2183; 12 USC 2129; 12 USC 2253; 12 USC 2226; 12 USC 2071; 12 USC 2011

CFR Citation: 12 CFR 611.1010(c); 12 CFR 611.1140; 12 CFR 612.2110; 12 CFR 612.2120(b); 12 CFR 612.2080; 12 CFR 612.2090; 12 CFR 613.3040; 12 CFR 613.3110(a)(4); 12 CFR 613.3110(b)(2); 12 CFR 614.4015; 12 CFR 614.4051; 12 CFR 614.4070; 12 CFR 614.4130; 12 CFR 614.4160(c); ...

Abstract: Under review by FCA staff to determine whether to recommend the elimination or retention of existing FCA regulatory approval requirements affecting the operations of Farm Credit System institutions or replacement with regulatory guidelines.

Timetable:

	2000	Name of Street	400
Action	Date	FR	Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL CFR CITATIONS: 12 CFR 614.4165(f); 12 CFR 614.4190(c); 12 CFR 614.4190(c); 12 CFR 614.4281; 12 CFR 614.4330(a); 12 CFR 614.4330(e); 12 CFR 614.4354(a)[4]; 12 CFR 614.4354(e); 12 CFR 614.4460; 12 CFR 614.4511; 12 CFR 614.4630(a); 12 CFR 614.4630(b); 12 CFR 615.5040; 12 CFR 615.5102; 12 CFR 615.5103; 12 CFR 615.5104; 12 CFR 615.5104; 12 CFR 615.5106; 12 CFR 615.5135; 12 CFR 615.5150(a); 12 CFR

Existing Regulations Under Review

615.5150(b); 12 CFR 615.5330(a); 12 CFR 615.5340; 12 CFR 615.5370; 12 CFR 615.5420; 12 CFR 615.5453; 12 CFR 615.5550; 12 CFR 615.5160; 12 CFR 615.5220; 12 CFR 615.5220; 12 CFR 615.5320; 12 CFR 614.4345; 12 CFR 614.4450; 12 CFR 614.4450; 12 CFR 614.4450; 12 CFR 614.4450; 12 CFR 614.4080; CFR 614.4120; 12 CFR 614.4210; 12 CFR 614.4220; 12 CFR 614.4261; 12 CFR 614.4334(c); 12 CFR 614.4770; 12 CFR 614.4710; 12 CFR 614.4720; 12 CFR 615.5320(b)(1); 12 CFR 615.5400; 12 CFR 618.8020

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 783 883-4020

RIN: 3052-AA48

36. • BANKS FOR COOPERATIVES

Priority: Undetermined

FCA

Existing Regulations Under Review

Legal Authority: 12 USC 2252(16); PL 92-

181

CFR Citation: 12 CFR 614.4354

Abstract: Changes in lending limits for

banks for cooperatives.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA51

FARM CREDIT ADMINISTRATION (FCA)

Completed Actions

COMPLETED RULEMAKINGS 37. INTEREST RATE PROGRAMS

CFR Citation: 12 CFR 614.4321

Completed:

Reason	Date		FR	Cite
Final Action	11/30/83	48	FR	54000
Final Action Effective	04/20/84	49	FR	16761

Small Entity: No

Agency Contact: Dorothy J. Acosta 703 883-4020

RIN: 3052-AA22

38. PART 612-SUBPART B--STANDARDS OF CONDUCT FOR DIRECTORS, OFFICERS, AND EMPLOYEES

CFR Citation: 12 CFR 612.2130; 12 CFR 612.2150; 12 CFR 612.2200; 12 CFR

612.2220; 12 CFR 612.2230; 12 CFR 612.2240; 12 CFR 612.2250; 12 CFR 612.2260

Completed:

Reason	Date		FR	Cite
Final Action	03/25/85	50	FR	11655
Final Action Effective	05/00/85			

Small Entity: No

Agency Contact: Dorothy J. Acosta 703 883-4020

RIN: 3052-AA44

39. PART 602-SUBPART C-TESTIMONY AND PRODUCTION OF DOCUMENTS IN LEGAL PROCEEDINGS NOT INVOLVING THE FARM CREDIT ADMINISTRATION

CFR Citation: 12 CFR 602.280; 12 CFR 602.281; 12 CFR 602.282; 12 CFR 602.283;

12 CFR 602.284; 12 CFR 602.285; 12 CFR 602.286; 12 CFR 602.287; 12 CFR 602.288; 12 CFR 602.289

Completed:

Reason	Date	FR Cit	е
Final Action Final Action Effective	02/22/85 03/25/85	50 FR 733	30

Small Entity: No

Agency Contact: Dorothy J. Acosta 703 883-4020

RIN: 3052-AA45

[FR Doc. 85-6398 Filed 04-26-85; 8:45 am] BILLING CODE 6705-01-T A THE RESERVE



Monday April 29, 1985

Part XLVIII

Federal Communications Commission

Semiannual Regulatory Agenda



FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

Unified Agenda of Federal Regulations

AGENCY: Federal Communications Commission.

ACTION: Publication of the Unified Agenda of Federal Regulations.

SUMMARY: The Commission publishes the Unified Agenda of Federal Regulations to provide the public with adequate notice of all major and other significant proceedings under development or review. The agenda also provides the CFR Citations and Legal Authorities which govern these proceedings. This is in accordance with Executive Order 12291 and OMB Bulletin No. 85-6. In addition, the agenda, in compliance with the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) includes notations on the applicability of the Regulatory Flexibility Act to each item. The Unified Agenda will be published in the Federal Register in April and October of each vear.

DATE: This information is current as of April 1985.

ADDRESS: Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554. FOR FURTHER INFORMATION CONTACT: Claudette Pride, Management Planning and Program Evaluation Office, (202) 632-3906.

SUPPLEMENTARY INFORMATION:

Unified Agenda of all major and other significant proceedings

The Commission encourages public participation in the FCG rule making process. To help keep the public informed of significant rule making proceedings, the Commission has prepared an agenda of important proceedings now in progress. OMB will publish the Unified Agenda in the Federal Register in April and October of each year.

The following terms may be helpful in understanding the status of the proceedings included in this report:

A docket number - is assigned to a proceeding if the Commission has issued either a Notice of Proposed Rule Making or a Notice of Inquiry in regard to the matter under consideration. Since January 1, 1978, the Commission has used docket numbers which consist of the last two digits of the calendar year in which the docket was established plus a sequential number which begins at 1 with the first docket initiated during a calendar year (e.g. Docket 80-1 or Docket 83-1). The abbreviation for the responsible Bureau usually precedes the docket number, as in "Docket 79-164." When a docket number consists of only

five digits (e.g. Docket 29622), this indicates that the docket was established before January 1, 1978.

Notice of Inquiry (NOI) - issued by the Commission when it is seeking information on a broad subject or trying to generate ideas on a given topic. A comment period is specified during which all interested parties may submit comments.

Notice of Proposed Rule Making (NPRM) - issued by the Commission when it is proposing a specific change to the FCC Rules and Regulations, Before any changes are actually made, interested parties may submit written comments on the proposals.

Memorandum Opinion and Order (MO&O) - issued by the Commission to deny a petition for rule making, conclude an inquiry, modify a decision, or deny a petition for reconsideration of a decision.

Rule Making (RM) Number - assigned to a proceeding after the appropriate Bureau/Office has reviewed a petition for rule making, but before the Commission has taken action on the petition.

Report & Order (R&O) - issued by the Commission to state a new or amended rule or state that the FCC Rules will not be changed.

William J. Tricarico,

Secretary, Federal Communications Commission.

COMMON CARRIER BUREAU—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
4	*Competitive Carrier Bulemaking	3060-AA92
2	*Competitive Carrier Rulemaking	3060-AC15
3	*USOA: USOA Rewrite	3060-AC16
4	*Embedded CPF: Deteriffing CPF Used in Mobile Telephone Service	3060-AC29
5	*Embedded CPE: Detariffing CPE Used in Mobile Telephone Service. *Computer II: IBM Request for Declaratory Ruling re: Southern Bell LADT	3060-AC32
6	*Computer II: ATTIS as a Reseller Providing Basic Services	3060-AC36
7	*USOA: Proposal to Amend USOA (Part 31) to Conform with Generally Accepted Accounting Principles	3060-AC37
8		3060-AC42
9	*Air-ground: Amend Table of Allocations to Add Austin *Access Charges: Second Further Recon	3060-AC82
10	*Intnl Planning: North Atlantic Communications Facilities Planning for 1985 - 1995 Period	3060-AC84
11	*Intnl General: Designation of Private Operating Agencies	3060-AD15
12	*Intnl General: Designation of Private Operating Agencies	3060-AD16
13	*Computer II: AT&T Petition for Relief from Structural Separation Conditions	3060-AD17
14	*Computer II: NATA Petition for Declaratory Ruling, re: Centrex	3060-AD18
15	*Mobile Services: Jurisdictional Rulemaking for Preemption of States in Mobile Services Regulation	3060-AD19
16	*Intnl Planning: Pacific Region Facilities Planning for 1985 - 1995	3060-AD20
17	*Intnl Carriers: International Competitive Carrier	3060-AD21
18	*Computer II: AT&T Reorganization Inquiry Investigation	3060-AD22
19	*Tariff General: NPRM re: Billing and Collection	3060-AD23
20	*Access Charges: Transport	3060-AD24

COMMON CARRIER BUREAU—Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
21 22 23	*Tariff General: Switched Access Centrex Rates *Domestic Satellite: GEOSTAR - Spectrum Allocation and Licensing for Operation	3060-AD25 3060-AD26
23 24	*Intnl General: Planning for Communications Facilities in the Caribbean Region through 1995 *CPE: Federally Tariffed CPE	3060-AD27 3060-AD28

^{*}Indicates priority regulation.

COMMON CARRIER BUREAU—Completed Actions

Se- quence Number	Title Title Emilion Indian	Regulation Identifier Number
25	*Tariff General: AT&T Private Line Structure and Volume Discount Practices	3060-AA91
26	Overseas Communications Services	3060-AA93
27	*Comsat Structure	3060-AA94
28	Direct Access to INTELSAT Space Segment	3060-AA96
29	*Rate of Return - AT&T's Earnings	3060-AA97
30	Mobile Services: Amendment of Part 22	3060-AB00
31	Procedures for Implementing the Detariffing of CPE	3060-AB05
32	*Computer II Implementation - Follow-up on Implementation of CPE Capitalization Plan Approved in Order Adopted Nov. 4, 1982	3060-AB06
33	*Revision of the Uniform System of Accounts and Financial Reporting Requirements for Telephone Companies, Parts 31, 33, 42 and 43	3060-AB15
34	*Review of Part 41	3060-AB18
35	*Gen. Docket 80-113	3060-AB23
36	*Access Charges: Average Schedule Carriers	3060-AC12
37	Cellular: Filing Procedures for Applications; Cellular Telecommunications Service - Cleanup of Miscellaneous Pending Petitions	3060-AC20
38	*Embedded CPE: Deregulation of Embedded CPE Owned by the Bell System	3060-AC22
39	Cellular: Elimination of the Separate Frequency Allocation	3060-AC23
40	*Embedded CPE: Detariffing CPE Owned by Independent Telcos	3060-AC25
41	*USOA: Amend Part 31 to Provide New Accounts for Access Charges	3060-AC26
42	*Embedded CPE: Detariffing CPE Owned by Record Carriers	3060-AC27
43	*Embedded CPE: Provision of CPE Used in National Security Systems	3060-AC28
44	*Embedded CPE: Amend Part 31 to Prescribe Accounting for Nonregulated Operations	3060-AC31
45	Computer II: Petition for Severance and Recon (NWB & AT&T) Customer Information Disclosure Order	3060-AC33
46	*Carrier Interconnection: USITA Joint Planning Agreement (NTIA) (Associated with cc78-72 ph3)	3060-AC35
47	"USOA: Notice to Amend USOA to Account for Cost of Removal and Salvage as Current Period Costs.	3060-AC39
48	Computer II: Compliance Oversight - Ameritech re: cc83-115, Separate CPE	3060-AC44
49	Computer II: Compliance Oversight - South Western Bell re: cc83-115, Separate CPE	3060-AC45
50	Computer II: Compliance Oversight - Bell Atlantic re: cc83-115, Separate CPE	3060-AC46
51	Computer II: Compliance Oversight - Bell South re: cc83-115, Separate CPE	3060-AC47
52	Depreciation Rates: Annual Update of Rates for Telephone Companies Not Scheduled for Full Review in 1984	3060-AC48
53	Depreciation Rates: Represcription of Rates for Fourteen Domestic Telephone Companies	3060-AC49
54	Intnl Earth Stations: Ownership Policy	3060-AC50
55	Computer II: Compliance Oversight - Nynex re: cc83-115, Separate CPE	3060-AC51
56 57	Computer II: Compliance Oversight - U.S. West, re: cc83-115, Separate CPE	3060-AC52
	Computer II: Compliance Oversight - Pacific Telesis re: cc83-115, Separate CPE	3060-AC53
58 59	Planning for Overseas Communications Facilities through 1995	3060-AC54
NEW WORLD	*Intnl Satellites(Comsat): Equitable Access to INTELSAT Space Segment by International Service carriers	3060-AC55
60	*Access Charges: AT&T Emergency Petition	3060-AC81
62	*MDS: Technical Standards for Multipoint Distribution Service	3060-AC83
63	Computer II - Implementation: Staff Audit Report	3060-AC90
64	*Review of Part 42	3060-AB19
04	Computer II: Reconsideration of CBI/SNET Order	3060-AC30

^{*}Indicates priority regulation.

FIELD OPERATIONS BUREAU—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
65	Age and Experience Requirements for Radiotelegraph First Class Operator License (RM-2687/RM-3785)	3060-AA01

MASS MEDIA BUREAU—Current and Projected Rulemakings

Se- quence Number	Title on agint wood and a second of the control of	Regulation Identifier Number
66	*ITFS: Policies, Procedures and Regulations	3060-AA37
67	*Network/Cable Cross-Ownership	
68	*Character Inquiry	
69	*Comparative Renewal Policy	
70	*Fairness Doctrine: Broadcast	
71	*Canadian/Mexican Clear Channels	
72	*Comparative Preferences Within Metropolitan Areas	
73	*FM Allotments: Procedures for 80-90	
74	*UHF Impact Policy	
75	*Section 73.37 (e)	
76	*First Come, First Served	
77	*Cable Bill: Implementation (Effective Competition)	3060-AD01
78	*International Implementation: AM Region 2	
79	*Technical Deregulation: Part 73 - AM	
80	*Technical Deregulation: Part 73 - FM	
81	*Technical Deregulation: Part 74 A & I	3060-AD05
82	*Technical Deregulation: Part 76	3060-AD06
83	*Antenna Proofs	3060-AD07
84	*FM vs. Aviation: Interference Problems	
85	*Technical Deregulation: Part 74, G & L	
86	*Technical Deregulation: Part 74, E & F	
87	*Technical Deregulation: Part 74, D & H	
88	*Single Majority Shareholder (Attribution)	
89	*Cable Bill Implementation: EEO	
90	*Carroll Doctrine	3060-AD14

^{*}Indicates priority regulation.

MASS MEDIA BUREAU—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
91	*Teletext Must Carry: Reconsideration	3060-AA27
92	*Aeronautical Interference	3060-AA42
93	*Alaska Petition: Protection Standards for AM	3060-AB49
94	*Alaska Petition: Protection Standards for AM. *Radio Deregulation: 2nd R&O: Reconsideration. *Remote Control: AM, FM, and TV.	3060-AB50
95	*Remote Control: AM, FM, and TV	3060-AB63
96	*Technical Operation, Monitoring and Measurement of Audio Systems. *RF Power Meters	3060-AB98
97	*RF Power Meters	3060-AB99
98	*Channel 6/FM Interference	3060-AC01
99	*Seller-Creditor Financing	3060-AC05
100	*LPTV Processing Procedures	3060-AC09
101	*ACSB for Auxiliary Services	3060-AC18
102	*7 - 7 - 7 : Reconsideration	3060-AC57
103	*FM: Maximum Power Limitation	3060-AC74
104	*Proofs of Performance: Deregulation	3060-AC75
105	*RF Power Meters *Channel 6/FM Interference *Seller-Creditor Financing *LPTV Processing Procedures *ACSB for Auxiliary Services *7 - 7 - 7 : Reconsideration *FM: Maximum Power Limitation *Proofs of Performance: Deregulation *Vertical Blanking Interval: Deregulation Policy Regarding Interim Authority to Operate Broadcast Facilities *FM Allotments: Implementation of 80-90 Omnibus	3060-AC77
106	Policy Regarding Interim Authority to Operate Broadcast Facilities	3060-AC87
107	*FM Allotments: Implementation of 80-90 Omnibus	3060-AC17

^{*}Indicates priority regulation.

OFFICE OF GENERAL COUNSEL—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
108 109	Amending Environmental Rules in Response to New Rules Issued by the Council on Environmental Quality (C.E.Q.) Repeal of Modification of the Personal Attack and Political Editorial Rules, Sec 73.1920 & Sec 73.1930 of the Commission's Rules.	3060-AB30 3060-AB44
110	*Provision of Preferences to Female Applicants When Selection From Among Certain Competing Applicants for Mass Media Licenses Involves Random Selection or Lotteries	3060-AC60
111	Amendment of Part 1 of the Commission's Rules to Implement Section 504 of the Rehabilitation Act of 1973, As Amended, 29 U.S.C. Section 794.	3060-AC86

^{*}Indicates priority regulation.

OFFICE OF GENERAL COUNSEL—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
112	*Selection From Among Certain Competing Applications Using Random Selection or Lotteries Instead of Comparative Hearings	3060-AC58

^{*}Indicates priority regulation.

PRIVATE RADIO BUREAU—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
113 114 115 116 117 118	*Digital Selective Calling in Marine Services and Direct Dial in VHF Services *Interconnection in the Private Land Mobile Radio Services in the Frequency Bands Below 800 MHz *Private Microwave Carrier Systems. *Frequency Coordination in the Private Land Mobile Radio Services. *Introduction of Narrowband Technologies into the Private Land Mobile Radio Services. *Future Public Safety Telecommunications Requirements.	3060-AB77 3060-AB78
120 121 122 123 124 125	*Future Public Safety Telecommunications Requirements *Early Allocation of 18 and 24 MHz, 24 and 900 MHz, and 10 MHz Codification *Amendments to the Safety of Life at Sea *Eliminate the Requirement for Manufacturers to Perform Reliability Tests on Shipboard Radar *Combine Parts 81 and 83 into Single Part 80 for Maritime Services and Alaska Fixed Stations *900 MHz Allocation to the Private Land Mobile Radio Services *800 MHz Waiting List *Use of Coordinated Repeaters in the ARS *Implement Final Acts of WARC 1979 in the ARS	3060-AC73
126 127 128	*Implement Final Acts of WARC 1979 in the ARS. *Petition by ARRL for a Declaratory Statement on Federal Preemption of Local Zoning Requirements as They Apply to Antennas in the ARS. *Implement High Frequency Allocations Made by WARC 1979	3060-AD31 3060-AD32 3060-AD33 3060-AD34

^{*}Indicates priority regulation.

PRIVATE RADIO BUREAU—Completed Actions

Se- quence Number	Title Title	Regulation Identifier Number
129 130 131 132 133 134	*Compulsory Ship Inspection Cycle *New Private Radio Service at 900 MHz *Great Lakes EPIRB's *Permissible Communications in the Private Land Mobile Radio Services *Radioprinter (RTTY) Communications Service for Small Commercial Vessels *Interconnection with the Public Switched Telephone Network (PSTN) in the Private Land Mobile Radio Service Bands Below 800 MHz *Delete the Requirements for Restricted Permits for Domestic Voyages	3060-AA25 3060-AA55 3060-AB82 3060-AB84 3060-AB85 3060-AB87 3060-AC71

^{*}Indicates priority regulation.

OFFICE OF SCIENCE AND TECHNOLOGY—Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
		3060-AA57
136	*L.A. Sheriff's Petition *HF Broadcasting WARC *Space Services WARC (1985) *GEOSTAR Corp. Petition for Radiodetermination Satellite *Study of Marine HF Bands	3060-AA78
137	THE Broadcasting WAHC	3060-AA79
138	*Space Services WAHC (1985)	3060-AA79
139	*GEOSTAR Corp. Petition for Hadiodetermination Satellite	3060-AB79
140	*Study of Marine HF Bands	3060-AB88
141	*Amendment of Part 15 to Permit Operation of Field Disturbance Sensors in the Band 40.66 to 40.70 MHz	3060-AC64
142	*Amendment of Part 15 to Provide an Additional Exemption for Large Computer System	3060-AC68
143	*Update Administrative Rules in Part 18	3060-AC89
144	*Allocation of Additional Spectrum for Private Land Mobile Radio (LMCC Petition) *Utilization Policy - Fixed and Mobile Services 1-40 GHz (Reconsideration). *Additional Sharing of UHF TV Channels by Private LM Services *Primary Allocation for Radio Astronomy at 1610 MHz (NSF Petition).	3060-AC91
145	*Utilization Policy - Fixed and Mobile Services 1-40 GHz (Reconsideration)	3060-AC92
146	*Additional Sharing of UHF TV Channels by Private LM Services	3060-AC93
147	*Primary Allocation for Radio Astronomy at 1610 MHz (NSF Petition)	3060-AC94
148	*Tashnical Standarde Medical Ultrasonic equipment - Part 18	3060-AC95
149	*DORCMA - Remote Control Security Devices	3060-AC96
150	*SEIA - Remote Control/Security Devices *KNOGO - Field Disturbance Sensors	3060-AC97
151	*KNOGO - Field Disturbance Sensors	3060-AC98
152	*GTE Reconsideration Cordless Phones.	3060-AC99
153	*LM Technical Standards Review	3060-AD00

^{*}Indicates priority regulation.

OFFICE OF SCIENCE AND TECHNOLOGY—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
154	*Air-ground Radiotelephone Service (Airfone, Inc.)	3060-AA49
155	*Air-ground Radiotelephone Service (ARINC)	3060-AA50
156	U.S.C.G. Request to Use 161.7 and 161.75 MHz.	3060-AA59
157	Re-examination of Technical Regulations.	3060-AA82
158	*Offshore Radio Telephone Co. RM3910, RM3924	3060-AB42
159	*Implementation of Technical Requirements from 1979 WARC	3060-AC65

^{*}Indicates priority regulation.

FEDERAL COMMUNICATIONS COMMISSION (FCC)—COMMON CARRIER BUREAU

1. COMPETITIVE CARRIER RULEMAKING

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: One petition for reconsideration has been filed against the 5th R&O. The next order will consider further deregulation.

Timetable:

Action	Date	FR Cite
4th R&O	10/19/83	
5th R&O	08/08/84	
6th R&O	06/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER cc79-252

Current and Projected Rulemakings

Agency Contact: J. Salvatore, Federal Communications Commission, 1919 M St., N.W., Rm. 518, Washington, D.C. 20554, 202 632-6917

RIN: 3060-AA92

2. CARRIER INTERCONNECTION: EQUAL ACCESS REQUIREMENTS FOR INDEPENDENTS

Priority: Agency Determination

Legal Authority: 47 USC 201 to 205; 47 USC 211; 47 USC 218

CFR Citation: 47 CFR 00

Abstract: Proceeding considering complementary action to the MFJ and to access charges, to promote competition by 1) imposing equal access requirements on carriers not bound by the MFJ; 2) ensure that competitive interconnection is available in access tariffs; 3) promote limited joint planning among carriers.

Timetable:

Action	Date	FR Cite
MO&O (Lexitel Petition)	01/17/85	and the
R&O	03/31/85	

Small Entity: No

Additional Information: DOCKET NUMBER cc78-72 p3

Agency Contact: R. Dujack, Federal Communications Commission, 1919 M St., N.W., Rm. 544, Washington, DC 20554, 202 632-9342

RIN: 3060-AC15

3. USOA: USOA REWRITE

Priority: Agency Determination

Legal Authority: 47 USC 154; 47 USC 219; 47 USC 220

CFR Citation: 47 CFR 31; 47 CFR 33; 47 CFR 42

Abstract: FCC is proposing to revise USOA on a financial accounting basis to provide more detailed & relevant data for separations & costing purposes.

Timetable:

Action	Date	FR Cite
NPRM	08/00/78	
NPRM	08/00/79	
NPRM	10/00/81	
NPRM	12/19/84	
R&O	12/00/85	

Small Entity: No

Agency Contact: C. Rand, Federal Communications Commission, 2000 L St., N.W., Rm. 812, Washington, DC 20554, 202 634-1861

RIN: 3060-AC16

4. EMBEDDED CPE: DETARIFFING CPE USED IN MOBILE TELEPHONE SERVICE

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: Establishment of guidelines for detariffing embedded CPE used in mobile telephone service (other than cellular service, which has been handled in a separate proceeding).

Timetable:

Action	Date	FR Cite
2nd R&O	06/29/84	
3rd R&O	10/26/84	
Reconsideration Pending	06/00/85	

Small Entity: No

Additional Information: DOCKET NUMBER cc81-893d

Agency Contact: R. Crellin, Federal Communications Commission, 1919 M St., N.W., Washington, DC 20554, 202 632-9342

RIN: 3060-AC29

5. COMPUTER II: IBM REQUEST FOR DECLARATORY RULING RE: SOUTHERN BELL LADT

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 64-702

Abstract: Whether Bell South's LADT service is an enhanced service.

Timetable:

Action	Date	FR Cite
MO&O	09/30/85	F. W.

Small Entity: No

Additional Information: DOCKET NUMBER enf 83-34

Agency Contact: G. Vogt, Federal Communications Commission, 2025 M St., N.W., Rm. 6216, Washington, DC 20554, 202 632-4887

RIN: 3060-AC32

6. COMPUTER II: ATTIS AS A RESELLER PROVIDING BASIC SERVICES

Priority: Agency Determination Legal Authority: 47 USC 00

CFR Citation: 47 CFR 00

Abstract: ATTIS has been authorized to provide basic services via resale.

Timetable:

Action	Date	FR Cite
R&O	12/20/83	
R&O	06/27/84	

Action	Date	FR Cite
Recon order	06/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER proj 84-112

Agency Contact: D. Slotten, Federal Communications Commission, 1919 M St., N.W., Rm. 544, Washington, DC 20554, 202 632-9342

RIN: 3060-AC36

7. USOA: PROPOSAL TO AMEND USOA (PART 31) TO CONFORM WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: FCC is considering the proposal to amend its prescribed accounting system to adopt generally accepted accounting principles where possible.

Timetable:

Action	Date	FR Cite
NPRM	05/10/84	Sillian Committee
R&O	06/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER cc84-469

Agency Contact: C. Rand, Federal Communications Commission, 2000 L St., N.W., Rm. 812, Washington, DC 20554, 202 634-1861

RIN: 3060-AC37

8. AIR-GROUND: AMEND TABLE OF ALLOCATIONS TO ADD AUSTIN

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: Considers the amendment of air-to-ground table of frequencies to add Channel 11 at Austin, TX.

Timetable:

Action	Date	FR Cite
NPRM	06/30/84	
R&O	06/00/85	

Small Entity: No

Additional Information: DOCKET NUMBER pet 4504 Agency Contact: S. Magnotti, Federal Communications Commission, 1919 M St., N.W., Rm 644, Washington, DC 20554, 202 632-6450

RIN: 3060-AC42

9. ACCESS CHARGES: SECOND FURTHER RECON

Priority: Agency Determination Legal Authority: 47 USC 00

CFR Citation: 47 CFR 00

Abstract: On December 6, 1983, the National Exchange Carriers Assoc. (NECA) sought a 2-year waiver of the FCC's prohibition against the simultaneous use of individual cost data for "c" and "special Services" functions with average schedule cost data for "A" and "B" functions.

Timetable:

Action	Date	FR Cite
2nd MO&O	03/31/84	
3rd MO&O	03/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER cc78-72 pl

Agency Contact: T. Sugrue, Federal Communications Commission, 1919 M St., N.W. Rm. 544, Washington, D.C. 20554, 202 632-9342

RIN: 3060-AC82

10. INTNL PLANNING: NORTH ATLANTIC COMMUNICATIONS FACILITIES PLANNING FOR 1985 -1995 PERIOD

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: The FCC is reviewing communications facility placement in the North Atlantic region in order to determine the most efficient satellite/cable mix for the region.

Timetable:

Action	Date	FR Cite
NOI	06/30/84	STATE OF THE PARTY
NPRM	06/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER cc79-184 Agency Contact: S. Chiron, Federal Communications Commission, 1919 M St., N.W. Rm. 534, Washington, D.C. 20554, 202 632-4047

RIN: 3060-AC84

11. INTIL GENERAL: DESIGNATION OF PRIVATE OPERATING AGENCIES

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: Policies governing designation of recognized private operating agencies. Grants of IRUs in International Facilities and assignment of data network identification codes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	MATERIAL SELECTION OF THE PARTY NAMED IN COLUMN TWO IS NOT THE PARTY NAMED IN COLUMN

Small Entity: No

Additional Information: DOCKET NUMBER cc83-1230

Agency Contact: J. Copes, Federal Communications Commission, 1919 M St., N.W., Rm. 534, Washington, D.C. 20554, 202 632-4047

RIN: 3060-AD15

12. • LAND MOBILE SATELLITE: NASA PET FOR RECON OF LAND MOBILE SATELLITE

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: FCC is proposing to establish a Mobile Satellite Service and to authorize licensees to operate this service.

Timetable:

Action	Date	FR Cite
NPRM	01/28/85	
R&O	09/30/85	
O	Eller Eller	

Small Entity: No

Additional Information: DOCKET NUMBER cc84-1234

Agency Contact: A. Leib, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6450

RIN: 3060-AD16

13. © COMPUTER II: AT&T PETITION FOR RELIEF FROM STRUCTURAL SEPARATION CONDITIONS

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: The FCC is proposing to relieve AT&T from structural separations conditions re: CPE.

Timetable:

Action	Date	FR Cite
NPRM	02/22/85	
R&O	09/00/85	

Small Entity: No

Additional Information: DOCKET NUMBER enf 84-17

Agency Contact: G. Vogt, Federal Communications Commission, 2025 M St., N.W., Rm. 6216, Washington, D.C. 20554, 202 632-4887

RIN: 3060-AD17

14. COMPUTER II: NATA PETITION FOR DECLARATORY RULING, RE: CENTREX

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 64

Abstract: Supplemental petitions have been filed. NATA is seeking a declaratory ruling declaring that certain services offered by Centrex are enhanced services.

Timetable:

Action	Date	FR Cite
MOSO	09/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER enf 84-2

Agency Contact: P. Nagle, Federal Communications Commission, 2025 M St., N.W., Rm. 6216, Washington, D.C. 20554, 202 632-4887

RIN: 3060-AD18

15. MOBILE SERVICES: JURISDICTIONAL RULEMAKING FOR PREEMPTION OF STATES IN MOBILE SERVICES REGULATION

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00 FCC-CCB

Current and Projected Rulemakings

Abstract: The FCC is considering a petition for rulemaking proposing that it preempt state regulation that seeks to prohibit or impede entry of common carriers providing paging or conventional two-way mobile services into the public land mobile service.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	TO CREEK

Small Entity: No

Additional Information: DOCKET NUMBER pet 4811

Agency Contact: L. Krevor, Federal Communications Commission, 1919 M St., N.W., Rm. 644, Washington, D.C. 20554, 202 632-6450

RIN: 3060-AD19

16. • INTNL PLANNING: PACIFIC REGION FACILITIES PLANNING FOR 1985 - 1995

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: The FCC is reviewing communications facility placement in the Pacific region in order to determine the most efficient satellite/cable mix for the region.

Timetable:

Action	Date	FR Cite
NOI	11/08/84	new Charles
NPRM	06/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER proj 83-126

Agency Contact: J. Copes, Federal Communications Commission, 1919 M St., N.W., Rm. 534, Washington, D.C. 20554, 202 632-4047

RIN: 3060-AD20

17. • INTNL CARRIERS: INTERNATIONAL COMPETITIVE CARRIER

Priority: Agency Determination Legal Authority: 47 USC 00

CFR Citation: 47 CFR 00

Abstract: The FCC is considering the applicability of competitive carrier cases to the international sector.

Timetable:

Action	Date	FR Cite
NOI	03/30/85	The Bas

Small Entity: No

Additional Information: DOCKET NUMBER proj 84-117

Agency Contact: S. Goldman, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-4047

RIN: 3060-AD21

18. ● COMPUTER II: AT&T REORGANIZATION INQUIRY INVESTIGATION

Priority: Agency Determination Legal Authority: 47 USC 00

CFR Citation: 47 CFR 00

Abstract: AT&T is seeking to transfer some of its manufacturing plants to ATTIS. The FCC is evaluating the Computer II issues involved.

Timetable:

Action	Date	FR Cite
MO&O	09/30/85	The same of

Small Entity: No

Additional Information: DOCKET NUMBER proj 84-199

Agency Contact: P. Nagle, Federal Communications Commission, 2025 M St., N.W., Rm. 6216, Washington, D.C. 20554, 202 632-4887

RIN: 3060-AD22

19. • TARIFF GENERAL: NPRM RE: BILLING AND COLLECTION

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: The Commission will solicit comments on a proposal to detariff billing and collection services.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: DOCKET NUMBER proj 84-217 Agency Contact: B. Lambergman, Federal Communications Commission.

1919 M St., N.W., Rm. 518, Washington, D.C. 20554, 202 632-6917

RIN: 3060-AD23

20. ACCESS CHARGES:

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: This proceeding involves the extension of waiver of transport rules and end user charges for party-line service.

Timetable:

Action	Date	FR Cite
MO&O	03/31/85	The same of

Small Entity: No

Additional Information: DOCKET NUMBER proj 84-288

Agency Contact: K. Nilsson, Federal Communications Commission, 1919 M St., N.W., Rm. 544, Washington, D.C. 20554, 202 632-9342

RIN: 3060-AD24

21. TARIFF GENERAL: SWITCHED ACCESS CENTREX RATES

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: The NPRM will address the manner and extent to which Centrex and Centrex-like arrangements should be covered by switched access charges (specifically, Feature Group A charges).

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	State Venn

Small Entity: No

Additional Information: DOCKET NUMBER proj 84-374

Agency Contact: F. Patella, Federal Communications Commission, 1919 M St., N.W., Rm. 518, Washington, D.C. 20554, 202 632-6917

RIN: 3060-AD25

22. • DOMESTIC SATELLITE: GEOSTAR - SPECTRUM ALLOCATION AND LICENSING FOR OPERATION

Priority: Agency Determination

Current and Projected Rulemakings

Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: This is a frequency allocation proceeding/application processing proceeding for the Radio Determination Satellite Service. It is associated with the Land Mobile Satellite proceeding.

Timetable:

 Action
 Date
 FR Cite

 R&O
 09/30/85

Small Entity: No

Additional Information: DOCKET NUMBER proj 84-433

Agency Contact: F. Jarmulnek, Federal Communications Commission, 1200 19th St., N.W., Rm. 307B, Washington, D.C. 20554, 202 634-1624

RIN: 3060-AD26

23. • INTNL GENERAL: PLANNING FOR COMMUNICATIONS FACILITIES IN THE CARIBBEAN REGION THROUGH 1995

Priority: Agency Determination

Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: The FCC is reviewing the communications facility placement in the Caribbean region in order to determine the most efficient satellite/cable mix for the region.

Timetable:

Action Date FR Cite
NPRM 06/30/85

Small Entity: No

Additional Information: DOCKET NUMBER cc83-525

Agency Contact: S. Chiron, Federal Communications Commission, 1919 M St., N.W., Rm. 534, Washington, D.C. 20554, 202 632-4047

RIN: 3060-AD27

24. CPE: FEDERALLY TARIFFED CPE

Priority: Agency Determination Legal Authority: 47-USC 00 CFR Citation: 47 CFR 00

Abstract: The NPRM will provide procedures for detariffing embedded customer premises equipment owned by Independent telephone companies and tariffed at the federal level. It will also detariff Mobile CPE tariffed at the federal level.

Timetable:

Action Date FR Cite
NPRM 03/31/85

Small Entity: No

Additional Information: DOCKET NUMBER cc81-893i

Agency Contact: R. Crellin, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-9342

RIN: 3060-AD28

FEDERAL COMMUNICATIONS COMMISSION (FCC)—COMMON CARRIER BUREAU

Completed Actions

COMPLETED RULEMAKINGS

25. TARIFF GENERAL: AT&T PRIVATE LINE STRUCTURE AND VOLUME DISCOUNT PRACTICES

Priority: Agency Determination **CFR Citation:** Not applicable

Completed:

 Reason
 Date
 FR Cite

 R&O
 09/22/83

Small Entity: No

Agency Contact: W. Lavey 202 632-

RIN: 3060-AA91

26. OVERSEAS COMMUNICATIONS SERVICES

Completed:

Reason Date FR Cite

No Further 02/15/85

Action to be taken

Small Entity: No

Agency Contact: Stuart Chiron 202 632-3214

RIN: 3060-AA93

27. COMSAT STRUCTURE

Priority: Agency Determination

Completed:

Reason Date FR Cite
R&O 03/31/84
Small Entity: Yes

Agency Contact: Joel Pearlman 202 632-4047

RIN: 3060-AA94

28. DIRECT ACCESS TO INTELSAT SPACE SEGMENT

Completed:

 Reason
 Date
 FR Cite

 R&O
 10/30/84

Small Entity: No

Agency Contact: G. Dechabert 202 632-4047

RIN: 3060-AA96

29. RATE OF RETURN - AT&T'S EARNINGS

Priority: Agency Determination
CFR Citation: 47 CFR 00

Completed:

 Reason
 Date
 FR Cite

 R&O
 11/21/84

Small Entity: No

Agency Contact: K. Nilsson 202 632-9342

RIN: 3060-AA97

30. MOBILE SERVICES: AMENDMENT OF PART 22

CFR Citation: 47 CFR 22

Completed:

 Reason
 Date
 FR Cite

 MO&O
 06/30/84
 47 FR 22

Small Entity: Yes

FCC-CCB

Completed Actions

Agency Contact: C. Borkowski 202 632-6450

RIN: 3060-AB00

31. PROCEDURES FOR IMPLEMENTING THE DETARIFFING OF CPE

CFR Citation: 47 CFR 64.702; 47 CFR 31

Completed:

Reason Date FR Cite
Withdrawn - part 02/15/85
of RIN 3060-

Small Entity: No

Agency Contact: John Cimko 202 632-

9342

AC22

RIN: 3060-AB05

32. COMPUTER II IMPLEMENTATION -FOLLOW-UP ON IMPLEMENTATION OF CPE CAPITALIZATION PLAN APPROVED IN ORDER ADOPTED NOV. 4, 1982

Priority: Agency Determination CFR Citation: 47 CFR 64,702

Completed:

 Reason
 Date
 FR Cite

 MO&O
 01/18/85

Small Entity: No

Agency Contact: P. Froyd 202 632-4890

RIN: 3060-AB06

33. REVISION OF THE UNIFORM SYSTEM OF ACCOUNTS AND FINANCIAL REPORTING REQUIREMENTS FOR TELEPHONE COMPANIES, PARTS 31, 33, 42 AND 43

Priority: Agency Determination

CFR Citation: 47 CFR 31; 47 CFR 33; 47 CFR 42

Completed:

Reason Date FR Cite
Withdrawn 02/27/85

Duplicates 3060-AC16

Small Entity: No

Agency Contact: Gerald P. Vaughan 202 634-1861

RIN: 3060-AB15

34. REVIEW OF PART 41

Priority: Agency Determination

CFR Citation: 47 CFR 41

Completed:

Reason Date FR Cite

No Action to be 02/15/85 taken at this

time

Small Entity: No

Agency Contact: Gerald P. Vaughan

202 634-1861 RIN: 3060-AB18

35. GEN. DOCKET 80-113

Priority: Agency Determination

CFR Citation: 47 CFR 21

Completed:

Reason Date FR Cite

No Further 02/15/85

Action

Small Entity: Yes

Agency Contact: Kevin Kelley 202 634-

1817

RIN: 3060-AB23

36. ACCESS CHARGES: AVERAGE SCHEDULE CARRIERS

Priority: Agency Determination

Completed:

Reason Date FR Cite
Withdrawn 02/15/85
Duplicates 3060-AC82

Small Entity: No

Agency Contact: R. Preece 202 632-

9342

RIN: 3060-AC12

37. CELLULAR: FILING PROCEDURES FOR APPLICATIONS; CELLULAR TELECOMMUNICATIONS SERVICE - CLEANUP OF MISCELLANEOUS PENDING

PETITIONS

CFR Citation: 47 CFR 22

Completed:

Reason Date FR Cite
MO&O 03/31/84

Small Entity: No

Agency Contact: L. Krevor 202 623-6450

RIN: 3060-AC20

38. EMBEDDED CPE: DEREGULATION OF EMBEDDED CPE OWNED BY THE BELL SYSTEM

Priority: Agency Determination

CFR Citation: 47 CFR 31; 47 CFR 64.702

Completed:

Reason Date FR Cite
Recon R&O 01/18/85

Small Entity: No

Agency Contact: J. Cimko 202 632-9342

RIN: 3060-AC22

39. CELLULAR: ELIMINATION OF THE SEPARATE FREQUENCY ALLOCATION

CFR Citation: 47 CFR 22

Completed:

 Reason
 Date
 FR Cite

 R&O
 09/30/84

Small Entity: Yes

Agency Contact: C. Borkowski 202 632-6450

RIN: 3060-AC23

40. EMBEDDED CPE: DETARIFFING CPE OWNED BY INDEPENDENT TELCOS

Priority: Agency Determination CFR Citation: 47 CFR 00

Completed:

 Reason
 Date
 FR Cite

 MO&O
 08/24/84

Small Entity: No

Agency Contact: R. Crellin 202 632-9342

RIN: 3060-AC25

41. USOA: AMEND PART 31 TO PROVIDE NEW ACCOUNTS FOR ACCESS CHARGES

Priority: Agency Determination CFR Citation: 47 CFR 31

Completed:

Reason Date FR Cite

No Further 02/15/85
Action

Small Entity: No

Agency Contact: M. Wilson 202 634-

RIN: 3060-AC26

42. EMBEDDED CPE: DETARIFFING CPE OWNED BY RECORD CARRIERS

Priority: Agency Determination CFR Citation: 47 CFR 00

Completed:

FR Cite Date Reason 4th R&O 11/05/84

Small Entity: No

Agency Contact: I. Cimko 202 632-9342

RIN: 3060-AC27

43. EMBEDDED CPE: PROVISION OF CPE USED IN NATIONAL SECURITY SYSTEMS

Priority: Agency Determination CFR Citation: 47 CFR 00

Completed:

Reason Date FR Cite

12/31/84 **R&O**

Agency Contact: J. Cimko 202 632-9342

RIN: 3060-AC28

Small Entity: No

44. EMBEDDED CPE: AMEND PART 31 TO PRESCRIBE ACCOUNTING FOR NONREGULATED OPERATIONS

Priority: Agency Determination CFR Citation: 47 CFR 31

Completed:

Date FR Cite Reason

RAO 11/20/84

Small Entity: No

Agency Contact: S. Steckler 202 634-1861

RIN: 3060-AC31

45. COMPUTER II: PETITION FOR SEVERANCE AND RECON (NWB & AT&T)

CUSTOMER INFORMATION DISCLOSURE ORDER

CFR Citation: 47 CFR 64.702

Completed:

FR Cite Reason Date

MO&0 06/30/84

Small Entity: No

Agency Contact: G. Vogt 202 632-4887

RIN: 3060-AC33

46. CARRIER INTERCONNECTION: **USITA JOINT PLANNING AGREEMENT** (NTIA) (ASSOCIATED WITH CC78-72 PH3)

Priority: Agency Determination

Completed:

Reason Date FR Cite

R80 06/30/84

Small Entity: No

Agency Contact: M. Slomin 202 632-9342

RIN: 3060-AC35

47. USOA: NOTICE TO AMEND USOA TO ACCOUNT FOR COST OF REMOVAL AND SALVAGE AS CURRENT PERIOD COSTS

Priority: Agency Determination

CFR Citation: 47 CFR 31

Completed:

Reason Date FR Cite No Further 02/15/85

Action to be taken

Small Entity: No

Agency Contact: S. Steckler 202 634-

1861

RIN: 3060-AC39

48. COMPUTER II: COMPLIANCE **OVERSIGHT - AMERITECH RE: CC83-**115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Completed:

Reason FR Cite Date

MO&0 01/18/85

Small Entity: No

Agency Contact: P. Nagle 202 632-4887

RIN: 3060-AC44

49. COMPUTER II: COMPLIANCE **OVERSIGHT - SOUTH WESTERN BELL** RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Completed:

Reason Date FR Cite MO&0 01/08/85

Small Entity: No

Agency Contact: J. Cantu 202 632-4887

RIN: 3060-AC45

50. COMPUTER II: COMPLIANCE OVERSIGHT - BELL ATLANTIC RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64,702

Completed:

Reason Date FR Cite **MO&O** 01/18/85

Small Entity: No

Agency Contact: G. Vogt 202 632-4887

RIN: 3060-AC46

51. COMPUTER II: COMPLIANCE OVERSIGHT - BELL SOUTH RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Completed:

Reason Date FR Cite MORO

Small Entity: No

Agency Contact: G. Vogt 202 632-4887

01/18/85

RIN: 3060-AC47

52. DEPRECIATION RATES: ANNUAL UPDATE OF RATES FOR TELEPHONE COMPANIES NOT SCHEDULED FOR **FULL REVIEW IN 1984**

Completed:

Reason Date FR Cite No Further 02/15/85 Action

Small Entity: No

Agency Contact: K. Moran 202 634-1861

RIN: 3060-AC48

53. DEPRECIATION RATES: REPRESCRIPTION OF RATES FOR FOURTEEN DOMESTIC TELEPHONE COMPANIES

Completed:

Reason Date FR Cite No Further 02/15/85 Action

Small Entity: No

Agency Contact: K. Moran 202 634-1861

RIN: 3060-AC49

FCC-CCB

Completed Actions

54. INTNL EARTH STATIONS: OWNERSHIP POLICY

Completed:

 Reason
 Date
 FR Cite

 R&O
 11/19/84

Small Entity: No

Agency Contact: J. Pearlman 202 632-

4047

RIN: 3060-AC50

55. COMPUTER II: COMPLIANCE OVERSIGHT - NYNEX RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Completed:

 Reason
 Date
 FR Cite

 MO&O
 01/18/85

Small Entity: No

Agency Contact: C. Gold 202 632-4887

RIN: 3060-AC51

56. COMPUTER II: COMPLIANCE OVERSIGHT - U.S. WEST, RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Completed:

 Reason
 Date
 FR Cite

 MO&O
 01/18/85

Small Entity: No

Agency Contact: P. Nagle 202 632-4887

RIN: 3060-AC52

57. COMPUTER II: COMPLIANCE 0VERSIGHT - PACIFIC TELESIS RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Completed:

 Reason
 Date
 FR Cite

 M0&O
 01/18/85

Small Entity: No

Agency Contact: J. Cantu 202 632-4887

RIN: 3060-AC53

58. PLANNING FOR OVERSEAS COMMUNICATIONS FACILITIES THROUGH 1995

Completed:

Reason Date FR Cite
No Further 02/15/85
Action

Small Entity: No

Agency Contact: R. Gosse 202 632-4047

RIN: 3060-AC54

59. INTNL SATELLITES-(COMSAT): EQUITABLE ACCESS TO INTELSAT SPACE SEGMENT BY INTERNATIONAL SERVICE CARRIERS

Priority: Agency Determination

Completed:

Reason Date FR Cite

No Further 02/15/85

Action expected

Small Entity: No

Agency Contact: G. Dechabert 202 632-

4047

RIN: 3060-AC55

60. ACCESS CHARGES: AT&T EMERGENCY PETITION

Priority: Agency Determination CFR Citation: 47 CFR 00

Completed:

Reason Date FR Cite

No Further 02/15/85

Action

Small Entity: No

Agency Contact: K. Nilsson 202 632-

6363

RIN: 3060-AC81

61. MDS: TECHNICAL STANDARDS FOR MULTIPOINT DISTRIBUTION SERVICE

Priority: Agency Determination CFR Citation: 47 CFR 00 Completed:

Reason Date FR Cite

R&O 03/31/84

Small Entity: No

Agency Contact: K. Kelley 202 634-1860

RIN: 3060-AC83

62. COMPUTER II - IMPLEMENTATION: STAFF AUDIT REPORT

CFR Citation: 47 CFR 64.702

Completed:

 Reason
 Date
 FR Cite

 R&O
 01/18/85

Small Entity: No

Agency Contact: P. Nagle 202 632-4887

RIN: 3060-AC90

COMPLETED REVIEWS 63. REVIEW OF PART 42

Priority: Agency Determination CFR Citation: 47 CFR 42

Completed:

Reason Date FR Cite

No Action to be 02/15/85 taken at this time

Small Entity: No

Agency Contact: Gerald P. Vaughan 202 634-1861

RIN: 3060-AB19

64. COMPUTER II: RECONSIDERATION OF CBI/SNET ORDER

CFR Citation: 47 CFR 64.702

Completed:

 Reason
 Date
 FR Cite

 MO&O
 12/31/84

Small Entity: No

Agency Contact: C. Gold 202 632-4887

RIN: 3060-AC30

[FR Doc. 85-8399 Filed 04-28-85; 8:45 am]

BILLING CODE 6712-01-T

FEDERAL COMMUNICATIONS COMMISSION (FCC)—FIELD OPERATIONS BUREAU

65. AGE AND EXPERIENCE REQUIREMENTS FOR RADIOTELEGRAPH FIRST CLASS OPERATOR LICENSE (RM-2687/RM3785)

Legal Authority: 47 USC 303(r) Communications Act of 1934, as amended; 47 USC 154(i) Communications Act of 1934, as amended

CFR Citation: 47 CFR 13.12

Abstract: Requests elimination of age and experience requirements for Radiotelegraph First Class Operator License as being in the public interest. Adoption would result in increased administrative costs to agency in processing greater number of licenses.

Timetable:

Action Date FR Cite

Petition Pending 06/00/85

Small Entity: No Additional Information: RM-2687/RM-

3785

Current and Projected Rulemakings

Agency Contact: L. R. Clance, Attorney Advisor, Federal Communications Commission, 1919 M Street, N.W., Room 734, Washington, D.C. 20554, 202 632-7591

RIN: 3060-AA01

[FR Doc. 85-6399 Filed 04-26-85; 8:45 am] BILLING CODE 6712-01-T

FEDERAL COMMUNICATIONS COMMISSION (FCC)—MASS MEDIA BUREAU

66. ITFS: POLICIES, PROCEDURES AND REGULATIONS

Priority: Agency Determination

Legal Authority: 47 USC 152; 47 USC 154; 47 USC 303; 47 USC 308; 47 USC 309

CFR Citation: 47 CFR 74.903; 47 CFR 74.931; 47 CFR 74.932

Abstract: Commission revisits its policies, procedures and regulations regarding the Instructional Television Fixed Services. Matters to be examined include the nature and scope of permissible ITFS service; licensee eligibility requirements; application "cut-off" procedures; and selection methods and criteria for choosing among mutually exclusive applicants.

Timetable:

Action	Date	FR Cite
FNPRM	07/26/84	STATISTICS OF THE
R&O	03/31/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mm-83-523(c)

ASSOCIATED ITEMS: mm-83-523; mm-83-523(a); mm-83-523(b)

Agency Contact: Stuart Bedell, Federal Communications Commission, 1919 M St., N.W., Rm. 702, Washington, D.C. 20554, 202 632-9356

RIN: 3060-AA37

67. NETWORK/CABLE CROSS-OWNERSHIP

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC

303(r)

CFR Citation: 47 CFR 76.501

Abstract: R&O to address whether the FCC should eliminate restrictions on television network-cable system crossownership found in Sec. 76.501.

Timetable:

Action	Date	FR Cite
NPRM	07/15/82	AND ASSESSED.
R&O	04/00/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER bc-82-434

Agency Contact: Marcia Glauberman, Federal Communications Commission, 2025 M St., N.W., Rm. 8308, Washington, D.C. 20554, 202 632-6302

RIN: 3060-AA45

68. CHARACTER INQUIRY

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 308(b); 47 USC 309

CFR Citation: 47 CFR 73,4280

Abstract: Formulation of a comprehensive policy statement establishing a detailed and systematic treatment of the character qualifications of broadcast licensees to enhance the fairness and efficiency of the licensing process. This was formerly an Office of General Counsel item now transferred to Mass Media.

Timetable:

Action	Date	FR Cite
MO&O	03/31/85	

Small Entity: No

Additional Information: DOCKET NUMBER gen-81-500 Agency Contact: Robert Ratcliffe,

Federal Communications Commission, 2025 M St., N.W., Rm. 8002, Washington, D.C. 20554, 202 632-7792

Current and Projected Rulemakings

RIN: 3060-AB09

69. COMPARATIVE RENEWAL POLICY

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 308(b); 47 USC 403

CFR Citation: 47 CFR 1

Abstract: This proceeding contemplates issuance of a Policy Statement setting forth standards for use in comparative hearings between incumbent commercial radio and TV licensees seeking renewal of their licenses and competing applicants. This item was formerly an Office of General Counselitem and now has been transferred to MMB.

Timetable:

Action	Date	FR Cite

Policy Statement 09/30/85

Small Entity: No

Additional Information: DOCKET NUMBER bc-81-742

RIN 3060-AC61 "Further Policy Statement on Comparative Broadcast Hearings" has been incorporated into this item.

Agency Contact: Robert Ratcliffe, Federal Communications Commission, 2025 M St., N.W., Rm. 8002, Washington, D.C. 20554, 202 632-7792

RIN: 3060-AB10

70. FAIRNESS DOCTRINE: BROADCAST

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 403

CFR Citation: 47 CFR 73.1910

Abstract: A proceeding designed to reassess the general fairness doctrine obligations of broadcast licensees as well as the legal and policy considerations underlying that doctrine. This formerly was an Office of General Counsel item, now Mass Media.

Timetable:

Action	Date	FR Cite
Report	06/30/85	THE PARTY OF

Small Entity: Yes

Additional Information: DOCKET NUMBER mm-84-140

Agency Contact: Marcia Alterman, Federal Communications Commission, 2025 M St., N.W., Rm. 8002, Washington, D.C. 20554, 202 632-7792

RIN: 3060-AB57

71. CANADIAN/MEXICAN CLEAR CHANNELS

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 73

Abstract: R&O to consider whether to amend rules in order to establish technical and eligibility criteria for new unlimited-time AM stations on Canadian, Mexican and Bahamian Class I-A clear channels.

Timetable:

Action	Date	FR Cite
NPRM	03/15/84	N. Selvinson
R&O	03/31/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mm-84-281

ASSOCIATED ITEMS: mmb-020 NPRM

Agency Contact: Joel Rosenberg, Federal Communications Commission, 2025 M St., N.W., Rm. 8316, Washington, D.C. 20554, 202 634-6530

RIN: 3060-AB59

72. COMPARATIVE PREFERENCES WITHIN METROPOLITAN AREAS

Priority: Agency Determination Legal Authority: 47 USC 154

CFR Citation: 47 CFR 00

Abstract: Proposal to eliminate comparative preference obtained in specifying a suburban community as city of license. (Sec. 307(b)).

Timetable:

Action	Date	FR Cite
NPRM	04/15/83	
R&O	03/31/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mm-83-403

ASSOCIATED ITEMS: mmb-018-NPRM

Agency Contact: Joel Rosenberg, Federal Communications Commission, 2025 M St., N.W. Rm. 8316, Washington, DC 20554, 202 634-6530

RIN: 3060-AB61

73. • FM ALLOTMENTS: PROCEDURES FOR 80-90

Priority: Agency Determination Legal Authority: 47 USC 154 CFR Citation: 47 CFR 73

Abstract: The Commission will consider procedures for processing the Docket 80-90 applications to be filed.

Timetable:

Action	Date	FR Cite
R&O	03/31/85	THE REAL PROPERTY.

Small Entity: No

Additional Information: DOCKET NUMBER mm-84-231(a)

ASSOCIATED ITEMS: bc-80-90; mm-84-231

Agency Contact: Mark Lipp, Federal Communications Commission, 2025 M St., N.W., Rm. 8322, Washington, D.C. 20554, 202 634-6530

RIN: 3060-AC17

74. UHF IMPACT POLICY

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 00

Abstract: A study designed to reexamine the Commission's UHF Impact policy, which essentially protects UHF television stations from adverse economic competition. This was formerly an Office of General Counsel item, now MMB.

Timetable:

Action	Date	FR	Cite
NPRM	09/30/85		12 50

Small Entity: Yes

Additional Information: DOCKET NUMBER mmb-210

Agency Contact: Brace Franca, Federal Communications Commission, 2025 M St., N.W. Rm. 8308, Washington, D.C. 20554, 202 632-6302

RIN: 3060-AC62

75. SECTION 73.37 (E)

Priority: Agency Determination Legal Authority: 47 USC 73 CFR Citation: 47 CFR 73.37

Abstract: Proposal to revise or delete Sec. 73.37(e).

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	WHITE ITEM

Small Entity: Yes

Additional Information: DOCKET NUMBER mmb-077

ASSOCIATED ITEMS: 18651; RM-3683

Agency Contact: Jonathan David, Federal Communications Commission, 2025 M St., N.W. Rm 8330, Washington, D.C. 20554, 202 632-7792

RIN: 3060-AC76

76. FIRST COME, FIRST SERVED

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 73

Abstract: R&O will be considered proposing new procedures of processing FM and TV broadcast applications. NPRM suggested alternative cut-off procedures by using filing "windows" for vacant TV and FM channels in the table of allotments and first come-first serve procedures for processing applications for channel assignments.

Timetable:

Action	Date FR Cite
NPRM	07/26/84
R&O	03/31/85

Small Entity: No

Additional Information: DOCKET NUMBER mm-84-750

ASSOCIATED ITEMS: mmb-058 NPRM

FCC-MMB

Current and Projected Rulemakings

Agency Contact: Lane Moten, Federal Communications Commission, 2025 M St., N.W., Rm. 8002, Washington, D.C. 20554, 202 632-7792

RIN: 3060-AC78

77. CABLE BILL: IMPLEMENTATION (EFFECTIVE COMPETITION)

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: As a result of the adoption of a Cable Bill (P. L. 98-549), the Commission is required to issue rules within 180 days regarding two issues: (1) Rate Regulation and (2) Consumer Access to Cable Service.

Timetable:

Action	Date	FR Cite
NPRM .	12/04/84	
R&O	03/00/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mm-84-1296

ASSOCIATED ITEMS: mmb-148 NPRM; mmb-188

Agency Contact: Bruce Franca, Federal Communications Commission, 202 632-

RIN: 3060-AD01

78. O INTERNATIONAL IMPLEMENTATION: AM REGION 2

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: Implementation of the Plan for AM broadcasting in Region 2.

Timetable:

Action	Date	FR Cite
FNPRM	07/26/84	
R&O	03/31/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mm-84-752

ASSOCIATED ITEMS: bc-82-187(b) **FNPRM**

Agency Contact: Larry Olson, Federal Communications Commission, 2025 M St., N.W. Rm. 8120, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD02

79. • TECHNICAL DEREGULATION: PART 73 - AM

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 73

Abstract: This item examines all of the technical AM broadcast rules for deregulation.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	PERMIT

Small Entity: No

Additional Information: DOCKET NUMBER mmb-115

Agency Contact: Michael Lewis. Federal Communications Commission, 2025 M St., N.W. Rm. 8120, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD03

80. TECHNICAL DEREGULATION: **PART 73 - FM**

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 73

Abstract: This item examines all of the technical FM broadcast rules for deregulation.

Timetable:

Action	Date	FR Cite
NPRM	09/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER mmb-116

Agency Contact: Michael Lewis, Federal Communications Commission, 2025 M St., N.W. Rm. 8120, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD04

81. TECHNICAL DEREGULATION: PART 74 A & I

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 74

Abstract: This NPRM proposes technical deregulation changes to Experimental TV Broadcast stations, **Experimental Facsimile Broadcast** stations, Developmental Broadcast stations and Instructional TV Fixed stations.

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Action	Date	FR Cite
NPRM	06/30/85	10000

Small Entity: No

Additional Information: DOCKET

NUMBER mmb-117

Agency Contact: Hank Van Deursen. Federal Communications Commission, 2025 M St., N.W. Rm. 8104, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD05

82. TECHNICAL DEREGULATION: PART 76

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 76

Abstract: This item examines all of the technical CATV rules for deregulation. Preemption of local technical regulations will be considered.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	HOLDING.
R&O	09/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER mmb-118 (a)

ASSOCIATED ITEMS: mmb-118 NPRM

Agency Contact: Bernard Gorden, Federal Communications Commission. 2025 M St., N.W. Rm. 8114, Washington. D.C. 20554, 202 632-9660

RIN: 3060-AD06

83. • ANTENNA PROOFS

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 73

Abstract: This item examines the current AM directional antenna proof of performance rules. The rules will be revised to account for new technology.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
R&O	09/30/85	

Small Entity: Yes

Additional Information: DOCKET

NUMBER mmb-122 (a)

ASSOCIATED ITEMS: mmb-122 NPRM

Agency Contact: Howard Irvin, Federal Communications Commission, 2025 M St., N.W. Rm. 8315, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD07

84. • FM VS. AVIATION: INTERFERENCE PROBLEMS

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 73

Abstract: This item addresses a continuing problem of interference to aviation receivers because of high powered FM stations. This item should end with an R&O addressing compatibility standards.

Timetable:

Action	Date	FR Cite
NOI	03/31/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mmb-124

Agency Contact: Katy Hosford, Federal Communications Commission, 2025 M St., N.W. Rm. 8112, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD08

85. • TECHNICAL DEREGULATION: PART 74, G & L

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 74

Abstract: This NPRM proposes technical deregulation changes to Low Power TV and TV Translator stations and to FM Broadcast Translator stations and FM Broadcast Booster stations.

Timetable:

Action	Date	FR Cite
NPRM	09/30/85	A STATE OF THE PARTY OF THE PAR

Small Entity: No

Additional Information: DOCKET NUMBER mmb-150

Agency Contact: Hank Van Deursen, Federal Communications Commission, 2025 M St., N.W. Rm. 8104, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD09

86. TECHNICAL DEREGULATION: PART 74. E & F

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 74

Abstract: This R&O removes and changes some technical Rules in the Aural broadcast, STL and Intercity Relay stations, and the TV auxiliary broadcast stations subparts.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Compensor
R&O	06/30/85	OF REAL PROPERTY.

Small Entity: No

Additional Information: DOCKET NUMBER mmb-151 (a)

ASSOCIATED ITEMS: mmb-151

Agency Contact: Hank Van Deursen. Federal Communications Commission, 2025 M St., N.W. Rm. 8104, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD10

87. • TECHNICAL DEREGULATION: PART 74, D & H

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 74

Abstract: This R&O removes and changes some of the technical Rules in the Remote Pickup services and Low Power Auxiliary TV services.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	Olitera Ser
R&O	09/30/85	

Small Entity: No

Additional Information: DOCKET NUMBER mmb-152 (a)

ASSOCIATED ITEMS: mmb-152 NPRM

Agency Contact: Hank Van Deursen, Federal Communications Commission, 2025 M St., N.W. Rm. 8104, Washington, D.C. 20554, 202 632-9660

RIN: 3060-AD11

88. SINGLE MAJORITY SHAREHOLDER (ATTRIBUTION)

Priority: Agency Determination Legal Authority: 47 USC 151 et seq CFR Citation: 47 CFR 73.3555

Abstract: An R&O to review single majority stockholder provision of the Commission's attribution rules (12-12-

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	MI ONS
R&O	09/30/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mmb-175 (a)

ASSOCIATED ITEMS: mmb-175 NPRM

Agency Contact: Laurel Bergold, Federal Communications Commission, 2025 M St., N.W. Rm. 8336, Washington, D.C. 20554, 202 632-7792

RIN: 3060-AD12

89. CABLE BILL IMPLEMENTATION: EEO

Priority: Agency Determination Legal Authority: 47 USC 00 CFR Citation: 47 CFR 00

Abstract: As a result of the adoption of a Cable Bill (P. L. 98-549), the Commission is required to issue rules within 270 days regarding Equal Employment Opportunity.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	101
R&O	09/30/85	

Small Entity: Yes

Additional Information: DOCKET NUMBER mmb-188 (a)

ASSOCIATED ITEMS: mmb-188 NPRM: mm-84-1296

Agency Contact: Judith Herman, Federal Communications Commission. 2025 M St., N.W. Rm. 8308, Washington, D.C. 20554, 202 632-6302

RIN: 3060-AD13

90. CARROLL DOCTRINE

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 308(b)

CFR Citation: 47 CFR 00

Abstract: A study to re-examine the court's decision re Carroll Broadcasting Co. vs. FCC, which held that the Commission, upon a proper showing, should determine whether the economic

FCC-MMB

Current and Projected Rulemakings

effect of a new station would result in a net loss of service to an extent inconsistent with the public interest.
 Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/30/85

 Small Entity: No

Additional Information: DOCKET NUMBER mmb-211 Agency Contact: Bruce Franca, Federal Communications Commission, 2025 M St., N.W. Rm. 8308, Washington, D.C. 20554, 202 632-6302

RIN: 3060-AD14

FEDERAL COMMUNICATIONS COMMISSION (FCC)—MASS MEDIA BUREAU

Completed Actions

COMPLETED RULEMAKINGS 91. TELETEXT MUST CARRY: RECONSIDERATION

Priority: Agency Determination

CFR Citation: 47 CFR 73; 47 CFR 76

Completed:

Reason Date FR Cite
MO&O 11/08/84

Small Entity: Yes

Agency Contact: Alan Stillwell 202

632-6302

RIN: 3060-AA27

92. AERONAUTICAL INTERFERENCE

Priority: Agency Determination CFR Citation: 47 CFR 76.605

Completed:

 Reason
 Date
 FR Cite

 R&O
 10/26/84

Small Entity: Yes

Agency Contact: Freda Thyden 202

632-7792

RIN: 3060-AA42

93. ALASKA PETITION: PROTECTION STANDARDS FOR AM

Priority: Agency Determination CFR Citation: 47 CFR 73

Completed:

Reason Date FR Cite

Small Entity: Yes

Agency Contact: Jonathan David 202

632-7792

RIN: 3060-AB49

94. RADIO DEREGULATION: 2ND R&O: RECONSIDERATION

Priority: Agency Determination

CFR Citation: 47 CFR 73

Completed:

Reason Date FR Cite

10/17/84

Small Entity: Yes

Agency Contact: Robert Ratcliffe 202

632-7792

MO&O

RIN: 3060-AB50

95. REMOTE CONTROL: AM, FM, AND

Priority: Agency Determination
CFR Citation: 47 CFR 73

Completed:

Reason Date FR Cite
R&O 11/19/84
Small Entity: Yes

Agency Contact: John Reiser 202 632-

9660

RIN: 3060-AB63

96. TECHNICAL OPERATION, MONITORING AND MEASUREMENT OF AUDIO SYSTEMS

Priority: Agency Determination CFR Citation: 47 CFR 73

Completed:

 Reason
 Date
 FR Cite

 R&O
 11/08/84

Small Entity: Yes

Agency Contact: John Reiser 202 632-9660

RIN: 3060-AB98

97. RF POWER METERS

Priority: Agency Determination CFR Citation: 47 CFR 73.51 Completed:

Reason Date FR Cite

R&O 12/12/84

Small Entity: Yes

Agency Contact: Hank Van Deursen

202 632-9660 RIN: 3060-AB99

98. CHANNEL 6/FM INTERFERENCE

Priority: Agency Determination CFR Citation: 47 CFR 00

Completed:

 Reason
 Date
 FR Cite

 R&O
 10/26/84

Small Entity: Yes

Agency Contact: Peter Winters 202 632-

9660

RIN: 3060-AC01

99. SELLER-CREDITOR FINANCING

Priority: Agency Determination CFR Citation: 47 CFR 00

Completed:

Reason Date FR Cite
R&O 12/21/84

Small Entity: Yes

Agency Contact: Marcia Alterman 202 632-7792

632-7792

RIN: 3060-AC05

100. LPTV PROCESSING PROCEDURES

Priority: Agency Determination

CFR Citation: 47 CFR 73; 47 CFR 74

Completed:

Reason Date FR Cite

R&O 10/17/84

Small Entity: No

FCC-MMB

Completed Actions

Agency Contact: Larry A. Miller 202 632-3894

RIN: 3060-AC09

101. ACSB FOR AUXILIARY SERVICES

Priority: Agency Determination CFR Citation: 47 CFR 74.462

Completed:

Reason Date FR Cite R&O 10/26/84

Small Entity: Yes

Agency Contact: Hank Van Deursen 202 632-9660

RIN: 3060-AC18

102. 7 - 7 - 7 : RECONSIDERATION

Priority: Agency Determination CFR Citation: 47 CFR 73

Completed:

FR Cite Reason Date MO&O 12/19/84

Small Entity: Yes

Agency Contact: David Donovan 202

632-7792

RIN: 3060-AC57

103. FM: MAXIMUM POWER LIMITATION

Priority: Agency Determination CFR Citation: 47 CFR 73.211

Completed:

Reason Date FR Cite R&O 10/26/84

Small Entity: Yes

Agency Contact: Peter Winters 202 632-9660

RIN: 3060-AC74

104. PROOFS OF PERFORMANCE: DEREGULATION

Priority: Agency Determination CFR Citation: 47 CFR 73

Completed:

FR Cite Reason Date R80 11/08/84

Small Entity: Yes

Agency Contact: John Reiser 202 632-

9660

RIN: 3060-AC75

105. VERTICAL BLANKING INTERVAL: DEREGULATION

Priority: Agency Determination CFR Citation: 47 CFR 73

Completed:

FR Cite Reason Date R&O 11/08/84

Small Entity: Yes

Agency Contact: Alan Stillwell 202

632-6302

RIN: 3060-AC77

106. POLICY REGARDING INTERIM **AUTHORITY TO OPERATE BROADCAST FACILITIES**

CFR Citation: Not applicable

Completed:

Reason Date FR Cite Final Action 03/22/85

Small Entity: Undetermined

Agency Contact: Magalie Floyd 202 632-6990

RIN: 3060-AC87

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

107. • FM ALLOTMENTS: IMPLEMENTATION OF 80-90 OMNIBUS

Priority: Agency Determination Legal Authority: 47 USC 154

CFR Citation: 47 CFR 73

Abstract: The Commission will consider the assignment of 684 new FM channels nationwide. These assignments will be based upon the new technical rules adopted in Docket bc-80-90.

Timetable:

Action Date FR Cite NPRM 03/01/84 **R&O** 12/19/84

Small Entity: No

Additional Information: DOCKET NUMBER mm-84-231

ASSOCIATED ITEMS: RM-3245: RM-3367; mmb-024 NPRM

Agency Contact: Mark Lipp, Federal Communications Commission, 2025 M St., N.W., Rm. 8322, Washington, DC 20554, 202 634-6530

RIN: 3060-AC17

[FR Doc. 85-6399 Filed 04-26-85; 8:45 am]

BILLING CODE 6712-01-T

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF GENERAL COUNSEL

108. AMENDING ENVIRONMENTAL RULES IN RESPONSE TO NEW RULES ISSUED BY THE COUNCIL ON **ENVIRONMENTAL QUALITY (C.E.Q.)**

Priority: Undetermined

Legal Authority: 47 USC 303(r); 47 USC 154(i)

CFR Citation: 47 CFR 1, Subpart I

Abstract: The Commission's existing environmental rules are being revised to comply with guidelines issued by the

Council for Environmental Quality (C.E.Q.).

Timetable:

Action Date FR Cite NPRM 07/03/79 44 FR 38913 **NPRM** Comment 07/03/79 Period Begin NPRM Comment 08/02/79

Period End 00/00/00 Small Entity: Not Applicable Additional Information: GEN Docket -

Current and Projected Rulemakings

Agency Contact: Holly Kaufman, Staff Attorney, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6990

RIN: 3060-AB30

109. REPEAL OF MODIFICATION OF THE PERSONAL ATTACK AND POLITICAL EDITORIAL RULES, SEC 73.1920 & SEC 73.1930 OF THE COMMISSION'S RULES

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 73.1920; 47 CFR 73.1930

Abstract: A proceeding designed to reexamine the personal attack and political editorial rules. These rules give specific individuals or groups the right to use a broadcaster's facilities to respond to matters broadcast.

Timetable:

Action	Date	FR Cite
NPRM	06/22/83	48 FR 28295
NPRM Comment Period Begin	06/22/83	
NPRM Comment Period End	09/16/83	
MO&O	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Agency Contact: Holly Berland, Steve Bailey, Staff Attorneys, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6990

RIN: 3060-AB44

110. PROVISION OF PREFERENCES
TO FEMALE APPLICANTS WHEN
SELECTION FROM AMONG CERTAIN
COMPETING APPLICANTS FOR MASS
MEDIA LICENSES INVOLVES
RANDOM SELECTION OR LOTTERIES

Priority: Agency Determination

Legal Authority: 47 USC 151; 47 USC 153; 47 USC 154(i); 47 USC 154(j); 47 USC 303; 47 USC 309(i); 47 USC 403; Communications Act of 1934, Secs 1,3,4(i)& (j),303,309(i) & 403

CFR Citation: 47 CFR 1.1621(b); 47 CFR 1.1622; 47 CFR 1.1623

Abstract: The FCC is considering inclusion of women as a group entitled to preferences when initial licensing in the mass media services is by lottery. The only service in which lotteries are currently used is low power television ("LPTV"). Such preference might be awarded either through inclusion of women in the "minority groups" currently entitled to the minority preference, or by creation of a special diversity preference for women. Approximately 11,000 applications for LPTV licenses are presently on file. Establishment of the preference would provide some advantage to small entities with majority female ownership seeking such licenses. Similarly, some small entities which are not majorityowned by women might be disadvantaged relative to femalecontrolled applicants.

Timetable:

Action	Date	FR Cite
NPRM	10/24/83	48 FR 49069
NPRM Comment Period Begin	10/24/83	48 FR 55006
Extension of Comment Period	12/08/83	48 FR 55006
NPRM Comment Period End	01/27/84	DESCRIPTION OF THE PERSON OF T
R&O	00/00/00	

Small Entity: Undetermined

Analysis: Draft RFA 10/24/83 (48 FR 49073)

Agency Contact: Tatsu Kondo, Attorney, Legal Counsel Division, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-7020

RIN: 3060-AC60

111. AMENDMENT OF PART 1 OF THE COMMISSION'S RULES TO IMPLEMENT SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED, 29 U.S.C. SECTION 794

Priority: Undetermined

Legal Authority: 29 USC 794; 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 1.1601 to 1.1699

Abstract: As originally enacted in 1974, Section 504 of the Rehabilitation Act prohibited discrimination on the basis of handicap in federally assisted programs. The Amendment of 1978 extended the nondiscrimination mandate of Section 504 to programs and activities conducted by federal agencies. Under Executive Order 12250. the Attorney General is authorized to coordinate the implementation. To assist agencies in developing rules to implement the 1978 Amendment, the Department of Justice drafted a prototype which our proposed rules follow to prohibit discrimination on the basis of handicap on FCC programs.

Timetable:

Action	Date	FR Cite
NPRM	05/07/84	medical and
R&O	00/00/00	
Constit Entit	an Alle	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Sharon Kelley, Attorney-Advisor, Federal Communications Commission, 1919 M Street, Washington, D.C. 20554, 202 632-6990

RIN: 3060-AC86

Small Entity: Yes

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF GENERAL COUNSEL

Completed Actions

COMPLETED RULEMAKINGS

112. SELECTION FROM AMONG
CERTAIN COMPETING APPLICATIONS
USING RANDOM SELECTION OR
LOTTERIES INSTEAD OF
COMPARATIVE HEARINGS

Priority: Agency Determination

CFR Citation: 47 CFR 1.65; 47 CFR 1.227; 47 CFR 1.918; 47 CFR 1.953; 47 CFR 1.1601; 47 CFR 1.1602; 47 CFR 22.23; 47 CFR 22.28; 47 CFR 73.3521; 47 CFR 73.3522; 47 CFR 73.3564; 47 CFR 81.51; 47 CFR 87.48; 47 CFR 90.143; 47 CFR 94.37; ...

Completed:			
Reason	Date	FR Cite	
Reconsideration of Final Rule	12/20/84	49 FR 49466	

FCC-OGC

Completed Actions

Agency Contact: Randy Thomas 202 632-6990

RIN: 3060-AC58

FR Doc. 85-6399 Filed 04-26-85; 8:45 am

BILLING CODE 6712-01-T

FEDERAL COMMUNICATIONS COMMISSION (FCC)-PRIVATE RADIO BUREAU

Current and Projected Rulemakings

113. DIGITAL SELECTIVE CALLING IN MARINE SERVICES AND DIRECT DIAL IN VHF SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 154(i): 47 USC

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: Provides initial guidelines for use of digital selective calling (DSC) in Marine services and provides directdial VHF communications between public coast and ship stations.

Timetable:

Action	Date	FR Cite
FNPRM adopted 10/18/84	10/31/84	49 FR 43718
R&O	07/31/85	

Small Entity: No

Additional Information: Docket Number: pr 83-431 DSC

Agency Contact: R. Mickley, Federal Communications Commission, 2025 M St., N.W., Room 8202, Washington, D.C. 20554, 202 632-7175

RIN: 3060-AA24

114. INTERCONNECTION IN THE PRIVATE LAND MOBILE RADIO SERVICES IN THE FREQUENCY BANDS BELOW 800 MHZ

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC

CFR Citation: 47 CFR 90

Abstract: The FCC will consider a proposal to liberalize the rules governing interconnection of private land mobile radio systems operating in the bands below 800 MHz with the public switched telephone network.

Timetable:

Action	Date		FR	Cite
NPRM adopted 04/26/84	06/20/84	49	FR	25255
R&O	04/30/85			

Small Entity: Yes

Additional Information: Docket Number: pr 84-414

Agency Contact: Nia Cresham, Federal Communications Commission, 1919 M St., N.W., Washington, DC 20554, 202 634-2443

RIN: 3060-AB74

115. PRIVATE MICROWAVE CARRIER SYSTEMS

Priority: Agency Determination

Legal Authority: 47 USC 154(i): 47 USC 303(r)

CFR Citation: 47 CFR 94

Abstract: The FCC adopted a First Report and Order amending Part 94 to permit licensees of private microwave systems to provide microwave communications service on a for-profit basis to other Part 94 eligibles. A FNPRM will explore allowing common carriers and broadcasters to be customers of these private microwave systems.

Timetable:

Action	Date	FR Cite
R&O	01/31/85	The same of
FNPRM	04/30/85	The state of the s

Small Entity: Yes

Additional Information: Docket Number: pr 83-426

Agency Contact: Fred Day/Joseph Levin, Federal Communications Commission, 2025 M St., N.W., RM. 5126, Washington, DC 20554, 202 634-2443

RIN: 3060-AB77

116. FREQUENCY COORDINATION IN THE PRIVATE LAND MOBILE RADIO SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 154(i): 47 USC

CFR Citation: 47 CFR 90

Abstract: The FCC adopted a Notice of Proposed Rule Making proposing rules and standards for frequency coordination and field study procedures for the Private Land Mobile Radio Services.

Timetable:

Action	Date	FR Cite
NPRM adopted 10/17/84	11/16/84	49 FR 45454
Reply comments close	04/25/85	
R&O	10/31/85	

Small Entity: Yes

Additional Information: Docket Number: pr 83-737

Agency Contact: E. Thomson/H. Zeiler. Federal Communications Commission. 2025 M St., N.W. Rm. 5126, Washington, DC 20554, 202 634-2443

RIN: 3060-AB78

117. INTRODUCTION OF NARROWBAND TECHNOLOGIES INTO THE PRIVATE LAND MOBILE RADIO SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: The FCC will consider a proposed amendment of Part 90 of the Commission's Rules to authorize the use of narrowband technologies for base and mobile communications in the Private Land Mobile Radio Services.

Timetable:

Action	Date	FR	Cite
NPRM adopted 03/15/84	05/04/84 49	FR	19074
R&O	04/30/85		

Small Entity: Yes

Additional Information: Docket

Number: pr 84-279

Agency Contact: Herb Zeiler, Federal Communications Commission, 2025 M St., N.W. Rm. 5126, Washington, DC 20554, 202 634-2443

RIN: 3060-AB86

118. FUTURE PUBLIC SAFETY **TELECOMMUNICATIONS** REQUIREMENTS

Priority: Agency Determination Legal Authority: PL 98-214

CFR Citation: 47 CFR 2; 47 CFR 90

Abstract: This study is preparatory to establishing a plan, required by PL 98-214, to ensure that the needs of public safety authorities are taken into account in spectrum allocations, including consideration of the need for a nationwide contiguous frequency allocation for public safety purposes.

Timetable:

Action	Date	FR Cite
NOI adopted 03/01/84	03/15/84	19 FR 9754
Report on	07/31/85	

Small Entity: No

Additional Information: Docket Number: pr 84-232

Agency Contact: Levin/Hess/T. Johnson/H. Salters, Federal Communications Commission, 2025 M St., N.W., Rm. 5202, Washington, DC 20554, 202 634-2443

RIN: 3060-AB89

119. EARLY ALLOCATION OF 18 AND 24 MHZ, 24 AND 900 MHZ, AND 10 MHZ CODIFICATION

Priority: Agency Determination

Legal Authority: 47 USC 154(i): 47 USC

CFR Citation: 47 CFR 97

Abstract: Petitions for rulemaking to amend the rules regarding the frequencies available for amateur radio operation in order to implement the Final Acts of the World Administrative Radio Conference (Geneva, 1979).

Timotable

Timetable		
Action	Date	FR Cite
NPRM adopted 10/04/84	10/17/84	49 FR 40611
B&O	04/30/85	

Small Entity: No

Additional Information: Docket Number: pr 84-960

Agency Contact: J. Borkowski, Federal Communications Commission, 2025 M St., N.W., Rm. 8202, Washington, DC 20554, 202 632-4964

RIN: 3060-AB92

120. AMENDMENTS TO THE SAFETY OF LIFE AT SEA

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC

CFR Citation: 47 CFR 83

Abstract: Proposes to amend Part 83 of the Rules to implement the second set of amendments to the Safety of Life at Sea (SOLAS) Convention of 1974.

Timetable:

				1000
Action	Date	F	R	Cite
NPRM adopted 07/30/84	08/08/84	49 F	R	31736
R&O	04/30/85			

Small Entity: No

Additional Information: Docket Number: pr 84-759

Agency Contact: R. McIntyre, Federal Communications Commission, 2025 M St., N.W. Rm. 8202, Washington, D.C. 20554, 202 632-7175

RIN: 3060-AC70

121. ELIMINATE THE REQUIREMENT FOR MANUFACTURERS TO PERFORM RELIABILITY TESTS ON SHIPBOARD RADAR

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: The FCC has adopted a Notice of Proposed Rulemaking to amend Part 83 of the Rules to place responsibility with manufacturers for certifying that ship radar equipment they produce is reliable.

Timetable:

Action	Date	FR Cite
NPRM	01/07/85	
R&O	07/31/85	
Small Entit	y: No	

Additional Information: Docket Number: pr 85-8

Agency Contact: W. Berges, Federal Communications Commission, 2025 M St., N.W. Rm. 8202, Washington, D.C. 20554, 202 632-7175

RIN: 3060-AC72

122. COMBINE PARTS 81 AND 83 INTO SINGLE PART 80 FOR MARITIME SERVICES AND ALASKA **FIXED STATIONS**

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: Proposes to amend the rules to consolidate Parts 81 and 83 into a new Part 80. Part 81 which deals with radio stations on land in the maritime service and Part 83 which deals with radio stations on ships in the maritime service have many similarities which lend themselves to consolidation.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: No

Additional Information: Docket Number: New Part 80

Agency Contact: R. Mickley, Federal Communications Commission, 2025 M St., N.W. Rm. 8202, Washington, D.C. 20554, 202 632-7175

RIN: 3060-AC73

123. • 900 MHZ ALLOCATION TO THE PRIVATE LAND MOBILE RADIO SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC

CFR Citation: 47 CFR 90

Abstract: The FCC has adopted a Notice of Proposed Rule Making proposing the allocation of 12 MHz from the land mobile reserve for private land mobile use.

Timetable:			
Action	Date	FR Cite	
NPRM adopted 11/21/84	01/11/85	50 FR 1582	
Reply comments close	03/29/85		
R&O	10/31/85		

Small Entity: Yes

FCC-PRB

Current and Projected Rulemakings

Additional Information: Docket Number: pr 84-1233

Agency Contact: Stuart Overby, Federal Communications Commission, 2025 M St., N.W., Rm. 5114, Washington, D.C. 20554, 202 634-2443

RIN: 3060-AD29

124. • 800 MHZ WAITING LIST

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: The FCC has adopted a NPRM proposing the amendment of Section 90.360 to provide a preference on the waiting list to all applicants seeking to expand fully-loaded trunked systems operating on the old 200 frequencies governed by Subpart M of Part 90.

Timetable:

Action	Date	FR Cite
NPRM adopted 01/07/85	01/22/85	50 FR 2837
Reply comments close	03/11/85	
R&O	07/31/85	

Small Entity: Yes

Additional Information: Docket Number: pr 85-6

Agency Contact: Nia Cresham, Federal Communications Commission, 2025 M St., N.W., Rm. 5126, Washington, D.C. 20554, 202 634-2443

RIN: 3060-AD30

125. @ USE OF COORDINATED REPEATERS IN THE ARS

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 97

Abstract: Proposes to amend Part 97 to formalize the repeater coordination process in the Amateur Radio Service.

Timetable:

Action	Date	FR Cite
NPRM	01/23/85	TAUS LANDS
R&O	10/31/85	

Small Entity: No

Additional Information: Docket Number: pr 85-22

Agency Contact: J. Johnston, Federal Communications Commission, 2025 M St., N.W., Rm. 8202, Washington, D.C. 20554, 202 632-4964

RIN: 3060-AD31

126. IMPLEMENT FINAL ACTS OF WARC 1979 IN THE ARS

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 97

Abstract: The FCC has proposed amending Part 97 of the Rules to implement the Final Acts of the 1979 WARC, ratified by the U.S. on September 6, 1983.

Timetable:

Action	Date	FR Cite
NPRM	01/23/85	other or redes
R&O	07/31/85	

Small Entity: No

Additional Information: Docket Number: pr 85-23

Agency Contact: J. Johnston, Federal Communications Commission, 2025 M St., N.W., Rm. 8202, Washington, D.C. 20554, 202 632-4964

RIN: 3060-AD32

127. ● PETITION BY ARRL FOR A DECLARATORY STATEMENT ON FEDERAL PREEMPTION OF LOCAL ZONING REQUIREMENTS AS THEY APPLY TO ANTENNAS IN THE ARS

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 97

Abstract: Request by the American Radio Relay League for a Declaratory Ruling delineating the limitations of local zoning and other state regulatory authority over Federally-licensed amateur radio facilities.

Timetable:

Action	Date	FR Cite
Public Notice issued	08/30/84	down the
Declaratory Ruling	07/31/85	

Small Entity: No

Additional Information: Docket

Number: PRB-1

Agency Contact: J. Johnston, Federal Communications Commission, 2025 M St., N.W., Rm. 8202, Washington, D.C. 20554, 202 632-4964

RIN: 3060-AD33

128. IMPLEMENT HIGH FREQUENCY ALLOCATIONS MADE BY WARC 1979

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81: 47 CFR 83

Abstract: Proposes to amend Parts 81 and 83 to permit the voluntary use of frequencies between 2MHz and 18 MHz at an early date to smooth the transition to the Future Global Maritime Distress and Safety System.

Timetable:

Action	Date	FR Cite
NPRM	01/07/85	
R&O	07/31/85	

Small Entity: No

Additional information: Docket Number: HF-Conform

Agency Contact: L. Reed, Federal Communications Commission, 2025 M St., N.W., Rm. 7002, Washington, D.C. 20554, 202 632-7175

RIN: 3060-AD34

FEDERAL COMMUNICATIONS COMMISSION (FCC)—PRIVATE RADIO BUREAU

Completed Actions

COMPLETED RULEMAKINGS 129. COMPULSORY SHIP INSPECTION CYCLE

Priority: Agency Determination CFR Citation: 47 CFR 83

Completed:

Reason	Date		FR	Cite
2nd R&O adopted	12/05/84	49	FR	47516

Small Entity: No

Agency Contact: N. Bagnato 202 632-

7175

RIN: 3060-AA25

130. NEW PRIVATE RADIO SERVICE AT 900 MHZ

Priority: Agency Determination CFR Citation: 47 CFR 2

Completed:

Reason	Date	FR Cite
R&O adopted	01/07/85 5	FR 865

11/21/84 Small Entity: Yes

Agency Contact: Stu Overby 202 634-

2443

RIN: 3060-AA55

131, GREAT LAKES EPIRB'S

Priority: Agency Determination CFR Citation: 47 CFR 83

	ple	

Reason	Date	FR	Cite
R&O adopted	10/15/84	49 FR	40172

Small Entity: No

Agency Contact: N. Bagnato 202 632-

7175

RIN: 3060-AB82

132. PERMISSIBLE COMMUNICATIONS IN THE PRIVATE LAND MOBILE RADIO SERVICES

Priority: Agency Determination
CFR Citation: 47 CFR 90

Completed:

Reason	Date	FR Cite	
R&O released	01/31/85	The State of the last	

Small Entity: Yes

Agency Contact: Mary Beth Hess 202

634-2443

RIN: 3060-AB84

133. RADIOPRINTER (RTTY) COMMUNICATIONS SERVICE FOR SMALL COMMERCIAL VESSELS

Priority: Agency Determination

CFR Citation: 47 CFR 81; 47 CFR 83

Completed:

Reason	Date	FR	Cite
R&O adopted 10/4/84	10/15/84	49 FR	40170

Small Entity: No

Agency Contact: R. Mickley 202 632-7175

RIN: 3060-AB85

134. INTERCONNECTION WITH THE PUBLIC SWITCHED TELEPHONE NETWORK (PSTN) IN THE PRIVATE LAND MOBILE RADIO SERVICE BANDS BELOW 800 MHZ

Priority: Agency Determination CFR Citation: 47 CFR 90

Completed:

Reason	Date	FR Cite
Withdrawn Duplicate of RIN 3060-AB74	02/27/85	

Small Entity: Yes

Agency Contact: Nia Cresham 202 634-

2443

RIN: 3060-AB87

135. DELETE THE REQUIREMENTS FOR RESTRICTED PERMITS FOR DOMESTIC VOYAGES

Priority: Agency Determination

CFR Citation: 47 CFR 81; 47 CFR 83; 47

CFR 87

Completed:

Reason	Date	FR Cite
R&O adopted 1/23/85	02/11/85	50 FR 5590

Small Entity: No

Agency Contact: L. Garcia 202 632-7175

RIN: 3060-AC71

[FR Doc. 85-6399 Filed 04-26-85; 8:45 am]

BILLING CODE 6712-01-T

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF SCIENCE AND TECHNOLOGY

136. L.A. SHERIFF'S PETITION

Priority: Agency Determination Legal Authority: 47 USC 303 CFR Citation: 47 CFR 2.106

Abstract: Petition requests reallocation of UHF-TV Channels 14-20 to public safety services.

Timetable:

Action	Date	FR Cite
DOO.	06/20/85	

Small Entity: No

Additional Information: RM-3975.

Agency Contact: Don Precure, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8170

RIN: 3060-AA57

137. HF BROADCASTING WARC

Priority: Agency Determination Legal Authority: 47 USC 411 CFR Citation: Not applicable

Abstract: Develop a world-wide high frequency (short-wave) broadcasting plan.

Current and Projected Rulemakings

Timetable:

Action	Date	FR Cite
R&O	03/31/85	DA WHITE

Small Entity: No

Additional Information: Docket 82-165

Agency Contact: Neal McNaughton, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8102

RIN: 3060-AA78

138. SPACE SERVICES WARC (1985)

Priority: Agency Determination Legal Authority: 47 USC 411 CFR Citation: Not applicable

Abstract: This proceeding is in preparation for the ITU World Administrative Radio Conference on the Geostationary-Satellite Orbit and the Planning of the Space Services Utilizing It.

Timetable:

Action	Date	FR Cite
NOI	10/03/83	The state of the s
Fourth NOI	04/30/84	
R&O	03/31/85	

Small Entity: No

Additional Information: Docket 80-741.

Agency Contact: A. Rutkowski, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8162

RIN: 3060-AA79

139. GEOSTAR CORP. PETITION FOR RADIODETERMINATION SATELLITE

Priority: Agency Determination Legal Authority: 47 USC 303 CFR Citation: 47 CFR 2.106

Abstract: Petition requests reallocation of spectrum in the 1610-1626 MHz, 2450-2500 MHz and 5000-5250 MHz band for a radiodetermination satellite service system.

Timetable:

Action	Date	FR Cite
NPRM	09/07/84	and best branch
R&O	06/30/85	

Small Entity: Undetermined

Agency Contact: Mel Murray, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8168

RIN: 3060-AB79

140. STUDY OF MARINE HF BANDS

Priority: Agency Determination

Legal Authority: 47 USC 154; 47 USC 403

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: A comprehensive review of all uses of the HF spectrum for maritime communications in preparation for the 1987 Mobile WARC. Uses include telegraphy, telephony, the Future Global Maritime Distress and Safety System (FGMDSS) and SELCALL.

This item was formerly a Private Radio Bureau item which was transferred to Office of Science & Technology.

Timetable:

Action	Date	FR Cite
NOI	06/25/84	A TOWN
2nd NOI	03/31/85	

Small Entity: No

Additional Information: Docket Number Mar HF Bands.

Agency Contact: Edward Jabobs, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8102

RIN: 3060-AB88

141. AMENDMENT OF PART 15 TO PERMIT OPERATION OF FIELD DISTURBANCE SENSORS IN THE BAND 40.66 TO 40.70 MHZ

Priority: Major

Legal Authority: 47 USC 302; 47 USC 303(a); 47 USC 303(r); Communications Act 4(f)

CFR Citation: 47 CFR 15

Abstract: In response to a petition (RM-4120) from Senstar, the Commission adopted a proposal in Dec. 1982 to amend Pt 15 to provide for the operation of a perimeter protection system to be used at prisons and other high risk facilities.

Timetable:

Action	Date	FR Cite
FNPRM	06/30/85	

Small Entity: No

Additional Information: 82-827.

Agency Contact: Liliane Volcy, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC64

142. AMENDMENT OF PART 15 TO PROVIDE AN ADDITIONAL EXEMPTION FOR LARGE COMPUTER SYSTEM

Priority: Major

Legal Authority: 4(i),302 CFR Citation: 47 CFR 15 Abstract: Petition for rulemaking filed by Electronic Associates Inc. to amend the rules to provide an exemption from for large computers manufactured in small quantities.

Timetable:

Action	Date	FR Cite
NPRM	06/30/84	ERIO
NPRM	08/21/84	
R&O	00/00/00	

Small Entity: No

Additional Information: RM-4246

Agency Contact: Julius Knapp, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC68

143. UPDATE ADMINISTRATIVE RULES IN PART 18

Priority: Major

Legal Authority: 47 USC 303 CFR Citation: 47 CFR 18

Abstract: Proposal to revise the present administrative requirements of Pt 18 of the Rules governing ISM equipment is expected to delete a number of obsolete requirements of Pt. 18 and streamline administrative rules.

Timetable:

Action	Date	FR Cite
R&O	06/30/85	Million III
Small Entity	: Undetermined	

Additional Information: 20718

Agency Contact: Liliane Volcy, Electronics Engineer, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC89

144. ● ALLOCATION OF ADDITIONAL SPECTRUM FOR PRIVATE LAND MOBILE RADIO (LMCC PETITION)

Priority: Agency Determination Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2; 47 CFR 22; 47

CFR 90

Abstract: Amendment of Pts. 2, 22 and 90 of the Rules to provide an additional allocation for present land mobile use, including private and cellular. LMCC petitions for allocation of all of the 900 MHz reserve bands plus investigation

of future use of UHF-TV spectrum and the 216-225 MHz band.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	Ble Street
R&O	06/30/85	

Small Entity: Yes

Additional Information: rm-4829.

Agency Contact: Fred Thomas, Federal Communications Commission, 2025 M St., N.W. Rm. 7320, Washington, D.C. 20554, 202 653-8171

RIN: 3060-AC91

145. UTILIZATION POLICY - FIXED AND MOBILE SERVICES 1-40 GHZ (RECONSIDERATION)

Priority: Agency Determination Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2; 47 CFR 21; 47 CFR 74; 47 CFR 78; 47 CFR 94

Abstract: Requests for reconsideration of a Commission MO&O dealing with the use of the 18 GHz band.

Timetable:

Action	Date	FR Cite
MO&O	03/30/85	in a line

Small Entity: Undetermined

Additional Information: 82-334

Agency Contact: Don Campbell, Federal Communications Commission, 2025 M St., N.W. Rm. 7328, Washington, D.C. 20554, 202 653-8171

RIN: 3060-AC92

146. ADDITIONAL SHARING OF UHF TV CHANNELS BY PRIVATE LM SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 301; 47 USC 303; 47 USC 302

CFR Citation: 47 CFR 2; 47 CFR 90

Abstract: Accommodation of projected requirements of private LM services would be partially through further sharing of certain UHF-TV channels in the major markets.

Timetable:

	217	
Action	Date	FR Cite
NPRM	03/30/85	-
R&O	12/31/85	

Small Entity: Yes

Agency Contact: Sam Tropea, Federal Communications Commission, 2025 M St., N.W. Rm. 7310, Washington, D.C. 20554, 202 653-8167

RIN: 3060-AC93

147. ● PRIMARY ALLOCATION FOR RADIO ASTRONOMY AT 1610 MHZ (NSF PETITION)

Priority: Agency Determination Legal Authority: 47 USC 303 CFR Citation: 47 CFR 2

Abstract: Amendment of Pt. 2 of the Rules to provide a primary allocation for the radio astronomy service in the band 1606.8-1613.8 MHz. NSF has petitioned for the upgrading of a current secondary allocation at 1610.6-1613.8 MHz, because of concern about increased utilization of the band.

Timetable:

Action	Date	FR	Cite
MO&O	06/30/85	7.78 T	49

Small Entity: No

Additional Information: rm-4839.

Agency Contact: Mel Murray, Federal Communications Commission, 2025 M St., N.W. Rm. 7312, Washington, D.C. 20554, 202 653-8168

RIN: 3060-AC94

148. TECHNICAL STANDARDS, MEDICAL ULTRASONIC EQUIPMENT PART 18

Priority: Agency Determination
Legal Authority: 47 USC 302
CFR Citation: 47 CFR 18.71 to 84

Abstract: In the order denying a petition from Hewlett Packard to exempt medical ultrasonic equipment from Pt. 18, the Commission stated it would review the technical standards for this equipment. This is the follow-up item.

Timetable:

Action	Date	FR Cite
NPRM .	03/31/85	

Small Entity: Yes

Agency Contact: Julius Knapp, Federal Communications Commission, 2025 M St., N.W. Rm. 8302, Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC95

149. ● DORCMA - REMOTE CONTROL SECURITY DEVICES

Priority: Agency Determination Legal Authority: 47 USC 302

CFR Citation: 47 CFR 15.201 to 215

Abstract: The Door Operators and Remote Control Manufacturers Association requests what amounts to a complete review and overhaul of the technical standards for remote control and security devices in Part 15.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	WANTED TO
Constit Frais		

Small Entity: Yes

Additional Information: rm-4637.

Agency Contact: John McVeigh, Federal Communications Commission, 2025 M St., N.W. Rm. 8302, Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC96

150. ● SEIA - REMOTE CONTROL/SECURITY DEVICES

Priority: Agency Determination Legal Authority: 47 USC 302

CFR Citation: 47 CFR 15.201 to 215

Abstract: The Security Equipment Industry Association requests review and overhaul of the technical standards and measurement methods for remote control and security devices in Part 15.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	
Small Entity	v. Yes	

Sinan Linkly. 165

Additional Information: rm-4813.

Agency Contact: John McVeigh. Federal Communications Commission. 2025 M St., N.W. Rm. 8302, Washington. D.C. 20554, 202 653-8247

RIN: 3060-AC97

151. • KNOGO - FIELD DISTURBANCE SENSORS

Priority: Agency Determination Legal Authority: 47 USC 302 CFR Citation: 47 CFR 15.305

Abstract: KNOGO requests and expansion in frequencies available for wideband swept frequency field disturbance sensors used for anti-theft of merchandise.

FCC-OST

Current and Projected Rulemakings

Timetable: FR Cite Date Action NPRM 03/31/85

Small Entity: Yes

Additional Information: rm-4427.

Agency Contact: Liliane Volcy, Federal Communications Commission, 2025 M St., N.W. Rm. 8302, Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC98

152. • GTE RECONSIDERATION CORDLESS PHONES

Priority: Agency Determination

Legal Authority: 47 USC 302; 47 USC

303(g); 47 USC 303(r)

CFR Citation: 47 CFR 15.230 et seq

Abstract: GTE requests clarification of the emission bandwidth and frequency stability requirements for cordless telephones.

Timetable:

Action Date FR Cite 06/30/85 MORO

Small Entity: Yes

Additional Information: 83-325.

Agency Contact: Julius Knapp, Federal Communications Commission, 2025 M St., N.W. Rm. 8302, Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC99

153. • LM TECHNICAL STANDARDS

REVIEW

Priority: Agency Determination

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 22: 47 CFR 90

Abstract: Review of technical standards dealing with mobile communications services.

Timetable:

Action Date FR Cite 03/30/85 NPRM 03/30/85 NOI

Small Entity: Yes

Agency Contact: Mike Marcus, Federal Communications Commission, 2025 M St., N.W. Rm. 7202, Washington, D.C. 20554, 202 632-7040

Completed Actions

RIN: 3060-AD00

FEDERAL COMMUNICATIONS COMMISSION (FCC)-OFFICE OF

156. U.S.C.G. REQUEST TO USE 161.7

AND 161.75 MHZ

CFR Citation: 47 CFR 2.106

Completed:

FR Cite Reason Date MO&0 09/24/84 Small Entity: Yes

Agency Contact: Sam Tropea 202 653-

8167

RIN: 3060-AA59

157, RE-EXAMINATION OF **TECHNICAL REGULATIONS**

CFR Citation: Not applicable

Completed:

FR Cite Date Reason 11/08/84 **R&O** Small Entity: Yes

Agency Contact: Mike Marcus 202 632-

7040

RIN: 3060-AA82

158. OFFSHORE RADIO TELEPHONE CO. RM3910, RM3924

Priority: Agency Determination

CFR Citation: 47 CFR 2.106

Completed:

Date FR Cite Reason R&O 09/17/84 Small Entity: Undetermined

Agency Contact: Melvin Murray 202

653-8168

RIN: 3060-AB42

159. IMPLEMENTATION OF TECHNICAL REQUIREMENTS FROM 1979 WARC

Priority: Major

CFR Citation: 47 CFR 00

Completed:

FR Cite Date Reason R&O 09/10/84

Small Entity: No

Agency Contact: Dan Yates 202 653-6288

RIN: 3060-AC65

IFR Doc. 85-6399 Filed 04-26-85; 8:45 ami

BILLING CODE 6712-01-T

SCIENCE AND TECHNOLOGY

COMPLETED RULEMAKINGS 154. AIR-GROUND RADIOTELEPHONE SERVICE (AIRFONE, INC.)

Priority: Agency Determination CFR Citation: 47 CFR 2.106

Completed:

FR Cite Reason Date R&O 11/21/84

Small Entity: Yes

Agency Contact: Mel Murray 202 653-8168

RIN: 3060-AA49

155. AIR-GROUND RADIOTELEPHONE SERVICE (ARINC)

Priority: Agency Determination CFR Citation: 47 CFR 2.106

Completed:

FR Cite Reason Date **R&O** 11/21/84

Small Entity: Yes

Agency Contact: Mel Murray 202 653-8168

RIN: 3060-AA50

Selection at a selection



Monday April 29, 1985

Part XLIX

Federal Deposit Insurance Corporation

Semiannual Regulatory Agenda



FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Ch. III

Semiannual Agenda of Regulations

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Publication of semiannual agenda of regulations.

SUMMARY: The Federal Deposit
Insurance Corporation ("FDIC") is
hereby publishing items for the April
1985 Regulatory Agenda. The agenda
contains information about FDIC's
current and projected rulemakings,
existing regulations under review, and
completed rulemakings.

FOR FURTHER INFORMATION CONTACT: Persons identified under regulations

listed in the agenda. The address for all FDIC staff identified in the agenda is Federal Deposit Insurance Corporation,

550 17th Street, N.W., Washington, D.C. 20429.

supplementary information: Twice each year, the FDIC publishes an agenda of regulations to inform the public of its regulatory actions and to enhance public participation in the rulemaking process. Publication of the agenda is in accordance with both the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) and the FDIC statement of policy entitled "Development and Review of FDIC Rules and Regulations" (44 FR 31007, May 30, 1979; 44 FR 32353, June 6, 1979; 44 FR 76858, December 28, 1979; 49 FR 7288, February 28, 1984).

FDIC amends its regulations under the general rulemaking authority prescribed in section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819) and under specific authority granted by the Act and other statutes.

The FDIC is voluntarily including its agenda in the "Unified Agenda of Federal Regulations." While the FDIC is

an independent agency exempt from coverage by Executive Order 12291, it believes that its participation in this joint publication will further the public interest by including in a single source information concerning FDIC current and projected rulemaking and reviews of existing regulations. This agenda conforms to the standardized format of the "Unified Agenda."

Interested persons may petition the FDIC for the issuance, amendment or repeal of any regulation by submitting a written petition to the Executive Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429. Petitioners should include complete and concise statements of their interest in the subject matter and reasons why the petitions should be granted.

DATED: February 25, 1985.

Federal Deposit Insurance Corporation. Hoyle L. Robinson,

Executive Secretary.

Current and Projected Rulemakings

Se- quence Number	Title Employed	Regulation Identifier Number
1	*12 CFR 330 Brokered Deposits, Limitations on Deposit Insurance	3064-AA26
2	12 CFR 332 Powers Inconsistent with the Purposes of Federal Deposit Insurance Law, Real Estate, Insurance, Data Processing, Travel Agency, and other Financially Related Activities	3064-AA29
3	12 CFR 338 Fair Housing	3064-AA50
4	12 CFR 309 Disclosure of Information, Release of Notices of Charges	3064-AA56
5	12 CFR 329 Interest on Deposits	3064-AA32
6	12 CFR 352 Nondiscrimination on the Basis of Handicap	3064-AA39
7	12 CFR 308 Rules of Practice and Procedures: Discovery in Administrative Proceedings	3064-AA42
8	12 CFR 335 Securities of Insured Nonmember Banks	3064-AA45

^{*}Indicates priority regulation.

Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
9	12 CFR 344 Securities Recordkeeping and Confirmations	3064-AA30 3064-AA51

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
11 12	12 CFR 332 Credit Card Agreements and Check Guarantees	3064-AA01

Completed Actions—Continued

Se- quence Number	Title	Regulation Identifier Number
13	12 CFR 303 Applications and Forms; Form Used for Obtaining Consent to Invest in Bank Service Corporations	
14 15	12 CFR 325 Capital Maintenance	3064-AA37
	tions of Transfer Risk	3064-AA47
16	12 CFR 303 Applications, Requests, Submittals, Delegations of Authority, Notices of Acquisition of Control, and Rules of Practice and Procedures	3064-AA48
17	*12 CFR 304 Reporting Requirements on Deposits Placed by Deposit Brokers and Depository Institutions.	3064-AA49
18	12 CFR 333 Extension of Corporate Powers	3064-AA55
19	Insurance by Consent, and Technical Changes	3064-AA57
20	12 CFR 346 Foreign Banks; Establishing the Capital Equivalency Account Requirement at Six Percent of Adjusted Liabilities of the Branch	3064-AA58

^{*}Indicates priority regulation.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Current and Projected Rulemakings

PROPOSALS OUTSTANDING

1. BROKERED DEPOSITS, LIMITATIONS ON DEPOSIT INSURANCE

Priority: Agency Determination

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1813 Federal Deposit Insurance Act; 12 USC 1817 Federal Deposit Insurance Act; 12 USC 1821 Federal Deposit Insurance Act; 12 USC 1822 Federal Deposit Insurance Act

CFR Citation: 12 CFR 330

Abstract: On June 20, 1984, the United States District Court for the District of Columbia entered an Order declaring the Final Rule published by the FDIC at 49 FR 13003 (April 2, 1984) on limiting insurance coverage for brokered deposits to be unlawful, enjoining the Rule's implementation and directing that the Order be published. The FDIC published the Order, as directed by the Court, at 49 FR 27294 (July 3, 1984). On lanuary 30, 1985, the U.S. Court of Appeals upheld the U.S. District Court's ruling that the FDIC did not have authority to limit insurance coverage on brokered deposits. The FDIC is considering recommending to the Justice Department that the case be appealed to the Supreme Court.

Timetable:

Action	Date	FR	Cite
ANPRM ANPRM Comment Period Begin	11/01/83 11/01/83	48 FR 48 FR	200

Action	Date	FR Cite
ANPRM Comment Period End	11/28/83	A STATE OF
NPRM	01/23/84	49 FR 2787
NPRM Comment Period Begin	01/23/84	49 FR 2787
NPRM Comment Period End	03/08/84	
Final Action	04/02/84	49 FR 13003
Final Action Effective	00/00/00	

Small Entity: No

Agency Contact: Joseph A. DiNuzzo, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA26

2. POWERS INCONSISTENT WITH THE PURPOSES OF FEDERAL DEPOSIT INSURANCE LAW; REAL ESTATE, INSURANCE, DATA PROCESSING, TRAVEL AGENCY, AND OTHER FINANCIALLY RELATED ACTIVITIES

Legal Authority: 12 USC 1816; 12 USC 1818(a); 12 USC 1818(b); 12 USC 1819; 12 USC 1821(f); 12 USC 1828(j)(2)

CFR Citation: 12 CFR 332

Abstract: The FDIC has proposed amending Part 332 of its regulations to: (1) prohibit any insured bank (including national banks, state banks that are members of the Federal Reserve System and Federally chartered savings banks insured by FDIC) from directly engaging in the following: underwriting of insurance; underwriting or developing

real estate; reinsurance; insuring, guaranteeing, or certifying title to real estate; guaranteeing or becoming surety upon the obligations of others; insuring the fidelity of others; or engaging in a surety business, (2) require any subsidiary of an insured bank that conducts any of these activities to meet the criteria for a bona fide subsidiary set out in the regulation. (3) require notice to the FDIC of intent to invest in any such subsidiary. (4) place certain restrictions on the affiliation of an insured bank with a company that engages in any of the subject activities, (5) place certain restrictions on extensions of credit and other transactions between insured banks and their subsidiaries or affiliates that engage in any of the subject activities. (6) require all insured banks that established or acquired (cont)

Timetable:

Action	Date		FR	Cite
ANPRM	09/12/83	48	FR	40900
ANPRM Comment Period Begin	09/12/83	48	FR	40900
ANPRM Comment Period End	11/14/83			
NPRM	12/13/84	49	FR	48552
NPRM Comment Period Begin	12/13/84			48552
NPRM Comment Period End	02/11/85			
Final Action	06/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT: a subsidiary or became affiliated with a company that engages in the subject activities prior to the effective date of the regulation to conform thereto within one year, [7] require any insured bank that as of the effective date of the regulation is engaging in any of the subject activities to conform to the regulation within two years, and (8) place certain restrictions on insured banks that provide electronic data processing ("EDP") services to persons or companies other than banks, or act as agent or broker for insurance, real estate, securities, or travel services.

Analysis: Preliminary RIA 12/13/84 (49 FR 48552)

Agency Contact: Pamela E. F. LeCren, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA29

3. FAIR HOUSING

Legal Authority: 12 USC 1817; 12 USC 1818; 12 USC 1819; 12 USC 1820; 15 USC 1691 et seq; 42 USC 3605; 42 USC 3608

CFR Citation: 12 CFR 338

Abstract: The FDIC has proposed amending its Fair Housing regulation, 12 CFR 338, to revise the recordkeeping exemption threshold. The FDIC now requires metropolitan banks with more than \$10 million in assets to keep log sheets of home loan applications. The proposed rule would end the log sheet requirement for log sheet banks that have \$50 million or less in assets and have received fewer than 25 home loan applications in the prior calendar year. Raising the threshold should improve the efficiency and effectiveness of consumer affairs examiners through more productive use of examination time and, additionally, should reduce the recordkeeping burden on banks.

Timetable:

Action	Date		FR	Cite
NPRM	03/18/85	50	FR	10784
NPRM Comment Period Begin	03/18/85	50	FR	10784
NPRM Comment Period End	05/17/85			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Rex J. Morthland, Director, Office of Consumer Programs, Federal Deposit Insurance Corporation, Division of Bank Supervision,

Washington, DC 20429, 202 389-4473

RIN: 3064-AA50

4. O DISCLOSURE OF INFORMATION; RELEASE OF NOTICES OF CHARGES

Legal Authority: 12 USC 1819; 5 USC

CFR Citation: 12 CFR 309

Abstract: The FDIC has proposed amending its regulations to provide for the release of notices of charges issued by it in administrative enforcement proceedings, as well as final orders resulting from such proceedings.

Timetable:

Action	Date	FR Cite
NPRM	02/21/85	50 FR 7184
NPRM Comment Period Begin	02/21/85	50 FR 7184
NPRM Comment Period End	03/25/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Walter P. Doyle, Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4151

RIN: 3064-AA56

POTENTIAL ACTIONS 5. INTEREST ON DEPOSITS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1828 Federal Deposit Insurance Act; 12 USC 1832(a) Federal Deposit Insurance Act

CFR Citation: 12 CFR 329

Abstract: The Federal Deposit
Insurance Corporation is developing
revisions to Part 329 of its regulations.
The purpose of the revisions is to
conform Part 329 with the interest-rate
regulations of the Depository
Institutions Deregulation Committee, 12
C.F.R. Part 1204.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	enlice a
Final Action	06/00/85	
Small Entity:	No	

Agency Contact: Jules Bernard, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA32

6. NONDISCRIMINATION ON THE BASIS OF HANDICAP

Legal Authority: 29 USC 504 Rehabilitation Act of 1973; 12 USC 1819 Federal Deposit Insurance Act

CFR Citation: 12 CFR 352

Abstract: The FDIC is developing a regulation that forbids the FDIC, in administering its programs and activities, to discriminate on the basis of handicap against qualified handicapped persons. The regulation will require the FDIC to make reasonable accommodations to ensure that qualified handicapped individuals may participate in FDIC programs or activities. The regulation will address employment of, and communication with, qualified handicapped persons, as well as FDIC program accessibility. The regulation will apply only to the FDIC and not to insured nonmember banks.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: M. Jane Williamson. Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, D C 20429, 202 389-4151

RIN: 3064-AA39

7. RULES OF PRACTICE AND PROCEDURES; DISCOVERY IN ADMINISTRATIVE PROCEEDINGS

Legal Authority: 5 USC 504 Administrative Procedure Act; 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1972 Tying Arrangements; 15 USC 78w Securities Exchange Act of 1934

CFR Citation: 12 CFR 308

Abstract: The FDIC is developing an amendment to Part 308 of its regulations to provide formal guidelines for the conduct of discovery in administrative hearings under section 8 and section 18 of the Federal Deposit Insurance Act (12 USC sections 1818 and 1828). In addition, FDIC is proposing certain changes in Part 308 to correct impediments to agency

Current and Projected Rulemakings

responsiveness and capability in adjudicative hearings.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: James L. Meador, Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA42

8. SECURITIES OF INSURED NONMEMBER BANKS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 15 USC 781(i) Securities Exchange Act of 1934

CFR Citation: 12 CFR 335

Abstract: The Securities Exchange Act of 1934 requires the FDIC to issue regulations substantially similar to regulations of the Securities and Exchange Commission, or publish reasons for not doing so. The staff will likely propose such conforming amendments for public comment following rulemaking actions by the Commission.

Timetable:

Action

Date

FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Patrick J. Moses, Supervisory Financial Analyst, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4651

RIN: 3064-AA45

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

9. SECURITIES RECORDKEEPING AND CONFIRMATIONS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1817 Federal Deposit Insurance Act; 12 USC 1818 Federal Deposit Insurance Act

CFR Citation: 12 CFR 344

Abstract: Part 344 of the FDIC's regulations requires insured State nonmember banks effecting securities transactions for customers to maintain chronological and account records of transactions and underlying order tickets reflecting specified information, provide customers with timely specified information, and establish written policies and procedures applicable to the securities activities performed for customers. The regulation serves to assure that customers are provided with adequate information about their securities transactions effected by the bank and that banks are maintaining adequate business records. It was issued through the Federal Financial Institutions Examination Council on an interagency basis in 1979. All three Federal bank regulatory agencies have almost identical regulations. After several years of experience with these regulations, some changes may be

desirable. The three banking agencies, as a joint effort under the Examination Council, are reviewing these regulations to determine the specific changes to be proposed.

Timetable:

Action

Date FR Cite

Begin Review End Review 10/20/83

Small Entity: No

Agency Contact: John F. Harvey, Review Unit Chief, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4295

RIN: 3064-AA30

10. APPLICATIONS, REQUESTS, SUBMITTALS, AND DELEGATIONS OF AUTHORITY

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1829; 15 USC 1607

CFR Citation: 12 CFR 303

Abstract: The FDIC is reviewing the requirements of Part 303 of its regulations pertaining to delegated

authority and bank application procedures to determine their appropriateness in a changing regulatory environment. The goal is to streamline the procedures to the extent possible under existing statutory requirements. Areas under consideration include applications for Federal deposit insurance for operating noninsured institutions, applications to exercise trust powers, and applications to reduce or retire capital. Also Part 303 would state the places at which forms and instructions, which are to be used in connection with applications, may be obtained. Part 303 would be reorganized in order to improve its clarity and

Existing Regulations Under Review

Timetable:

overall utility.

Action Date FR Cite

Begin Review 04/20/84

End Review 03/00/85

Small Entity: No

Agency Contact: Charles R. Denesia, Chief, Applications Section, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4345

RIN: 3064-AA51

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Completed Actions

COMPLETED RULEMAKINGS 11. CREDIT CARD AGREEMENTS AND CHECK GUARANTEES

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1816 Federal Deposit Insurance Act

CFR Citation: 12 CFR 332; 12 CFR 337

Abstract: The FDIC has amended Part 332 of its regulations ("Powers Inconsistent With Purposes of Federal Deposit Insurance Law") which formerly prohibited an insured nonmember bank from guaranteeing the obligations of third parties. Specifically, this amendment is in the form of an exemption designed to allow banks to do two things: (1) to issue check guaranty cards, and (2) to sponsor customers in credit card agreements with other banks.

The exemption will allow banks to enter into these undertakings as long as they meet certain criteria pertaining to safety and soundness, in conformance with Part 337 of the FDIC regulations ("Unsafe and Unsound Banking Practices"). The language of these two exemptions is broad enough to include arrangements that have similar characteristics, but have been termed differently.

Timetable:

Timetable.	THEY IN STREET		SHY	SHELL IN
Action	Date		FR	Cite
NPRM	06/12/81	46	FR	31018
NPRM Comment Period Begin	06/12/81	46	FR	31018
NPRM Comment Period End	08/11/81			
Withdrawn	03/30/84	49	FR	12707
Revised NPRM	08/24/84	49	FR	33690
Revised NPRM Comment Period Begin	08/24/84	49	FR	33690
Revised NPRM Comment Period End	10/23/84			THE PARTY OF
Final Action	03/15/85	50	FR	10493
Final Action Effective	04/15/85			

Small Entity: No

Agency Contact: Frederic H. Karr, Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA01

12. UNSAFE AND UNSOUND BANKING PRACTICES; SECURITIES ACTIVITIES OF SUBSIDIARIES OF INSURED NONMEMBER BANKS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1816 Federal Deposit Insurance Act; 12 USC 1818(b) Federal Deposit Insurance Act; 12 USC 1828(j)(2) Federal Deposit Insurance Act; 12 USC 378 Glass-Steagall Act

CFR Citation: 12 CFR 337

Abstract: The FDIC has determined that it is not unlawful under the Glass-Steagall Act for an insured nonmember bank to establish or acquire a bona fide subsidiary that engages in securities activities nor for an insured nonmember bank to become affiliated with a company engaged in securities activities if authorized under state law. At the same time, however, the FDIC has found that some risk may be associated with those activities. In order to address that risk the FDIC has amended its regulations to (1) define bona fide subsidiary, (2) require notice of intent to invest in a securities subsidiary, (3) limit the permissible securities activities of insured nonmember bank subsidiaries, and (4) place certain other restrictions on loans, extensions of credit, and other transactions between insured nonmember banks and their subsidiaries or affiliates that engage in securities activities.

Timetable:

Action	Date		FR	Cite
ANPRM	09/24/82	47	FR	42121
ANPRM Comment Period Begin	09/24/82	47	FR	42121
ANPRM Comment Period End	10/25/82			
NPRM	05/17/83	48	FR	22155
NPRM Comment Period Begin	05/17/83	48	FR	22155
NPRM Comment Period End	07/18/83			
Revised NPRM	05/01/84	49	FR	18497
Revised NPRM Comment Period Begin	05/01/84	49	FR	18497
Revised NPRM Comment Period End	05/31/84			
Final Action	11/28/84	49	FR	46709
Final Action Effective	12/28/84			

Small Entity: No

Analysis: Draft RFA 05/01/84 (49 FR 18497); Final RFA 11/28/84 (49 FR 46709)

Agency Contact: Pamela E.F. LeGren, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA10

13. APPLICATIONS AND FORMS; FORM USED FOR OBTAINING CONSENT TO INVEST IN BANK SERVICE CORPORATIONS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; PL 97-320, Sec 708 Garn-St Germain Act

CFR Citation: 12 CFR 303; 12 CFR 304

Abstract: The Garn-St Germain
Depository Institutions Act of 1982
empowers banks insured by the FDIC
to invest in corporations that engage in
"banking" activities. Banks that wish to
take advantage of the authority
conferred by the Garn-St Germain
Depository Institutions Act of 1982 must
first obtain the approval of their
primary regulator.

The FDIC staff is developing a form for use by nonmember insured banks applying for the FDIC's permission to make investments of this kind.

Timetable:

Action	Date	FR Cite
Withdrawn	02/27/85	

Small Entity: No

Agency Contact: Jules Bernard, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA18

14. CAPITAL MAINTENANCE

Legal Authority: 12 USC 1815(a); 12 USC 1815(b); 12 USC 1816; 12 USC 1818(a); 12 USC 1818(b); 12 USC 1819; 12 USC 1828(c); 12 USC 1828(d); 12 USC 1828(i); 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 325

Abstract: The FDIC has adopted a regulation concerning Capital Maintenance. The FDIC is required to analyze capital adequacy in taking action on various types of applications, such as mergers and branches and in the conduct of its various supervisory activities related to the safety and soundness of individual banks and the banking system. Additionally, as a condition of federal deposit insurance all insured banks must remain in a safe and sound condition, including maintaining capital adequacy. The regulation: (a) defines capital; (b)

Completed Actions

establishes minimum standards for adequate capital; (c) establishes standards to determine when an insured bank is operating in an unsafe and unsound condition by reason of the amount of its capital; and (d) establishes procedures for issuing a directive to require an insured state nonmember bank to achieve and maintain a minimum capital ratio.

Timetable:

Action	Date		FR	Cite
NPRM	07/20/84	49	FR	29399
NPRM Comment Period Begin	07/20/84	49	FR	29399
NPRM Comment Period End	09/18/84			
Final Action	03/19/85	50	FR	11128
Final Action Effective	04/18/85			

Small Entity: No

Agency Contact: Robert F. Storch, Planning and Program Development Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4761

RIN: 3064-AA37

15. FOREIGN BANKS; ASSET PLEDGE AND ASSET MAINTENANCE REQUIREMENTS, AND LIMITATIONS FOR CONCENTRATIONS OF TRANSFER RISK

Legal Authority: 12 USC 1815; 12 USC 1817; 12 USC 1819; 12 USC 1820; 12 USC 3103; 12 USC 3104; 12 USC 3108

CFR Citation: 12 CFR 346

Abstract: The FDIC made changes to its International Banking Act regulations. The changes pertained primarily to asset pledge and asset maintenance requirements and included a new section dealing with concentrations of transfer risk. In addition to the changes concerning acceptable assets, the asset pledge provision was changed in regard to the amount required; and the allowance of a credit for any other pledge-like transaction to a state or the Comptroller of the Currency was eliminated. A minimum capital equivalency ledger account evidencing funding of the branch by the parent bank replaced the former asset maintenance rule. The new rule emphasizes the FDIC's intent that there be an equivalent for capital in insured branches. Certificates of deposit

without a valid waiver of offset agreement now require adjustments to the capital equivalency ledger account and may not be included in the asset pledge. Regulatory limitations for concentrations of transfer risk to the home country and to any other single country, respectively, by an insured branch were added to the regulation.

Timetable:

Action	Date	1230	FR	Cite
NPRM	05/16/84	49	FR	20714
NPRM Comment Period Begin	05/16/84	49	FR	20714
NPRM Comment Period End	07/02/84			
Final Action	12/21/84	49	FR	49614
Final Action Effective	01/22/85			

Small Entity: No

Agency Contact: Hugh W. Conway, Review Examiner, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4345

RIN: 3064-AA47

16. APPLICATIONS, REQUESTS, SUBMITTALS, DELEGATIONS OF AUTHORITY, NOTICES OF ACQUISITION OF CONTROL, AND RULES OF PRACTICE AND PROCEDURES

Legal Authority: 5 USC 504; 12 USC 1815; 12 USC 1816; 12 USC 1817(j); 12 USC 1818; 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1829; 12 USC 1972; 15 USC 78w; 15 USC 1607

CFR Citation: 12 CFR 303; 12 CFR 308

Abstract: The FDIC has amended its regulations concerning the procedures for reconsideration of section 19 denials (applications for permission for an individual who has been convicted of a crime involving dishonesty or a breach of trust to serve as a director, officer, or employee of an insured bank) and the procedures for: remote service facility applications ("RSFs"), requests for reconsideration of other denied applications, petitions, or requests, and public comment on merger applications. The amendments will (1) permit establishment of additional RSFs and relocation of existing RSFs after notice to the appropriate FDIC regional director provided that the regional director does not object to the proposal, (2) expand the Director of the Division of Bank Supervision's and regional directors' authority to act on additional

RSF applications and RSF relocation applications, (3) specify the content of petitions for reconsideration, (4) specify who within the FDIC will reconsider denied applications, petitions, or requests, (5) shorten the time period over which comments on merger applications may be filed from 45 days to 30 days, (cont)

Timetable:

Action	Date		FR	Cite
NPRM	08/23/84	49	FR	33452
NPRM Comment Period Begin	08/23/84	49	FR	33452
NPRM Comment Period End	09/24/84			
Final Action	11/09/84	49	FR	44746
Final Action Effective	11/09/84	49	FR	44746

Small Entity: No

Additional Information: ABSTRACT CONT: (6) clarify procedures for section 19 reconsiderations, and (7) shorten the maximum waiting time for a hearing on a section 19 denial from 60 days to 30 days.

Agency Contact: Charles R. Denesia, Chief, Applications Section, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4345

RIN: 3064-AA48

17. REPORTING REQUIREMENTS ON DEPOSITS PLACED BY DEPOSIT BROKERS AND DEPOSITORY INSTITUTIONS

Priority: Agency Determination

Legal Authority: 12 USC 1817; 12 USC 1818; 12 USC 1819; 12 USC 1820

CFR Citation: 12 CFR 304

Abstract: The Federal Deposit Insurance Corporation ("FDIC") has adopted a final regulation requiring each FDIC-insured bank with combined fully insured brokered deposits and fully insured deposits placed directly by depository institutions in excess of either the bank's total capital and reserves or five percent of the bank's total deposits to report holdings of such deposits to the FDIC for every month in which such excess exists. The purpose of this regulation is to provide the FDIC with more frequent information on each FDIC-insured bank's involvement with insured brokered deposits and insured deposits of depository institutions. With this monthly information the FDIC

hopes to mitigate somewhat the harms caused by such deposits by determining what banks are using brokered funds and to what use those funds are being put.

Timetable:

Action	Date	Sec.	FR	Cite
Interim Final Rule	07/05/84	49	FR	27487
Final Action	12/17/84	49	FR	48906
Final Action Effective	01/16/85			

Small Entity: No

Agency Contact: Robert F. Storch, Planning and Program Development Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4761

RIN: 3064-AA49

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

18. • EXTENSION OF CORPORATE POWERS

Legal Authority: 12 USC 1816; 12 USC

CFR Citation: 12 CFR 333

Abstract: The FDIC has amended an interpretive ruling (12 CFR 333.101(b)) that prevents an insured nonmember bank not exercising trust powers from offering self-directed Individual Retirement and Keogh Plan accounts without the prior written consent of the FDIC. As amended, the interpretive ruling would permit the offering of such accounts with certain limitations.

Timetable:

Date	FR Cite
01/31/85	50 FR 4522
01/31/85	50 FR 4522
03/04/85	
03/11/85	
03/18/85	50 FR 10753
	01/31/85 01/31/85 03/04/85 03/11/85

Small Entity: No

Agency Contact: William G. Hrindac, Examination Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4761

RIN: 3064-AA55

19. ● DELEGATING AUTHORITY TO ISSUE CAPITAL DIRECTIVES AND CIVIL MONEY PENALTIES AND TO TERMINATE DEPOSIT INSURANCE BY CONSENT, AND TECHNICAL CHANGES

Legal Authority: 5 USC 504; 12 USC 1815; 12 USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1972; 15 USC 78w; 15 USC 1607

CFR Citation: 12 CFR 303; 12 CFR 308

Abstract: The FDIC has amended its regulations to authorize its Board of Review to issue a directive to a nonmember banking institution that fails to maintain capital at or above the minimum capital requirement established by FDIC, and to issue civil money penalties for failing to comply with such a directive in violation of the International Lending Supervision Act of 1983; and to enter into certain written agreements; and delegates authority to FDIC's Executive Secretary to issue an order to terminate, by consent, the deposit insurance of a bank that has ceased to accept deposits other than trust funds. The amendment redesignates the legal officer with certain authority to take specified action in certain enforcement proceedings. Finally, the amendment corrects certain technical errors and omissions in FDIC's rules of practice and procedures and conforms those rules with the amendment to Part 303.

Timetable:

Action	Date		FR	Cite
Final Action	03/25/85	50	FR	11653
Final Action Effective	03/25/85	50	FR	11653

Small Entity: No

Agency Contact: James L. Meador, Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA57

20. FOREIGN BANKS; ESTABLISHING THE CAPITAL EQUIVALENCY ACCOUNT REQUIREMENT AT SIX PERCENT OF ADJUSTED LIABILITIES OF THE BRANCH

Legal Authority: 12 USC 1815; 12 USC 1817; 12 USC 1819; 12 USC 1820; 12 USC 3103; 12 USC 3104; 12 USC 3108

CFR Citation: 12 CFR 346

Abstract: The FDIC has adopted an amendment to the capital equivalency ledger account provision contained in section 346.20 of its regulation. The changes were made to correspond with the provisions of FDIC's recently adopted capital maintenance regulation, 12 CFR 325. Two changes were made: the minimum required sum to be maintained in the capital equivalency ledger account was raised to six percent, rather than five percent of the branch's liabilities and, in addition, no deduction will be required for assets classified as "Doubtful."

Timetable:

Action	Date	FR Cite
Final Action	03/19/85	50 FR 11142
Final Action Effective	04/18/85	

Small Entity: No

Agency Contact: Hugh W. Conway, Review Examiner, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4345

RIN: 3064-AA58 [FR Doc. 85-8400 Filed 04-26-85; 8:45 am] BILLING CODE 6714-01-T



Monday April 29, 1985

Part L

Federal Energy Regulatory Commission

Semiannual Regulatory Agenda

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: Federal Energy Regulatory Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: In response to Office of
Management and Budget Bulletin No. 856, the Federal Energy Regulatory
Commission voluntarily submits
information about rulemakings under
development. Of the 37 rulemakings
listed, 29 are priorities, one is not
priority, and seven are completed
actions.

pates: The dates provided represent goals, not commitments, and may be revised due to shifts in workload, changes in priorities, or extensive public comments. See various dates listed for each specific rulemaking.

ADDRESS: Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT:

Person listed for each specific rulemaking.

Kenneth F. Plumb,

Secretary.

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

REVISION TO FERC RULES OF PRACTICE, PART 3, DISCOVERY

Priority: Agency Determination

Legal Authority: 16 USC 791 to 828c Federal Power Act; 15 USC 717 to 717w Natural Gas Act; 15 USC 3301 to 3432 Natural Gas Policy Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009; 16 USC 2601 to 2645 PURPA

CFR Citation: 18 CFR 1.23; 18 CFR 1.26

Abstract: This will establish a uniform set of rules governing discovery in FERC trial-type hearings. Docket No. RM83-41-000.

Timetable:

Action	Date	FR Cite
NPRM	07/26/84	49 FR 30519
NPRM Comment Period Begin	07/26/84	
NPRM Comment Period End	10/01/84	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Marilyn Doria, Asst. Gen. Counsel Oil & Gas Litigation, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5756

RIN: 1902-AA13

REVISION OF FERC RULES OF PRACTICE, SEPARATION OF FUNCTIONS AND EX PARTE RULES FOR TRIAL-TYPE PROCEEDINGS

Legal Authority: 5 USC 557

CFR Citation: 18 CFR 385.2201; 18 CFR

Abstract: Rule would establish uniform ex parte and separation of functions rules for all trial-type proceedings.

Docket No. RM80-60-000.

Timetable:

		11		
Action	Date		FR	Cite
NPRM	05/29/80	45	FR	36094
Final Action	00/00/00			

Small Entity: No

Agency Contact: Ellen Schall, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5737

RIN: 1902-AA31

APPLICATION FOR AUTHORITY TO HOLD INTERLOCKING POSITIONS REQUIRING APPROVAL UNDER SECTION 305(B) OF THE FEDERAL POWER ACT

Priority: Agency Determination

Legal Authority: 16 USC 792 to 828c

CFR Citation: 18 CFR 45, (Revision)

Abstract: The proposed rule would amend the procedure for application for authority to hold interlocking positions that require Commission approval under section 305(b) of the Federal Power Act. It would provide for a less burdensome procedure for acquiring Commission approval to hold positions with companies within a single electric utility holding company system registered under the Public Utility Holding Company Act of 1935. Docket No. RM83-63.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	-
Constit Engla	m Ma	

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

Current and Projected Rulemakings

RIN: 1902-AA32

CALCULATION OF CASH WORKING CAPITAL ALLOWANCE FOR PUBLIC UTILITIES

Priority: Agency Determination

Legal Authority: 16 USC 79 to 828c

CFR Citation: 18 CFR 35

Abstract: Proposed rule would provide that a public utility that files electric rate schedules may include in rate base no cash working capital allowance, unless it is demonstrated that the payment of certain current operating expenses by that utility is not, on the average, closely timed with the receipt of revenues from ratepayers, producing a significant "lead" or "lag" in revenue collection in relation to the payment of expenses. The new section would prescribe the expense elements includable in cash working capital, the parameters of the presumption against a cash working capital allowance, and the nature of the studies that may be submitted in support of, or in opposition to, any request for a cash working capital allowance. Docket No. RM84-9.

Timetable:

Action	Date		FR	Cite
NPRM	04/05/84	49	FR	14384
NPRM Comment Period Begin	04/11/84			
NPRM Comment Period End	07/05/84			
Final Action	07/00/85			

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

RIN: 1902-AA33

APPLICATION FOR LICENSE, PERMIT AND EXEMPTION FROM LICENSING FOR WATER POWER PROJECTS

Priority: Agency Determination

Legal Authority: 16 USC 791(a) to 828(c)

CFR Citation: 18 CFR 4, (Revision)

Abstract: The proposed rule would amend regulations governing applications for license, preliminary permit and exemption from licensing for hydroelectric projects. Docket No. RM83-56.

Timetable:

Action	Date	FR Cite
NPRM	03/05/84	49 FR 8009
NPRM Comment Period Begin	03/05/84	
NPRM Comment Period End	05/14/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Kristina Nygaard, AGC - Hydroelectric Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8448

RIN: 1902-AA34

TEMPORARY EMERGENCY TRANSPORTATION, SALES AND DELIVERY OF NATURAL GAS

Priority: Agency Determination

Legal Authority: Natural Gas Act, Sec 7(c)

CFR Citation: 18 CFR 2; 18 CFR 157; 18 CFR 284

Abstract: The rule would update the Commission's regulations regarding emergency transportation, sales, and delivery of natural gas, and would eliminate unnecessary reporting requirements. Docket No. RM83-31.

Timetable

Date		FR	Cite
08/15/84	AQ	ED	95195
	43		33133
03/13/04			
11/15/84			
	08/15/84 09/15/84	08/15/84 49 09/15/84	08/15/84 49 FR 09/15/84

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: No

Agency Contact: Robert Christin, Asst. Gen. Counsel - Pipeline Certificates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8433

RIN: 1902-AA35

GENERIC DETERMINATION OF RATE OF RETURN ON COMMON EQUITY FOR PUBLIC UTILITIES

Priority: Agency Determination

Legal Authority: 16 USC 782- to 828c Federal Power Act; 42 USC 7101 to 7352 Dept. of Energy Organization Act

CFR Citation: 18 CFR 37

Abstract: The purpose of this proceeding is to determine an estimate of the average cost of common equity for the jurisdictional operations of public utilities for the year ending June 30, 1984 and a quarterly indexing procedure to establish benchmark rates of return on common equity for use in individual rate cases. Docket No. RM84-15-000.

Timetable:

Action	Date		FR	Cite
NPRM	07/18/84	49	FR	29967
NPRM Comment Period Begin	07/18/84	49	FR	29967
NPRM Comment Period End	10/26/84			
Final Action	05/00/85	40		

Small Entity: No

Agency Contact: Lynn Hargis, Asst. Gen. Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 262 357-8488

RIN: 1902-AA39

FEES APPLICABLE TO NATURAL GAS PIPELINE CERTIFICATES

Priority: Agency Determination

Legal Authority: 42 USC 7101 to 7352 Department of Energy Organization Act; 31 USC 483a Independent Offices Appropriations Act

CFR Citation: 18 CFR 2; 18 CFR 152; 18 CFR 154; 18 CFR 156; 18 CFR 157; 18 CFR 281; 18 CFR 284; 18 CFR 381

Abstract: The rule will establish a schedule of fees a pipeline must pay for

Commission services relating to certificates of necessity and convenience under the Natural Gas Act. Docket No. RM82-31-000.

Timetable:

Action	Date	FR Cite
NPRM	09/10/82	47 FR 40634
NPRM Comment Period Begin	09/10/82	
NPRM Comment Period End	11/09/82	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Robert Christin, AGC
- Pipeline Certificates, Federal Energy
Regulatory Commission, 825 North
Capitol Street, NE, Washington, DC
20426, 202 357-8433

RIN: 1902-AA40

RETIREMENT UNITS OF NUCLEAR REACTOR PLANT EQUIPMENT

Priority: Agency Determination

Legal Authority: 16 USC 825 to 825h Federal Power Act; 42 USC 7101 DOE Organization Act

CFR Citation: 18 CFR 35

Abstract: Proposed rule would establish list of retirement units for nuclear reactor plants for purposes of the Commission's Uniform Systems of Accounts. Docket No. RM83-39-000.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	White the

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

RIN: 1902-AA43

REFUND OBLIGATIONS OF SELLERS AND PURCHASERS OF FIRST-SALE NATURAL GAS UNDER NGPA

Priority: Agency Determination

Legal Authority: 15 USC 717 to 717w; 15 USC 3331 to 3432

CFR Citation: 18 CFR 154; 18 CFR 270; 18 CFR 273

Abstract: Proposed rule and statement of policy pertain to the obligations and duties of sellers and purchasers to make diligent and prudent efforts to ensure the pass-through to gas

consumers of amounts paid in excess of maximum lawful prices established pursuant to the Natural Gas Policy Act of 1978. Docket No. RM83-53-000.

Timetable:

Action	Date	FR Cite
NPRM	08/15/84	49 FR 34233
NPRM Comment Period Begin	08/27/84	The last of the la
NPRM Comment Period End	10/27/84	The second
Final Action	06/00/85	

Small Entity: No

Agency Contact: Maynard Ugol, AGC -Producer Regulations, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8571

RIN: 1902-AA44

@ REVISIONS OF FERC FORM NO. 80

Priority: Agency Determination

Legal Authority: 16 USC 791 to 828c Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 141.14

Abstract: Instant final rule would suspend the requirement that licensees file FERC Form No. 80, Licensed Hydropower Development Recreation Report. Docket No. RM85-14-000

Timetable:

Action	Date	FR Cite
Final Action	05/00/85	ALTHUR ALL

Small Entity: No

Agency Contact: Kristina Nygaard, Asst. General Counsel - Hydroelectric Lic., Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8448

RIN: 1902-AA45

ACCOUNTING FOR SPENT NUCLEAR FUEL DISPOSED OF BY THE DEPARTMENT OF ENERGY

Priority: Agency Determination

Legal Authority: 16 USC 791 to 828c Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 35; 18 CFR 101; 18 CFR 141

Abstract: Rulemaking will provide accounting to track permanent disposal of spent nuclear fuel charges by the Department of Energy. Docket No. RM85-8-000

Timetable:	
Action	Date

NPRM 09/00/85

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

RIN: 1902-AA46

• REVISIONS TO FPC FORM NO. 8 AND FERC FORM NO. 16

Priority: Agency Determination

Legal Authority: 15 USC 717 to 717w Natural Gas Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 260.12; 18 CFR 260.11

Abstract: Rulemaking would reduce the reporting frequency of FPC Form No. 8, Underground Gas Storage Report, and streamline FERC Form No. 16, Report of Gas Supply and Requirements. The Rule would also address OMB concerns pertaining to the gas supply data collected by FERC. Docket No. RM85-13-000

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	N. William
Final Action	10/00/85	

Small Entity: No

Agency Contact: Robert Christin, Asst General Counsel - Pipeline Certificates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8432

RIN: 1902-AA47

• FEES FOR HYDROPOWER PROJECTS

Priority: Agency Determination

Legal Authority: 31 USC 9701 Independent Offices Appropriations Act; 16 USC 803 Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 381

Abstract: The rulemaking would establish a fee for services performed by the Commission under the FPA for hydropower projects. The rule would cover permits, licenses and exemptions. Docket No. RM83-33-000

Timetable:

FR Cite

Interacto.			
Action	Date	FR	Cite
NIDDM	12/00/05	BULL	TUE -

Small Entity: No

Agency Contact: Kristina Nygaard, Asst. General Counsel - Hydroelectric Lic., Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8448

RIN: 1902-AA48

• FEES FOR OIL PIPELINES

Priority: Agency Determination

Legal Authority: 31 USC 9701 Independent Offices Appropriations Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 346

Abstract: The rulemaking would establish a fee structure for services performed by the Commission under the Interstate Commerce Act for oil pipeline rates. Docket No. RM83-35-000

Timetable:

1 IIII O CHEMICA		
Action	Date	FR Cite
NPRM	12/00/85	
Small Entity	/: No	

Agency Contact: Colette Bohatch, Assl. General Counsel - Pipeline Rates, Federal Energy Regulatory Commission.

825 North Capitol Street, NE, Washington, DC 20426, 202 357-8522

RIN: 1902-AA49

REVISIONS TO PGA REGULATIONS

Priority: Agency Determination

Legal Authority: 15 USC 717c Natural Gas Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 157

Abstract: In view of the deregulation on January 1, 1985, the rulemaking addresses whether the Commission's PGA regulations should be revised to accommodate unexpected fluctuations in pipelines' purchased gas costs, and whether the PGA regulations should be revised to update them, standardize procedures, or codify Commission policy. Docket No. RM84-12-000

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Colette Bohatch, Asst. General Counsel - Pipeline Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8522

RIN: 1902-AA50

NUCLEAR FUEL ACCOUNTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 825; 16 USC 825(c)(1); 16 USC 825(h) Federal Power Act; 42 USC 7101 Department of Energy Organization Act; EO 12009

CFR Citation: 18 CFR 101

Abstract: This rule would revise and add accounts to treat nuclear fuel stock when a plant is deferred or cancelled. The rule will codify existing practice. Docket No. RM83-28-000

Timetable:

Action	Date	FR	Cite
NPRM	06/00/85	DIO F	7

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

RIN: 1902-AA52

REVISED PROCEDURES FOR WELL CATEGORY DETERMINATIONS UNDER THE NGPA

Priority: Agency Determination

Legal Authority: 15 USC 3301 to 3432

CFR Citation: 18 CFR 271.804; 18 CFR 274.206

Abstract: Rulemaking would revise Commission regulations under the Natural Gas Policy Act to reduce the number of filings by 8000 in the first year, relieving burdens on industry, jurisdictional agencies and the Commission. Docket No. RM85-7-000

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	
Small Entity	r: Undetermined	12/ 0000

Agency Contact: Maynard Ugol, Asst. General Counsel - Producer Regulations, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8571

RIN: 1902-AA53

REVISIONS TO FERC FORM NO. 1

Priority: Agency Determination

Legal Authority: 16 USC 791 to 828c Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 141

Abstract: Rulemaking would revise FERC Form No. 1, Annual Report for Electric Utilities, to remove unnecessary schedules and to eliminate regulations pertaining to the now defunct FPC Form No. 12. Docket No. RM85-12-000

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	Miles Stell

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

RIN: 1902-AA54

PAYMENTS FOR BENEFITS FROM HEADWATER IMPROVEMENTS

Priority: Agency Determination

Legal Authority: 16 USC 803 Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 11.25; 18 CFR 11.26; 18 CFR 11.27; 18 CFR 11.30

Abstract: This rulemaking addresses the issues of whether to adopt a generic formula to govern the assessment of headwater benefits charges according to a formula first announced in the Roanoke decision, and whether to specify certain procedural steps in the determination of headwater benefits charge that would make these procedures more consistent with the Commission's rules of practice and procedure. Docket No. RM83-57-000

Timetable:

Action	Date	Hes	FR	Cite
NPRM	12/29/83	49	FR	1067
NPRM Comment Period Begin	12/29/83			

Action	Date	FR Cite
NPRM Comment Period End	03/09/84	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Kristina Nygaard, Asst. General Counsel - Hydroelectric Lic., Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8448

RIN: 1902-AA55

PROCEDURES FOR COMPLIANCE WITH THE FEDERAL WATER POLLUTION ACT IN HYDROELECTRIC LICENSING

Priority: Agency Determination

Legal Authority: 16 USC 791 to 828c Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009; 33 USC 1251 to 1376 Federal Water Pollution Control Act

CFR Citation: 18 CFR 4

Abstract: Rulemaking would clarify the Commission requirements and applicants' responsibilities in satisfying section 401 certification requirements under the Federal Water Pollution Control Act. Docket No. RM85-6-000

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	THE PERSON

Small Entity: No

Agency Contact: Kristina Nygaard, Asst. General Counsel - Hydroelectric Lic., Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8448

RIN: 1902-AA56

REVISION OF FERC FORM NO. 73, OIL PIPELINE RATES FOR DEPRECIATION ANALYSIS

Priority: Agency Determination

Legal Authority: 49 USC 1 to 27 (1976) Interstate Commerce Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 352

Abstract: Rulemaking will revise and update FERC Form No. 73, which collects service line data from oil pipelines for use in depreciation analysis. Docket No. RM85-11-000

Current and Projected Rulemakings

Timetable:

Action Date FR Cite

NPRM 09/00/85

Small Entity: No

Agency Contact: Colette Bohatch, Asst. General Counsel - Pipeline Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8522

RIN: 1902-AA57

FORM NO. 2 - CLASSIFICATION OF LNG PROJECTS

Priority: Agency Determination

Legal Authority: 15 USC 717 to 717w Natural Gas Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 201; 18 CFR 260.1

Abstract: Rulemaking would require LNG companies that have suspended operations to continue filing Form No. 2. Docket No. RM85-9-000

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	OF WHITE

Small Entity: No

Agency Contact: Robert Christin, Asst General Counsel - Pipeline Certificates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8432

RIN: 1902-AA58

EXEMPTION FROM THE LICENSING REQUIREMENTS OF PART I OF THE FEDERAL POWER ACT OF CERTAIN CATEGORIES OF SMALL HYDROELECTRIC POWER PROJECTS WITH AN INSTALLED CAPACITY OF 5 MW OR LESS

Priority: Agency Determination

Legal Authority: 16 USC 823a Federal Power Act; 16 USC 2708 PURPA; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 4.109; 18 CFR 4.110; 18 CFR 4.111; 18 CFR 4.112

Abstract: The Commission has requested a remand from the U.S. Court of Appeals for the D.C. Circuit of its categorical exemptions rule for small hydroelectric power projects in order to determine whether or not to repeal the categorical exemption regulations.

Docket No. RM81-7-000

Timetable:		
Action	Date	FR Cite
NPRM	05/00/85	Segula Julia

Small Entity: Undetermined

Agency Contact: Kristina Nygaard, Asst. General Counsel - Hydroelectric Lic., Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8448

RIN: 1902-AA59

HIGH COST GAS PRODUCED FROM TIGHT FORMATIONS

Priority: Agency Determination

Legal Authority: 15 USC 3012; 15 USC 3013; 15 USC 3017 Natural Gas Policy Act

CFR Citation: 18 CFR 271.703

Abstract: A petition filed by the Citizens Labor Energy Coalition raised the issue of whether tight formation gas pricing circumvents NGPA ceilings by (1) permitting price exceeding market clearing price level for natural gas; (2) diverting exploration and production away from lower section 102 and 103 gas; and (3) perverse incentives not being examined. Docket No. RM82-33-000

Timetable:

Action	Date	FR	Cite	KE
NDDM	00/00/85		132	

Small Entity: Undetermined

Agency Contact: Maynard Ugol, Asst General Counsel - Producer Regulations, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8571

RIN: 1902-AA60

TREATMENT OF INVESTMENT TAX CREDITS BY NATURAL GAS PIPELINE COMPANIES

Priority: Agency Determination

Legal Authority: 15 USC 717c-d Natural Gas Act

CFR Citation: 18 CFR 2.67a

Abstract: The rule proposes a substitute Investment Tax Credit rule for natural gas pipelines that would eliminate much, if not all, of the favorable tax treatment accorded pipelines. Docket No. RM 83-8-000

Timetable:

Action	Date	FR Cite
Cleat Action	44/00/05	THE PROPERTY

Small Entity: No

Agency Contact: Colette Bohatch, Asst. General Counsel - Pipeline Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8522

RIN: 1902-AA61

FEES APPLICABLE TO ELECTRIC UTILITIES, COGENERATORS AND SMALL POWER PRODUCERS

Priority: Agency Determination

Legal Authority: 31 USC 9701 Independent Offices Appropriation Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 32; 18 CFR 381; 18 CFR 375

Abstract: The rules would establish a fee structure for services performed by the Commission under PURPA. Docket No. RM82-38-000

Timetable:

Action	Date	FR Cite
Motion		

Final Action 07/00/85
Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

RIN: 1902-AA62

ACCOUNTING TREATMENT FOR LINE PACK GAS

Priority: Agency Determination

Legal Authority: 15 USC 717 to 717w Natural Gas Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 201

Abstract: Rulemaking would provide accounting for line pack gas that is treated as inventory. Docket No. RM85-10-000

Timetable:

Action	Date	FR Cite	
NPRM	08/00/85		

Small Entity: No

Current and Projected Rulemakings

Agency Contact: Robert Christin, Asst. Gen. Counsel - Pipeline Certificates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8432

RIN: 1902-AA63

ACCOUNTING AND RATEMAKING TREATMENT FOR NUCLEAR PLANT DECOMMISSIONING COSTS

Priority: Agency Determination

Legal Authority: 16 USC 791 to 828c Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 35; 18 CFR 101; 18 CFR 141

Abstract: Rulemaking would establish appropriate accounting and ratemaking treatment for nuclear plant decommissioning costs that public

utilities are beginning to incur. Docket No. RM85-5-000

Timetable:

 Action
 Date
 FR Cite

 NPRM
 10/00/85

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission. 825 North Capitol Street, NE, Washington, DC 20246, 202 357-8488

RIN: 1902-AA64

MARGINAL COST PRICING FOR WHOLESALE ELECTRIC UTILITIES

Priority: Agency Determination

Legal Authority: 16 USC 2601 to 2645

UNITA

CFR Citation: 18 CFR 290; 18 CFR 35

Abstract: The investigation would concentrate on examining the justifications and rationales for standards established by the Public Utilities Regulatory Policies Act of 1978 (PURPA), as well as the feasibility of implementing the rate design standards established by PURPA in wholesale requirements electric rates. Docket No. RM85-4-000

Timetable:

Action Date FR Cite

Notice of Inquiry 10/00/85
Investigation

Small Entity: No

Agency Contact: Lynn Hargis, Asst. General Counsel - Electric Rates, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8488

RIN: 1902-AA65

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Completed Actions

COMPLETED RULEMAKINGS FEE RULEMAKING - GENERAL ACTIVITIES

Priority: Agency Determination

CFR Citation: 18 CFR 1; 18 CFR 3; 18 CFR 375; 18 CFR 381; 18 CFR 385; 18 CFR 389

Completed:

Reason Date FR Cite
Final Action 08/31/84

Small Entity: No

Agency Contact: Roland Frye 202 357-8511

RIN: 1902-AA08

ELIMINATION OF COMMODITY CHARGES FROM NATURAL GAS PIPELINE MINIMUM BILL PROVISIONS

Priority: Agency Determination CFR Citation: 18 CFR 154

Completed:

 Reason
 Date
 FR Cite

 Final Action
 05/23/84
 49 FR 31259

Small Entity: No

Agency Contact: Jack O. Kendall 202 357-8033

RIN: 1902-AA21

FIRST SALES OF PIPELINE PRODUCTION UNDER THE NGPA

Priority: Agency Determination CFR Citation: 18 CFR 270.203

Completed:

 Reason
 Date
 FR Cite

 Final Action
 08/21/84
 49 FR 4215

Small Entity: No

Agency Contact: Richard Mattingly 202 357-8511

RIN: 1902-AA22

REFUNDS RESULTING FROM BTU MEASUREMENT ADJUSTMENTS

Priority: Agency Determination

CFR Citation: 18 CFR 154.38; 18 CFR 154.102

Completed:

Reason Date FR Cite
Final Action 09/20/84 49 FR 37735

Small Entity: No

Agency Contact: Victor Blakeway 202

357-8511

RIN: 1902-AA38

METHODOLOGY FOR SALES OF ELECTRIC POWER TO BONNEVILLE POWER ADMINISTRATION

Priority: Agency Determination

CFR Citation: 18 CFR 301

Completed:

Reason Date FR Cite
Final Action 10/01/84 49 FR 39293
Final Action 10/01/84
Effective

Small Entity: No

Agency Contact: Janice Macpherson 202 357-8033

RIN: 1902-AA41

NGPA PRICING CHANGES ON JANUARY 1, 1985

Priority: Agency Determination

CFR Citation: 18 CFR 271; 18 CFR 272; 18 CFR 273; 18 CFR 274

Completed:

Reason Date FR Cite
Final Action 11/15/84

Small Entity: No

Agency Contact: Kenneth Malloy 202 357-8033

RIN: 1902-AA42

Completed Actions

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

COLLECTION OF SECTION 110
 ALLOWANCES AFTER JANUARY 1,
 1985

Priority: Agency Determination

Legal Authority: 16 USC 3301 to 3342 Natural Gas Policy Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 271

Abstract: This rule clarified that updated data is to be used in computing the cost of service components for certain production related costs. Docket No. RM85-22-000

Timetable:

Action	Date	FR Cite
Final Action Final Action Effective	12/19/84 01/01/85	49 FR 49623

Small Entity: No

Agency Contact: Peter Rodakis, Attorney, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8307

RIN: 1902-AA51 [FR Doc. 85-6490 Filed 04-28-85; 8:45 am] BILLING CODE 8717-01-T



Monday April 29, 1985

Part LI

Federal Home Loan Bank Board

Semiannual Regulatory Agenda



FHLBB

FEDERAL HOME LOAN BANK BOARD

12 CFR Ch. V

[No. 85-178]

Agenda of Federal Regulations

AGENCY: Federal Home Loan Bank Board. ACTION: Publication of agenda items.

SUMMARY: The Federal Home Loan Bank Board is hereby publishing items for the April Regulatory Agenda.

ADDRESS: Information Services Division, Office of the Secretariat, Federal Home Loan Bank Board, 1700 G Street, N.W., Washington, D.C. 20552.

FOR FURTHER INFORMATION CONTACT: See persons listed below for specific

DATED: March 13, 1985.

Federal Home Loan Bank Board.

John F. Ghizzoni,

agenda items.

Assistant Secretary.

FEDERAL HOME LOAN BANK BOARD (FHLBB)

MONITORING FAIR LENDING PRACTICES

Legal Authority: 12 USC 2901; 15 USC 1691; 42 USC 3601 to 3619; 42 USC 1981; EO 11063; 14 USC 1437; 12 USC 1725; 12 USC 1726; 12 USC 1730; 12 USC 1464; Reorg. Plan No. 3 of 1947

CFR Citation: 12 CFR 528.6

Abstract: The Board is proposing to amend its Loan Application Register and Data Submission Report currently required to be maintained by all institutions that are members of the Federal Home Loan Bank System, for the purposes of monitoring fair lending practices. The proposed amendments would provide for efficient monitoring pursuant to Title VIII of the Civil Rights Act of 1968, the Equal Credit Opportunity Act, and the Community Reinvestment Act, while reducing paperwork of regulated institutions.

Timetable:

Action	Date	FR Cite
The second secon	The Property of the last of th	- Contract C

Public Comment 06/08/82 Period End date

Next Action Undetermined

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: The proposal would benefit small associations by reducing paperwork and eliminating certain reporting requirements for those receiving a small number of loan applications.

Agency Contact: Peggy W. Spohn, Deputy Director, Federal Home Loan Bank Board, Office of Examinations and Supervision, 1700 G Street, NW, Washington, DC 20552, 202 377-6947

RIN: 3068-AA01

SECURITIES OFFERINGS

Legal Authority: 12 USC 1725; 12 USC 1726: 12 USC 1730: 12 USC 1464

CFR Citation: 12 CFR 563.7-4; 12 CFR 563.8; 12 CFR 563.8-1; 12 CFR 563.8-4; 12 CFR 563c.1; 12 CFR 563g, (Proposed new Part)

Abstract: The proposal is intended to establish uniform rules for securities offerings applicable to all institutions whose accounts are insured by, or who are applying for insurance from, the Federal Savings and Loan Insurance Corporation, and to relieve current restrictions on securities activities by such institutions at their offices. The current lack of uniform rules puts institutions in danger of inadvertently violating the disclosure-oriented antifraud provisions of the Securities Act of 1933 and the Securities Exchange Act of 1934, and the use of inadequate or misleading disclosures by individual institutions could have a significant adverse impact on the capability of other thrift institutions to raise capital and could result generally in illiquid and disorderly markets for the securities of insured institutions.

The alternatives under consideration are: (1) do nothing (no adoption of rules); (2) adopt unique disclosure rules for thrifts; or (3) adopt SEC-like rules (as proposed-public market recognition and comparability).

Costs/benefits have not been quantified; general (cont)

Timetable:

I IIII CCCIDIO.		
Action	Date	FR Cite
NPRM	03/14/83	48 FR 10684
NPRM Comment Period Begin	03/14/83	
NPRM Comment Period End	05/09/83	

Small Entity: No

Next Action Undetermined

Additional Information: ABSTRACT CONT: weighing of the industry cost of

Current and Projected Rulemakings

CONT: weighing of the industry cost of producing disclosure documents (and disclosing possibly unfavorable elements) vs. the cost of antifraud litigation, inability to raise capital, and FSLIC liability for institutions materially weakened by such adverse actions.

Agency Contact: John P. Harootunian, Attorney, Div of Securities & Corporate Anal, Federal Home Loan Bank Board, OGC, 1700 G Street, NW, Washington, DC 20552, 202 377-6415

RIN: 3068-AA04

CONSUMER PROTECTIONS; UNFAIR AND DECEPTIVE TRADE PRACTICES

Legal Authority: 12 USC 1437; Reco. Plan No. 3 of 1947

CFR Citation: 12 CFR 535, (New)

Abstract: The Board is statutorily required, with certain exceptions, to promulgate rules for thrifts similar to the consumer protection rules issued by the Federal Trade Commission. The Commission has published a rule, effective March 1, 1985, which prohibits the use of four consumer contract provisions and finds two other contract provisions to be unfair and deceptive. The Board therefore proposed a similar rule. Alternatives to its adoption would be to do nothing, based on a finding that one or more of the practices are not unfair or deceptive to thrifts' customers, or to modify the proposed rule in connection with the practices of thrifts. The proposal would require thrifts to review their contract forms to eliminate use of certain provisions and might add to the cost of credit; the benefit to consumers would be the elimination of purportedly egregious credit practices.

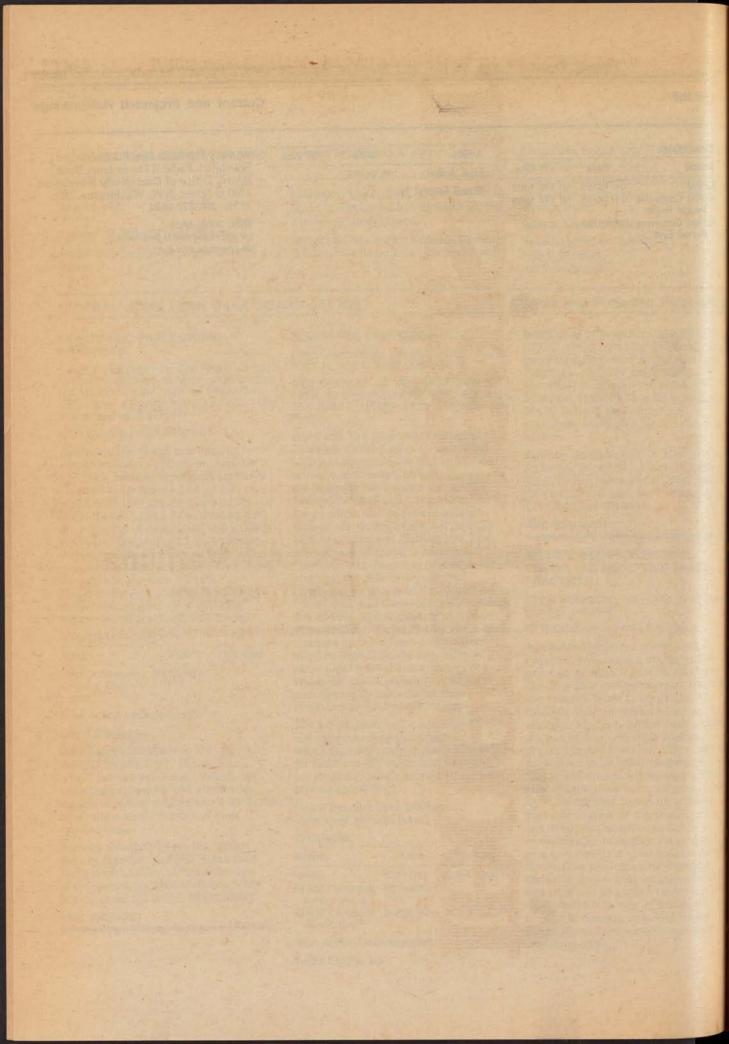
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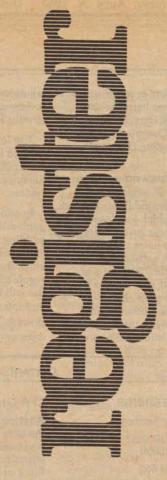
Current and Projected Rulemakings

Timetable:	AT SOLD IN	LINY.		O Samuel	Action	Date	FR Cite
Action	Date		FR	Cite	Final Action	05/01/85	
NPRM	01/14/85	50	FR	1863	Small Entity: No		
NPRM Comment Period Begin	01/14/85	50	FR	1863			
NPRM Comment Period End	03/15/85						

Agency Contact: Ben F. Dixon, Specialist, Federal Home Loan Bank Board, Office of Community Investment, 1700 G Street, NW, Washington, DC 20552, 202 377-6836

RIN: 3068-AA05 [FR Doc. 85-8880 Filed 04-26-85; 8:45 am] BILLING CODE 6720-01-T





Monday April 29, 1985

Part LII

Federal Maritime Commission

Semiannual Regulatory Agenda



FMC

FEDERAL MARITIME COMMISSION

46 CFR Ch. IV

Unified Regulatory Agenda

AGENCY: Federal Maritime Commission.

ACTION: Unified Agenda of Federal Regulations.

SUMMARY: Pursuant to section 5 of E.O. 12291 and the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) the Commission anticipates having under consideration during the period from April 1, 1985, to March 30, 1986, actions in the areas listed below.

FOR FURTHER INFORMATION CONTACT:

For further information concerning

Commission rulemaking proceedings or the status of any matter listed below, contact: John Robert Ewers, Director, Office of Regulatory Overview, 1100 L Street, N.W., Washington, D.C. 20573, [202] 523-5866.

supplementary information: Section 602 of the Regulatory Flexibility Act (5 U.S.C. 602) requires the publication of an agenda of items for which regulatory agencies may propose or promulgate a rule which is likely to have a significant economic impact on a substantial number of small entities. Section 5 of Executive Order 12291 also requires executive agencies to publish a regulatory agenda; the Commission voluntarily complies with this section. The agendas include information on

regulatory activities being conducted or reviewed during the succeeding 12 months by the Commission.

The following is the Commission's Unified Regulatory Agenda. The agenda does not necessarily include petitions for rulemakings which are under staff review.

In addition, the Commission is publishing a compilation of the status of pending rulemaking proceedings and a listing of rules that have become final since the publication of the most recent regulatory agenda (October 1984). This list will be made available to the press and interested groups.

Bruce A. Dombrowski,

Assistant Secretary.

FEDERAL MARITIME COMMISSION (FMC)

Current and Projected Rulemakings

PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES - CO-LOADING PRACTICES BY NVOCCS

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 820; 46 USC app 841(a); 46 USC app 843; 46 USC app 844; 46 USC app 845; 46 USC app 845a; 46 USC app 846; 46 USC app 1702; 46 USC app 1707; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 580

Abstract: Docket No. 84-20 - Non-Vessel-Operating Common carrier tariff regulations are being revised and updated, especially for co-loading practices.

Timetable:

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Action	Date		FR	Cite
NPRM	07/25/84	49	FR	29980
NPRM Comment Period Begin	07/25/84	49	FR	29980
NPRM Comment Period End	09/24/84		-	
Final Action	04/00/85			

Small Entity: No

Additional Information: Docket No. 84-

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5796

RIN: 3072-AA29

COSTS OF PROCEEDINGS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1716; 46 USC app 1717(a)(4)

CFR Citation: 46 CFR 502

Abstract: Section 18(a)(4) of the Shipping Act requires the Commission to collect and analyze data concerning the impact of the Act on the costs of major types of regulatory proceedings before the Commission. This action will provide the regulations needed to obtain this information.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	3-56-79
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 29573, 202 523-5866

RIN: 3072-AA45

RULES OF PRACTICE AND PROCEDURE - MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 553; 46 USC app 822; 46 USC app 841a; 46 USC app 1810 to 1811; 46 USC app 1816

CFR Citation: 46 CFR 502

Abstract: The Commission's Rules on Practice and Procedure are being reviewed to accommodate special situations such as requirements for filing appeals and requests for oral argument, petitions outside the scope of present Part 502 and special dockets, especially with regard to the date of shipment.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA46

CONFORM REPORTS OF DOMESTIC OPERATORS TO MARAD'S UNIFORM SYSTEM OF ACCOUNTS

Legal Authority: 5 USC 553; 46 USC app 841a; 46 USC app 843 to 848

CFR Citation: 46 CFR 552

Abstract: In order to better process filings of financial reports by domestic carriers under the Intercoastal Shipping Act, 1933 and to eliminate conflicting

requirements, this action will conform reports filed at the Commission with the format of those filed at the Maritime Administration.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	DECEMBER OF THE PARTY OF THE PA
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA47

O MARINE TERMINAL AGREEMENTS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 801; 46 USC app 814; 46 USC app 833a; 46 USC app 841a; 46 USC app 1701 to 1705; 46 USC app 1706; 46 USC app 1715 to 1716

CFR Citation: 46 CFR 516, (New); 46 CFR 558 to 560; 46 CFR 572

Abstract: The Shipping Act of 1984 created new procedures for agreements required to be filed with the Commission. This action institutes a new part 516 to accommodate terminal agreements which may involve both domestic and foreign commerce and establish exemptions for those types of terminal agreements which are not likely to have anti-competitive effects.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	THE USE OF THE
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: No

Additional Information: This action treats one of the issues in former Docket 83-38 Notice of Inquiry and Intent to Review Regulation of Ports and Marine Terminal Operators (RIN - 3072-AA30).

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA48

● ELECTRONIC FILING OF TARIFFS BY COMMON CARRIERS IN THE FOREIGN AND DOMESTIC OFFSHORE COMMERCE OF THE UNITED STATES

Legal Authority: 5 USC 553; 46 USC app 817; 46 USC app 841a; 46 USC app 1707; 46 USC app 1715

CFR Citation: 46 CFR 550.2; 46 CFR 550.3; 46 CFR 580.2; 46 CFR 580.3

Abstract: This action in Docket 84-35 provides that electronic tariff filing, now in operation, may be transmitted to commercial offices located outside of the Commission's offices under certain conditions.

Timetable:

Action	Date		FR	Cite
NPRM	10/18/84	49	FR	40940
NPRM Comment Period Begin	10/18/84			
NPRM Comment Period End	11/19/84			
Final Action	03/00/85			
Final Action Effective	04/00/85			

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA49

GUIDELINES FOR ACTION ON AGREEMENTS

Legal Authority: 5 USC 553; 46 USC app 1703 to 1706; 46 USC app 1709 to 1710; 46 USC app 1715 to 1717

Abstract: The Commission is considering the publication of guidelines to clarify the types of agreements and situations which would occasion commission action on agreements for the enlightenment of the shipping industry.

Timetable:

Action	Date	FR Cite
Publication of Guidelines	09/00/85	A LOUIS

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA51

MISCELLANEOUS MODIFICATIONS TO EXISTING AGREEMENTS -EXEMPTION

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1715 to 1716

CFR Citation: 46 CFR 572.307; 46 CFR 572.605

Abstract: The amendments to 46 CFR 572 exempt from the Information Form, notice and waiting period requirements, agreement modifications which provide for cancellations of agreements or reflect changes in conference membership, officials of agreements, and neutral body authority or procedures. Copies of such modifications must still be submitted to the Commission for information purposes (Docket 85-4).

Timetable:

Action	Date	FR Cite
NPRM	02/08/85	50 FR 5401
NPRM Comment Period Begin	02/08/85	
NPRM Comment Period End	03/11/85	
Final Action	05/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA56

FEDERAL MARITIME COMMISSION (FMC)

Existing Regulations Under Review

PUBLIC INFORMATION - FREEDOM OF INFORMATION ACT

Priority: Agency Determination

Legal Authority: 5 USC 552(b)(4); 46 USC

841(a)

CFR Citation: 46 CFR 503

Abstract: Amendments to current rules governing treatment of FOIA requests will provide for notification to filers of "business confidential" information to permit responses before a decision to release or not to release information requested under the Act.

Timetable:

 Action
 Date
 FR Cite

 End Review
 03/00/85

 NPRM
 03/00/85

Small Entity: No

Agency Contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L St., NW, Washington, DC 20573, 202 523-5725.

RIN: 3072-AA12

• INFORMATION REQUIRED FOR SECTION 18 STUDY

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1714; 46 USC app 1716; 46 USC app 1717(a)

CFR Citation: 46 CFR, (New)

Abstract: Section 18(a) of the Shipping Act of 1984 requires the Commission to collect information concerning the impact of the Act upon the international ocean shipping industry for a period of 5 years ending on March 20, 1989. To the extent such data are not available, this review will consider Commission rules or orders to develop such information from the regulated industry.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	74
End Review	07/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA50

• INDEPENDENT ACTION: REPORTING

Priority: Agency Determination

Legal Authority: 46 USC 553; 46 USC app 1704; 46 USC app 1709; 46 USC app 1716.

Abstract: Section 5(b)(8) of the Shipping Act of 1984 requires that conference members be allowed to take independent rate action under certain conditions. The Commission is considering a rule to require accurate and complete reporting with regard to this statutory right to ensure compliance.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	WHEN WALL DAY
End Review	05/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA53

NON-VESSEL OPERATING COMMON CARRIERS MISCELLANEOUS AMENDMENTS

Priority: Undetermined

Legal Authority: 5 USC 553; 46 USC app 801; 46 USC app 817; 46 USC app 841a; 46 USC app 1702; 46 USC app 1707; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 505; 46 CFR 550; 46 CFR 580; 46 CFR 582

Abstract: The Commission is considering problems peculiar to certain common carriers which do not operate vessels including tariff malpractices and lack of financial responsibility. This action could result in rules to correct these problems.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	04/00/85	

Small Entity: Undetermined

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA54

• INFORMATION FORM FOR AGREEMENTS: MISCELLANEOUS AMENDMENTS

Priority: Undetermined

Legal Authority: 5 USC 553; 46 USC app 1703 to 1705; 46 USC app 1716

CFR Citation: 46 CFR 572:405; 46 CFR 572, Appendix A

Abstract: The information form that must accompany certain types of agreements filed under 46 CFR Part 572 may need to be amended to ensure Commission jurisdiction and to show the affiliates of the filing parties...

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	WHITE IN
End Review	04/00/85	

Small Entity: No.

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA55

COORDINATE PROVISIONS IN TARIFFS, SERVICE CONTRACTS AND AGREEMENTS

Legal Authority: 5 USC 553; 46 USC app 1704 to 1705; 46 USC app 1707; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 572; 46 CFR 580

Abstract: Certain provisions of tariffs, service contracts and agreements cover the same matters. This action will consider whether or not such provisions can be better coordinated through, for example, standardization, cross-referencing, etc.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	19.72
End Review	09/00/85	

Small Entity: No.

Agency Contact: John Robert Ewers. Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA60

• AUTOMATED TARIFF FILING

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 817; 46 USC app 841a; 46 USC app 1708; 46 USC app 1708; 46 USC app 1715; 46 USC app 1716; 46 USC app 1717

CFR Citation: 46 CFR 515; 46 CFR 550; 46 CFR 580

Abstract: The Commission is considering the development of a fully automated system whereby tariff matters can be made available to the public and to the Commission through automatic data processing in order to reduce the paperwork and other burdens.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	
End Review	01/00/86	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA61

SERVICE CONTRACTS MISCELLANEOUS AMENDMENTS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1702; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714 to 1716; 46 USC app 1718

CFR Citation: 46 CFR 580.7

Abstract: Service Contract Rule at 46 CFR 580.7 is being reviewed to: clarify ambiguities and legal distinctions; provide for rational limitations to properly implement the Shipping Act of 1984 and to allow the maximum flexibility of use by carriers so as to promote wider use of service contracts in foreign commerce.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/85	
End Review	12/00/85	

Small Entity: Undetermined

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA62

O COMMON AND CONTRACT CARRIAGE - MISCELLANEOUS PROVISION

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 801; 46 USC app 841a; 46 USC app 1702; 46 USC app 1716

CFR Citation: 46 CFR 510; 46 CFR 515; 46 CFR 525; 46 CFR 550; 46 CFR 552; 46 CFR 553; 46 CFR 560; 46 CFR 572; 46 CFR 580

Abstract: This review will attempt to clarify the status of common carriers vis-a-vis contract carriers and provide reasonable regulations for operations by common carriers subject to the shipping statutes.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	CHIEF CO.
End Review	04/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA63

• INDEX OF DOCUMENTS FOR AGREEMENTS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1703 to 1706; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714; 46 USC app 1716; 46 USC app 1717

CFR Citation: 46 CFR 572.704

Abstract: Section 572.704 of Title 46
Code of Federal Regulations requires
agreement parties who are required to
file minutes to maintain an index of
certain reports, studies and documents
used for certain decisions, and to file
such an index quarterly with the
Commission. Some segments of the
industry have requested relaxation of
this requirement which the Commission
will consider after the receipt of the
first indices filed under the present rule.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	one remire
End Review	.09/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA64

EXEMPT COMMODITIES MISCELLANEOUS PROVISIONS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1702 to 1707; 46 USC app 1709; 46 USC app 1715; 46 USC app 1716

CFR Citation: 46 CFR 572; 46 CFR 580

Abstract: Section 8(a)(1) of The Shipping Act of 1984 exempts from tariff filing certain commodities such as bulk cargo, forest products, recycled metal scrap, waste paper and paper waste. This review will clarify the legal consequences of conferences which agree to fix rates on such commodities.

Timetable:

Action	Date	FR	Cite
Begin Review	01/25/85	Man.	ell to
End Review	04/00/85		

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA65

INDEPENDENT ACTION - ENSURE PROPER AND UNRESTRICTED AVAILABILITY

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1704(b)(8); 46 USC app 1707; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 572; 46 CFR 580

Abstract: Section 5(b)(8) of the Shipping Act of 1984 provides that a conference member may take independent rate action upon not more than ten days' notice. By this review, the Commission intends to ensure that the law is properly complied with and that no unreasonable restrictions inhibit the statutory right of independent action.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	ASSESSED FOR
End Review	04/00/85	

Existing Regulations Under Review

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA66

TERMINAL OPERATOR TARIFFS-EXCULPATORY PROVISIONS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 817; 46 USC app 841a; 46 USC app 1707; 46 USC app 1709(d)(1); 46 USC app 1716

CFR Citation: 46 CFR 515

Abstract: The Commission has had a number of formal adjudication proceedings involving the legality of certain tariff clauses which exculpate, indemnify or save harmless the terminal operator for negligence. This action would provide needed clarification and specific guidelines for such clauses.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	ASSET OF SELECTION
End Review	06/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA67

REGULATION OF AGREEMENTS OF DOMESTIC CARRIERS -MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 553; 46 USC app. 801 et seq

CFR Citation: 46 CFR 558 to 569

Abstract: The Shipping Act, 1916, after amendment by the Shipping Act of 1984, applies only to domestic operations. In order to properly implement the 1984 Act, the Commission made the essential, limiting changes to its domestic regulations of agreements within the deadline established by the 1984 Act. This review will now determine what further, substantive changes in the

domestic agreements rules are necessary.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	11/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA68

OCEAN FREIGHT FORWARDERS -MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 553; 46 USC app 1716; 46 USC app 1718

CFR Citation: 46 CFR 510

Abstract: Various amendments to 46 CFR Part 510 are being considered to clarify Ocean Freight Forwarder regulations and to better implement the Shipping Act of 1984.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	08/00/85	

Small Entity: Undetermined

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA69

USER FEES TO RECOVER AGENCY COSTS

Priority: Agency Determination

Legal Authority: 5 USC 552 to 553

CFR Citation: 46 CFR 503.43

Abstract: The Commission is reviewing existing fees for services in order to determine whether they are adequate to recover costs.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	A STATE OF THE PARTY OF
End Review	08/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA70

• DOMESTIC RATE CASES -PROCEDURAL AMENDMENTS

Legal Authority: 5 USC 553; 46 USC app 841a; 46 USC app 843-848

CFR Citation: 46 CFR 502.67

Abstract: This action would amend 46 CFR 502.67 to take into account proceedings commencing after the effective date of rates.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	07/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA71

ATTORNEYS FEES IN REPARATION PROCEEDINGS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 821; 46 USC app 841a; 46 USC app 1710(g)

CFR Citation: 46 CFR 502

Abstract: Section 11(g) of the Shipping Act of 1984 provides for reasonable attorneys' fees in Commission reparation proceedings. The action here would establish Commission policy with regard to eligibility, reasonableness and when to award.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	A STATE OF
End Review	05/00/85	

Small Entity: No

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA72

FEDERAL MARITIME COMMISSION (FMC)

Completed Actions

COMPLETED RULEMAKINGS NOTICE OF INQUIRY AND INTENT TO REVIEW REGULATION OF PORTS AND MARINE TERMINAL OPERATORS

Legal Authority: 46 USC 816; 46 USC 820; 46 USC 841(a); 46 USC app 1709; 46 USC app 1714; 46 USC app 1716

CFR Citation: 46 CFR 515

Abstract: Docket No. 83-38 - Marine Terminal Operator duties are classified and defined.

Timetable:

Action	Date		FR	Cite
ANPRM	09/14/83	48	FR	41199
Notice of Inquiry	09/14/83	48	FR	41199
Notice of Procedure	10/28/83	48	FR	49879
Notice of Oral Hearing	02/22/84	49	FR	6507
Notice of availability of Initial Report	10/02/84	49	FR	38987
Withdrawn Final Report available	01/25/85	50	FR	3368

Small Entity: Not Applicable

Additional Information: Docket No. 83-38.

Affected Sectors: 446 Services Incidental to Water Transportation

Agency Contact: Hubert E. Bradford, Chief, Office of Domestic Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5856

RIN: 3072-AA30

RULES OF PRACTICE AND
PROCEDURE; FINANCIAL REPORTS
OF COMMON CARRIERS BY WATER
IN THE DOMESTIC OFFSHORE
TRADES; PUBLISHING, FILING AND
POSTING OF TARIFFS IN DOMESTIC
OFFSHORE COMMERCE

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 820; 46 USC app 841(a); 46 USC app 843; 46 USC app 844; 46 USC app 845a; 46 USC app 847

CFR Citation: 46 CFR 502; 46 CFR 550; 46 CFR 552

Abstract: This proposal would remove certain financial reporting requirements affecting vessel operating common carriers serving the trades between the continental United States and Puerto Rico and the U.S. Virgin Islands and make other rule changes. The proposal is made in response to a petition filed by a major common carrier and is intended to alleviate the regulatory

burden on carriers in the Puerto Rican trades. Commission General Orders 11, 16 and 38 would be affected.

Docket No. 84-2

Timetable:

Action	Date	FR	Cite
NPRM	01/26/84	49 FR	3228
NPRM Comment Period Begin	01/26/84		
NPRM Comment Period End	04/25/84		
Order of Discontinuance	09/28/84	49 FR	38316

Small Entity: Not Applicable

Additional Information: Docket No. 84-2.

Affected Sectors: 442 Deep Sea Domestic Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5796

RIN: 3072-AA33

FILING OF AGREEMENTS BETWEEN COMMON CARRIERS OF FREIGHT BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES - CHARTER ARRANGEMENTS

Legal Authority: 46 USC app 1703 to 1706; 46 USC app 1716

CFR Citation: 46 CFR 560

Abstract: This interpretive ruling will define the types of charter arrangements that are subject to the Commission's approval requirements prior to any consideration of possible rulemaking to grant exemption under Commission General Order 24.

Timetable:

Action	Date	FR Cite
Begin Review	10/00/84	
End Review	12/00/84	
Withdrawn	02/01/85	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Edward F. Hawkins, Deputy Director, Bureau of Agreements, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5787

RIN: 3072-AA35

FREE TIME AND DEMURRAGE; FILING
OF TARIFFS BY TERMINAL
OPERATORS; PROTECTION OF THE
PUBLIC ON PASSENGER VESSELS;
FILING OF TARIFFS BY TERMINAL
BARGE OPERATORS; TRUCK
DETENTION AT NEW YORK

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 817d; 46 USC app 817e; 46 USC app 820; 46 USC app 841(a); 46 USC app 844; 46 USC app 1707; 46 USC app 1709; 46 USC app 1714; 46 USC app 1716

CFR Citation: 46 CFR 515; 46 CFR 520; 46 CFR 525; 46 CFR 530; 46 CFR 540

Abstract: The rules are designed to put into place all the Commission's basic regulations for passenger vessel operators and terminal operations. The rules contain no substantive changes to existing regulations but implement the Shipping Act of 1984.

Docket No. 84-18

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/03/84	49 FR 18846
Final Action Final Action Effective	09/14/84 10/15/84	49 FR 36303
Correction	10/25/84	49 FR 42924

Small Entity: Undetermined

Additional Information: Docket No. 84-18

Affected Sectors: 445 Local Water Transportation; 446 Services Incidental to Water Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5796

RIN: 3072-AA37

CERTIFICATION OF COMPANY
POLICIES AND EFFORTS TO COMBAT
REBATING IN THE FOREIGN
COMMERCE OF THE UNITED STATES

Priority: Agency Determination

Legal Authority: 46 USC app 1701; 46 USC app 1702; 46 USC app 1707; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 582

Abstract: The Commission is modifying its rules on the filing of certifications of company practices to combat rebating in the foreign commerce of the United States to bring them into conformity

with the Shipping Act of 1984. The modification expands the application of the annual certification requirement from vessel operating common carriers to all common carriers.

Docket No. 84-25

Timetable:

Action	Date		FR	Cite
Interim Final Rule	05/29/84	49	FR	22294
Final Action Final Action Effective	09/20/84 10/22/84	49	FR	36856

Small Entity: Undetermined

Additional Information: Docket No. 84-25

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5796

RIN: 3072-AA38

PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES

Priority: Agency Determination

Legal Authority: 46 USC app 1703 to 1705; 46 USC app 1707 to 1709; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 580

Abstract: These new rules modify and add to definitions contained in the existing tariff filing rules, amend rules governing the filing of intermodal tariffs, delete references to dual rate contracts, make provision for time/volume and related contracts and implement the statutory exemptions to bring them into conformity with the Shipping Act of 1984.

Docket No. 84-24

Timetable:

Action	Date	FR	Cite
Interim Final Flule	05/23/84	49 FR	21713
Enlargement of Time to Comment	06/11/84	49 FR	24023
Interim Rule - Amendment	06/14/84	49 FR	24703
Interim Rule - Correction	06/27/84	49 FR	26231
Final Action	11/15/84	49 FR	45364

Action	Date	FR Cite
Final Action Effective	12/15/84	H ST HELD
Correction	12/17/84	49 FR 48927

Small Entity: Undetermined

Additional Information: Docket No. 84-

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5796

RIN: 3072-AA39

FILING OF TARIFFS AND DUAL RATE CONTRACT SYSTEMS IN THE FOREIGN COMMERCE OF THE UNITED STATES

Priority: Agency Determination

Legal Authority: 46 USC app 1703 to 1705; 46 USC app 1707 to 1709; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 580.16

Abstract: This rule implements the new legislation as it applies to loyalty (dual rate) contracts by removing regulations contained in 46 CFR 538 governing the present use of such contracts and by amending the regulations contained in 46 CFR 580 governing the filing of tariffs by carriers and conferences of carriers.

Docket No. 84-23

Timetable:

Action	Date	-	FR	Cite
Interim Final Rule	05/17/84	49	FR	20817
Interim Rule - Response	06/14/84	49	FR	24696
Final Action	11/15/84	49	FR	45364
Final Action Effective	12/15/84			
Correction	12/17/84	49	FR	48927

Small Entity: Undetermined

Additional Information: Docket No. 84-23

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5796

RIN: 3072-AA40

PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES - SERVICE CONTRACTS AND TIME/VOLUME CONTRACTS

Priority: Agency Determination

Legal Authority: 46 USC app 1703 to 1705; 46 USC app 1707 to 1709; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 580.7

Abstract: This rule governs the form and use of service contracts authorized by the Shipping Act of 1984 and time/volume and revenue contracts between shippers or shipper's associations and between ocean common carriers or conferences. A service contract is an agreement between a shipper and a carrier or conference wherein the shipper makes a commitment to provide a certain minimum amount of cargo over a fixed time period and the carrier commits to a certain rate or rate schedule and defined service level.

Docket No. 84-21

Timetable:

Action	Date		FR	Cite
Interim Final Rule	05/03/84	49	FR	18849
Interim Rule - Amendment	06/14/84	49	FR	24701
Final Action	11/15/84	49	FR	45364
Final Action Effective	12/15/84			
Correction	12/17/84	49	FR	48927

Small Entity: Undetermined

Additional Information: Docket No. 84-

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5796

RIN: 3072-AA41

LICENSING OF OCEAN FREIGHT FORWARDERS

Priority: Agency Determination

Legal Authority: 46 USC app 1702; 46 USC app 1707; 46 USC app 1709; 46 USC app 1714; 46 USC app 1716; 46 USC app

CFR Citation: 46 CFR 510

Abstract: This rulemaking amends the Commission's regulations pertaining to the ocean freight forwarding industry to comply with the requirements of the Shipping Act of 1984. Other amendments have been made relating to, among others, forwarder-shipper affiliation notice requirements, invoicing, certification requirements, accounting to principals, anti-rebate policy declarations, and Federal Register notice requirements.

Docket No. 84-19

Timetable:

Action	Date		FR	Cite
Interim Final Rule	05/03/84	49	FR	18839
Final Action	09/14/84	49	FR	36296
Correction	10/01/84	49	FR	38544
Final Action Effective	10/15/84			

Small Entity: Undetermined

Additional Information: This rulemaking is docketed as Docket No. 84-19. It supersedes the rulemaking proceeding in Docket No. 83-35, which was discontinued on 04/24/84. It incorporated the changes to the forwarder regulations under consideration in Docket No. 83-35 and contains the required amendments to the forwarder regulations necessitated by passage of the Shipping Act of 1984 (46 USC app. 1701).

Affected Sectors: 446 Services Incidental to Water Transportation

Agency Contact: Jeremiah D. Hospital, Chief, Office of Freight Forwarders, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5843

RIN: 3072-AA42

APPLICATION OF THE SHIPPING ACT OF 1984 TO CERTAIN TRANSSHIPMENT AGREEMENTS -DOCKET NO. 84-37

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1715; 46 USC app 1716

CFR Citation: 46 CFR 572.104(ff)

Abstract: This proposed rule with request for public comment would clarify the status of certain transshipment agreements where one party operates in the foreign commerce of the United States, and therefore is subject to the Shipping Act of 1984, and another party that operates in the

United States domestic offshore trades and is still subject to the Shipping Act, 1916. The proposed rule would consider the domestic segment of such arrangements involving a through movement of cargo via transshipment in the foreign commerce of the United States to also be in the foreign commerce of the United States and therefore subject to the Shipping Act of 1984.

Timetable:

Action	Date	FR Cite
ANPRM	12/14/84	49 FR 48764
ANPRM Comment Period Begin	12/24/84	
ANPRM Comment Period End	01/28/85	
Final Action	02/19/85	50 FR 6944
Final Action Effective	03/21/85	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation; 442 Deep Sea Domestic Transportation

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5787

RIN: 3072-AA43

RULES GOVERNING AGREEMENTS BY OCEAN COMMON CARRIERS AND OTHER PERSONS SUBJECT TO THE SHIPPING ACT OF 1984

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1701 to 1710; 46 USC app 1712; 46 USC app 1714 to 1717

CFR Citation: 46 CFR 572

Abstract: These interim and final rules implement those sections of the Shipping Act of 1984 that govern agreements by or among ocean common carriers and other persons subject to the Act in the foreign commerce of the United States. The final rules will indicate the extent to which the authority conferred by agreements involving concerted activity needs to be express and specific, as to leave no doubt as to the activities being specifically authorized, including any limitations or restrictions upon such activities. Included in the rules are provisions that 1) define an 'agreement", 2) set forth those types of

agreements that are within the scope of the Act, 3) require parties to an agreement to file a copy of the agreement and other information, 4) establish procedures for Commission review and exemption and 5) for the filing of minutes and other reports.

Docket No. 84-26

Timetable:

Action	Date		FR	Cite	
Interim Final Rule	05/29/84	49	FR	22296	
Interim Rule - Amendment	06/14/84	49	FR	24697	
Interim Rule - Modification	06/14/84	49	FR	24521	
Final Action	11/15/84	49	FR	45320	
Final Action Effective	12/15/84				
Correction	12/17/84	49	FR	48927	
Correction	02/19/85	50	FR	6943	

Small Entity: Undetermined

Additional Information: Docket No. 84-26

Affected Sectors: 441 Deep Sea Foreign Transportation; 446 Services Incidental to Water Transportation

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5787

RIN: 3072-AA44

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

• FINAL RULES IN SUBCHAPTER C -46 CFR PARTS 550-569

Legal Authority: 5 USC 553; 46 USC app 801; 46 USC app 814; 46 USC app 816 to 817; 46 USC app 841a; 46 USC app 843 to 848

CFR Citation: 46 CFR 550 to 569

Abstract: As a result of the Shipping Act of 1984, many of the Commission's previous regulations are limited to the domestic trade and placed in Subchapter C, Parts 550-569.

Timetable:

Action	Date	FR	Cite
Previous Final Rule	05/29/84	49 FR	22289
Final Action	10/01/84	49 FR	38836
Corrections	10/25/84	49 FR	42924
Final Action Effective	10/31/84		

Small Entity: No

FMC

Agency Contact: John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5866

RIN: 3072-AA52

ACTIONS TO ADDRESS
CONDITIONS UNDULY IMPAIRING
ACCESS OF U.S.-FLAG VESSELS TO
OCEAN TRADE BETWEEN FOREIGN
PORTS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1712(b)(5); 46 USC app 1714; 46 USC app 1716

CFR Citation: 46 CFR 587

Abstract: This final rule in Docket 84-22 implements section 13(b)(5) of the Shipping Act of 1984 by providing regulations on actions to address conditions unduly impairing access of U.S.-Flag vessels to Ocean trade between foreign ports.

Timetable:

	The second second second			
Action	Date		FR	Cite
Interim Rule (First Rule)	05/16/84	49	FR	20654
Correction to Interim Rule	05/24/84	49	FR	21931
Comments on Intermin Rule due	08/14/84			
Final Action - Final Revision of Part 587	11/15/84	49	FR	45397
Final Action Effective	12/15/84			

Small Entity: No

Agency Contact: Robert A. Ellsworth, Director, Office of Policy Planning, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5870

RIN: 3072-AA57

REGULATIONS TO ADJUST OR MEET CONDITIONS UNFAVORABLE TO SHIPPING IN THE FOREIGN TRADE OF THE UNITED STATES

Legal Authority: 5 USC 553; 46 USC app 876(1)(b); 46 USC app 1714; 46 USC app 1716; Reorg Plan No 7 of 1961 (75 Stat 840)

CFR Citation: 46 CFR 585

Abstract: This final rule makes technical and style changes to regulations to Adjust or Meet Conditions Unfavorable to Shipping in the Foreign trade of the United States and redesignates this former Part 506 as Part 585 of Title 46 CFR.

Timetable:

I IIII CLUBIC.		-		
Action	Date		FR	Cite
Final Rule - Part 585 First Revision	05/17/84	49	FR	20816
Final Action - Final Revision of Part 585	11/15/84	49	FR	45397
Final Action Effective	12/15/84			
Corrections	12/17/84	49	FR	48927
Con all Publisher by	and the same of the same of			

Small Entity: No

Agency Contact: Robert A. Ellsworth, Director, Office of Policy Planning, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5870

RIN: 3072-AA58

FINAL RULES IN SUBCHAPTER A; GENERAL AND ADMINISTRATIVE PROVISIONS

Priority: Agency Determination

Legal Authority: 5 USC 552 to 553; 5 USC 559; 18 USC 207 to 208; 42 USC 4332(2)(b); 42 USC 6362; 46 USC app 817; 46 USC app 820 to 821; 46 USC app 826; 46 USC app 831; 46 USC app 841a; 46 USC app 1705; 46 USC app 1707 to 1716; 46 USC app 1111; 46 USC app 1114(b); 5 CFR 535; ...

CFR Citation: 46 CFR 500; 46 CFR 501; 46 CFR 502; 46 CFR 503; 46 CFR 504; 46 CFR 505 Abstract: Subchapter A (General and Administrative Provisions) is being completely revised and updated to implement the Shipping Act of 1984, to make technical and style corrections, and to provide for more effective regulations. The parts revised are Part 500 - Standards of Conduct; 501 - Seal; 502 - Rules of Practice and Procedure; 503 - Public Information; 504 - Procedures for Environmental Policy Analysis; and 505 - Compromise, Assessment and Settlement of Civil Penalties.

Timetable:

Action	Date		FR	Cite
Final Rules Parts 500-505, First Revision	04/23/84	49	FR	16694
NPRM Part 505	05/03/84	49	FR	18874
NPRM Comment Period Begin	05/03/84			
Correction - Part 505 Comment Date	06/01/84	49	FR	22837
NPRM Comment Period End	06/18/84			
Final Action - Final Revision of Subchapter A	11/06/84	49	FR	44362
Correction	12/04/84	49	FR	47393
Final Action Effective	12/06/84			

Small Entity: No

Agency Contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA59 [FR Doc. 85-8401 Filed 04-28-85; 8:45 am] BILLING CODE 8730-01-T



Monday April 29, 1985

Part LIII

Federal Reserve System

Semiannual Regulatory Agenda



FEDERAL RESERVE SYSTEM

12 CFR Ch. II

Semiannual Regulatory Flexibility Agenda

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Semiannual agenda.

SUMMARY: The Board is issuing this Agenda under the Regulatory Flexibility Act and the Board's Statement of Policy Regarding Expanded Rulemaking Procedures. The Board anticipates having under consideration regulatory matters as indicated below during the period from April 1 through October 1, 1985. The next Semiannual Agenda will be published in October 1985.

DATE: Comments about the form or content of the Agenda may be submitted any time during the next six months.

ADDRESS: Comments should be addressed to William W. Wiles, Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

FOR FURTHER INFORMATION CONTACT: A staff contact for each item is indicated with the regulatory description below.

SUPPLEMENTARY INFORMATION: The Board is publishing its April 1985
Agenda as part of the April 1985 Unified Agenda of Federal Regulations, which is coordinated by the Office of Management and Budget under Executive Order 12291. Participation by the Board in the Unified Agenda is on a voluntary basis.

The Board's Agenda is divided into three sections. The first, Current and

Projected Rulemakings, reports on regulatory matters that have been proposed and are under Board consideration, and other regulatory matters (designated by a plus sign (+)) the Board may consider for public comment during the next six months. The second section, Existing Regulations Under Review, reports on any major regulatory reviews under the Board's Regulatory Improvement Project that are scheduled for the next 12 months. A third section, Completed Rulemaking, reports on regulatory matters the Board has completed or is not expected to consider further.

A dot () preceding an entry indicates a new matter that was not a part of the Board's previous Agenda, and which the Board has not completed.

Barbara R. Lowrey,

Associate Secretary of the Board.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Regulation: B - Equal Credit Opportunity (Docket Number: R-0473)	7100-AA28
2	+ Regulation: F - Securities of State Member Banks	7100-AA32
3	+ Regulation: G - Securities Credit by Persons other than Banks, Brokers, or Dealers (Docket Number: R-0529)	7100-AA54
4	+Regulation: J - Collection of Checks and Other Items and Wire Transfers of Funds	7100-AA55
5	Regulation: K - International Banking Operations (Docket Number: R-0498)	7100-AA35
6	Regulation: K - International Banking Operations (Docket Number: R-0520)	7100-AA44
7	Regulation: Q - Interest on Deposits (Docket Number: R-0514)	7100-AA36
8	+ Regulation: Q - Interest on Deposits	7100-AA56
9	Regulation: T - Credit by Brokers and Dealers (Docket Number: R-0538)	7100-AA53
10	+ Regulation: U - Credit by Banks For The Purpose of Purchasing or Carrying Margin Stocks (Docket Number: R- 0510)	7100-AA38
11	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0511)	7100-AA17
12	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0491)	7100-AA40
13	+ Regulation: Y - Bank Holding Companies and Change in Bank Control	7100-AA41
14	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0537)	7100-AA52
15	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0536)	7100-AA51
16	Regulations: Y - Bank Holding Companies and Change in Bank Control; Regulation: H - "State Bank Membership"; and Rules of Practice for Hearings (Docket Number: R-0526)	7100-AA45
17	+Regulation: Z - Truth in Lending	7100-AA50
18	Regulation: AA - Unfair or Deceptive Acts or Practices (Docket Number: R-0006)	7100-AA42
19	+Regulation: AA - Unfair or Deceptive Acts or Practices	7100-AA49
20	Regulation: Equal Employment Opportunity (Docket Number: R-0527)	
21	Proposals to Reduce Risk on Large Dollar Transfer Systems (Docket Number: R-0515)	7100-AA47

⁺Indicates regulatory matter the Board may consider for public comment.

Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
22	Regulatory Improvement Project	7100-AA14

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
23 24	Regulation: E - Electronic Fund Transfers (Docket Number: R-0502)	7100-AA34 7100-AA43
25 26	Regulation: Y - Bank Holding Companies and Change in Bank Control	7100-AA36 7100-AA37

FEDERAL RESERVE SYSTEM (FRS)

Current and Projected Rulemakings

1. REGULATION: B - EQUAL CREDIT OPPORTUNITY (DOCKET NUMBER: R-0473)

Legal Authority: 15 USC 1691b Equal Credit Opportunity Act

CFR Citation: 12 CFR 202

Abstract: In March 1985, the Board published for comment proposed revisions to Regulation B (cite not yet available). The proposal stems from the Board's commitment to review its regulations every five years. The review of Regulation B focussed on how the regulation could be clarified, and whether any burdens on creditors could be reduced without diminishing consumer protections.

The proposal contains some technical changes, including a streamlined procedure dealing with incomplete applications and a broader selection of sample forms for informing applicants of the reasons for a credit denial. The proposal also would change the data notation requirements applicable to residential mortgage transactions and revise the definition of "applicant" to give a guarantor (who already has certain protections under Regulation B) legal standing in the courts when there is an alleged violation of the regulation. The Board is also publishing for comment an official staff commentary that would replace existing staff and Board Interpretations.

The proposal would apply to all creditors equally. Small (cont)

Timetable:

Small Entity: No

Action	Date	FR Cite
ANPRM Propose specific revisions for comment	06/21/83 03/01/85	48 FR 28285

Additional Information: ABSTRACT CONT:creditors will incur some additional burden in complying with the expanded monitoring data requirements, but the shortening of the regulation and the clarification and streamlining of other rules such as treatment of incomplete applications, should reduce some burdens and the addition of a staff commentary and sample notice forms should make compliance easier for small creditors.

Agency Contact: Lucy Griffin or John Wood, Senior Attorneys, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-2412

RIN: 7100-AA28

2. + REGULATION: F - SECURITIES OF STATE MEMBER BANKS

Legal Authority: 15 USC 78(I) Securities Exchange Act of 1934

CFR Citation: 12 CFR 206

Abstract: The Board will consider issuing for comment a proposal to amend Regulation F to conform that regulation with a series of recent changes in the securities disclosure regulations of the Securities and Exchange Commission. Pursuant to section 12(i) of the Securities Exchange Act of 1934, the Board is required to periodically update its securities disclosure regulations to make them substantially identical to comparable regulations of the Securities and Exchange Commission or to publish reasons why they should not be so revised.

Adoption of the proposal is not expected to have a significant economic impact on a substantial number of small member banks, since only a few banks are subject to the Board's regulation and the revisions of the

disclosure requirements are not likely to be severe.

Timetable

Action	Date	FR Cite
Board will consider issuing for comment a proposal to amend Regulation F	10/00/85	ANTE DEN

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: J. Virgil Mattingly, Associate General Counsel, Legal Division, (202) 452-3430.

Agency Contact: Walter McEwen, Attorney, Federal Reserve System, Legal Division, 202 452-3321

RIN: 7100-AA32

3. ● + REGULATION: G - SECURITIES CREDIT BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS (DOCKET NUMBER: R-0529)

Legal Authority: 15 USC 78g Securities Exchange Act of 1934, as amended; 15 USC 78h Securities Exchange Act of 1934, as amended; 15 USC 78w Securities Exchange Act of 1934, as amended

CFR Citation: 12 CFR 207

Abstract: The Board will consider proposing for public comment an amendment to Regulation G that would provide an exemption for lenders subject to that regulation who make loans to qualified employee stock option plans (ESOPs). If adopted by the Board, the exemption would parallel one already provided to lenders subject to Regulation U (Credit by Bankers for the Purpose of Purchasing or Carrying Margin Stocks). Currently, Regulation G

lenders must comply with the margin requirements if they make loans to ESOPs and secure that loan by margin stock. It is not anticipated that the proposal would have a substantial impact on a significant number of small firms.

Timetable:

Action	Date	FR Cite
Board will consider issuing	04/00/85	
proposal for . public comment by		THE WATER

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert Lord, Attorney, Division of Banking Supervision and Regulation, (202) 452-2781.

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Div of Banking Supervision and Regulation, 202 452-2781

RIN: 7100-AA54

4. ● +REGULATION: J - COLLECTION OF CHECKS AND OTHER ITEMS AND WIRE TRANSFERS OF FUNDS

Legal Authority: 12 USC 342 Federal Reserve Act; 12 USC 248(o) Federal Reserve Act; 12 USC 360 Federal Reserve Act; 12 USC 248(i) Federal Reserve Act

CFR Citation: 12 CFR 210

Abstract: The Board will consider issuing for public comment proposed amendments to Regulation I intended to clarify certain issues that have arisen regarding Federal Reserve payments mechanism activities. The amendments would include (1) permitting the owner or other subsequent holder injured by a Reserve Bank's alleged failure to exercise ordinary care in handling a check to bring suit against the Reserve Bank; (2) establishing a two-year limitation for actions against a Reserve Bank for alleged mishandling of the collection checks or processing wire transfers and for actions against payor institutions for failure to follow the notification of nonpayment requirement; (3) permitting Reserve Banks to require any prior endorser to defend a suit even if the Reserve Bank has not been sued directly; (4) authorizing depository institutions to deposit with Reserve Banks for collection checks drawn on

institutions in foreign countries where Reserve Banks have made arrangements for their collection; (5) clarifying that Reserve Banks are not liable for consequential damages in handling wire transfers; (6) adding the northern Mariana Islands to the Twelfth District for (cont)

Timetable:

Action	Date	FR Cite
Board will consider	04/00/85	
issuing for comment a		
proposal to amend		
Regulation J by		

Small Entity: No

Additional Information: ABSTRACT CONT: check collection purposes; and (7) clarifying the definitions in subpart A by incorporating by reference definitions in the uniform commercial code.

It is not expected that the proposals will have a significant economic impact on a substantial number of small entities

Agency Contact: Joseph R. Alexander, Attorney, Federal Reserve System, Legal Division, 202 452-2489

RIN: 7100-AA55

5. REGULATION: K - INTERNATIONAL BANKING OPERATIONS (DOCKET NUMBER: R-0498)

Legal Authority: 12 USC 3901 et seq International Lending Supervision Act, 1983

CFR Citation: 12 CFR 211

Abstract: In February and March 1984, the Board adopted regulations implementing the International Lending Supervision Act of 1983 (Title IX, Pub. L. 98-181) with respect to maintenance of reserves against certain international assets, disclosure of information on international assets, and accounting rules for fees on certain international loans. In publishing these regulations the Board requested comment on whether and to what extent the Act should apply to U.S. branches, agencies, and commercial lending company subsidiaries of foreign banks. By action of February 13, 1984 (49 FR 5587, 5591). the Board left open the comment period on this issue in order to allow for further public comment.

If the Board determines to propose regulations affecting foreign banks under the Act, such regulations would not have a significant economic impact on a substantial number of small businesses since the rules would affect only international banks.

Timetable:

Date		FR	Cite
02/13/84	49	FR	5591
03/29/84	49	FR	12192
12/00/85			
	02/13/84	02/13/84 49	02/13/84 49 FR 03/29/84 49 FR

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Kathleen O'Day, Senior Counsel, Legal Division, (202) 452-3786.

Agency Contact: Michael G. Martinson, Projects Manager-International Activities, Federal Reserve System, Div of Banking Supervision and Regulation, 202 452-3621

RIN: 7100-AA35

6. REGULATION: K - INTERNATIONAL BANKING OPERATIONS (DOCKET NUMBER: R-0520)

Legal Authority: 12 USC 601 to 604a; 12 USC 611 et seq; 12 USC 1841 et seq

CFR Citation: 12 CFR 211

Abstract: In June 1984, the Board proposed for comment revisions to its Regulation K governing the international operations of U.S. banking organizations (49 FR 26002, June 25, 1984). The review and proposed revision of the regulation were undertaken pursuant to a provision of the International Banking Act of 1978 which requires a review every five years of the rules governing Edge Corporations.

The proposed regulation presents several alternatives designed to enable Edge Corporations to provide a broader range of banking services than is currently permitted in order to improve the competitive position of Edge Corporations. This rule incorporates.

with several modifications, a previous proposal that was published for comment in February 1979 (44 FR 10509, February 21, 1979). Other major provisions include an increase in the Edge Corporation lending limit; a change in the capitalization requirement to conform to the Board's Capital Adequacy Guidelines; relaxation of the limits on investments in other organizations; establishment of procedures governing a change in control of an Edge Corporation; and several (cont)

Timetable:

Initicianie.		
Action	Date	FR Cite
Proposal to improve competitive position of Edge Corporations	02/21/79	44 FR 10509
Earlier proposal included in revised Regulation K	06/25/84	49 FR 26002
Comment period extended until	10/12/84	49 FR 33895
Further Board	04/00/85	

Small Entity: No

action by

Additional Information: ABSTRACT CONT: provisions governing U.S. operations of foreign banks.

It is not expected that the revisions would have a significant economic impact on a substantial number of small businesses. The Board will review the public comments and is expected to take further action within the near future.

ADDITIONAL AGENCY CONTACT: James S. Keller, Manager, International Banking Applications, Division of Banking Supervision and Regulation, (202) 452-2523.

Agency Contact: Kathleen O'Day, Senior Counsel, Federal Reserve System, Legal Division, 202 452-3786

RIN: 7100-AA44

7. REGULATION: Q - INTEREST ON DEPOSITS (DOCKET NUMBER: R-0514)

Legal Authority: 12 USC 371b CFR Citation: 12 CFR 217

Abstract: In March 1984, the Board proposed amendments to its rules concerning advertising interest on deposits to incorporate a policy

statement concerning advertisements for split rate time deposits and for deposits used as Individual Retirement Account (IRA) investments (49 FR 11642, March 27, 1984). Under the proposal, in the case of a split rate account where a schedule of fixed rates to be paid is established in advance and the first rate to be paid is higher than subsequent rates, the Board would regard any advertisement of a rate as misleading unless the advertisement includes each rate to be paid in equal size type together with a conspicuous statement as to how long each rate will be in effect and a conspicuous statement of the average effective annual vield. In addition. advertisements should refer to IRAs as

advertisements should refer to IRAs as "tax deferred" and not as "tax exempt" or "tax free." The proposal would not adversely affect small businesses because no additional reporting or recordkeeping requirements are imposed.

The Board will review the public comments and is expected to take further action during the next six months.

Timetable:

Action	Date	FR Cite
Board proposed amendments	03/27/84 49	FR 11642
Next Board action by	10/00/85	

Small Entity: No

Agency Contact: Daniel L. Rhoads, Attorney, Federal Reserve System, Legal Division, 202 452-3711

RIN: 7100-AA36

8. • + REGULATION: Q - INTEREST ON DEPOSITS

Legal Authority: 12 USC 371b CFR Citation: 12 CFR 217

Abstract: In March 1984, the Board proposed amendments to its rules concerning advertising interest on deposits to incorporate a policy statement regarding advertisements for split-rate time deposits and for deposits used as Individual Retirement Account investments. (See entry RIN: 7100-AA36). In response to comments received in that proceeding, the Board may consider whether to propose amending Regulation Q further in order to update and incorporate all the Board's existing requirements governing advertisement of interest on deposits.

The Board might also request comment on whether additional requirements are necessary to provide depositors with accurate and adequate information in advertisements or at the time of opening an account. It has been suggested by some that such new requirements should be imposed to enable depositors to evaluate the many deposit options now available as a result of deregulation of interest rates. If the Board proposes any new rules. they are not likely to be severe nor to require reporting or recordkeeping. Therefore, it is expected that any such proposals would not have a significant adverse effect on small entities.

Timetable:

Action	Date	FR Cite
Board will consider issuing for	10/00/85	
comment a proposal to amend		
Regulation Q by		

Small Entity: No

Agency Contact: John Harry Jorgenson, Senior Attorney, Federal Reserve System, Legal Division, 202 452-3778

RIN: 7100-AA56

9. • REGULATION: T - CREDIT BY BROKERS AND DEALERS (DOCKET NUMBER: R-0538)

Legal Authority: 15 USC 78g Securities Exchange Act of 1934, as amended; 15 USC 78w Securities Exchange Act of 1934, as amended

CFR Citation: 12 CFR 220

Abstract: In February 1985, the Board proposed for comment an amendment to Regulation T that would set the initial margin requirement for the writing of options on equity securities at the same level as the maintenance margin that is required by the national securities exchange or association and that has been approved by the Securities and Exchange Commission (50 FR 5766, February 12, 1985). Currently, the margin requirement for these instruments is set at 30 percent of the value of the underlying securities plus any unrealized loss or minus any unrealized gain. If adopted, the margin for writing options on equity securities will be similar to that of the writing of other options, that is, the initial margin will be identical to that of the

Securities and Exchange Commission approved maintenance margin. It is not anticipated that this proposal would have a significant impact on a substantial number of small firms. The Board will review the comments and is expected to take further action within the next six months.

Timetable:

Action	Date	FR Cite
Board requested comment	02/12/85	50 FR 5766
Further Board	10/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Carolyn Davis, Economist, Division of Research and Statistics, (202) 452-3633.

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Div. of Banking Supervision and Regulation, 202 452-2781

RIN: 7100-AA53

10. + REGULATION: U - CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN STOCKS (DOCKET NUMBER: R-0510)

Legal Authority: 15 USC 78g Securities Exchange Act of 1934, as amended; 15 USC 78h Securities Exchange Act of 1934, as amended; 15 USC 78w Securities Exchange Act of 1934, as amended

CFR Citation: 12 CFR 221

Abstract: In 1985, the Board may review a proposal submitted on behalf of a banking institution calling for an amendment to Regulation U that would permit banks to extend credit for options transactions in the same manner that broker-dealers may do so under Regulation T (Credit by Brokers and Dealers). In particular, the petitioner has requested the Board to change, if necessary, what is perceived to be a regulatory disparity between the treatment of banks and broker-dealers with respect to the financing of options transactions.

It is not anticipated that this proposal would affect a significant portion of the overall lending activities of a substantial number of small firms.

illietable.	
Action	Date

Action	Date	rn cite
Board may review a	12/00/85	
proposal to amend		
Regulation U		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACTS: Robert Lord, Attorney; and Susan S. Meyers, Securities Regulation Analyst, Division of Banking Supervision and Regulation, (202) 452-2781.

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Div. of Banking Supervision and Regulation, 202 452-2781

RIN: 7100-AA38

11. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0511)

Legal Authority: 12 USC 1843(c)(8) Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: In March 1984, the Board proposed for public comment an amendment to Regulation Y that would list certain additional nonbanking activities as generally permissible for bank holding companies under section 4(c)(8) of the Bank Holding Company Act and that may be applied for under the procedures of that section (49 FR 9215, March 12, 1984). The activities proposed to be included in Regulation Y for the first time include: 1. commodity trading advisory services; 2. check guaranty services; 3. consumer financial counseling; 4. armored car services; 5. tax planning and tax preparation; and 6. operating a credit agency and credit bureau.

Consumer financial counseling and check guaranty services have been permitted previously by Board order on individual applications.

In addition the Board has proposed to expand the activities of property appraisal and providing advice in connection with future commission merchant activities. These activities have been included previously in the list of permissible activities (cont)

Timetable:

Action	Date	FR Cite
Board requested comment	03/12/84	49 FR 9215
Further Board action by	06/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: in Regulation Y, although in a more restricted manner.

The Board has proposed to define and clarify the insurance agency and underwriting activities generally permissible for bank holding companies so as to conform the regulation to Title VI of the Garn-St. Germain Depository Institutions Act, which was adopted in October 1982.

Adoption of the proposal would enable bank holding companies to engage in additional activities and would impose no additional burden on any bank holding company.

The Board will review the comments and is expected to take further action within the next three months.

Agency Contact: James Scott, Attorney, Federal Reserve System, Legal Division. 202 452-3779

RIN: 7100-AA17

12. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0491)

Legal Authority: 12 USC 1843(c)(8) Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: In November 1983, the Board published for comment a proposal to eliminate the requirement in Regulation Y that bank holding companies engaging in credit life and credit accident and health insurance underwriting provide rate reductions or increased policy benefits in order to engage in this activity (48 FR 53125. November 25, 1983.) The Board took this action as a result of the suggestions of several commenters to the Board's recent revision of Regulation Y, who advocated elimination of the rate reduction requirement from the regulation. These commenters stated that in their view the requirement puts bank holding companies at a competitive disadvantage with respect to other providers of this service, and that they knew of no significant

evidence that the performance of this activity has resulted in the adverse effects on the public considered by the Board in its 1972 decision approving this activity. It is expected that adoption of this proposal would lead to a relaxation of the regulatory burden on bank holding companies which engage in this activity.

The Board will review the public comments and is expected to take further action within the next three months.

Timetable:

Action	Date	FR Cite
Board requested comment	11/25/83	48 FR 53125
Further Board action by	06/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Michael J. O'Rourke, Attorney, Legal Division, [202] 452-3288.

Agency Contact: J. Virgil Mattingly, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA40

13. + REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL

Legal Authority: 12 USC 1843 Bank Holding Company Act; 12 USC 1844(b) Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: A provision of Regulation Y permits a state bank subsidiary of a bank holding company to engage through a nonbank subsidiary in any activity that is permissible under state law for the bank subsidiary itself, subject to the same limits as if the bank engages in the activity directly. (A similar rule applies to national bank subsidiaries regarding activities permissible for such banks under federal law.) The Board received comments on this provision in connection with its general request for comments in May 1983 regarding the proposed revision of Regulation Y. Some of the commenters challenged the Board's authority to issue this provision, although it has been part of Regulation Y since 1971. In taking final action on the revision of Regulation Y. the Board deferred consideration of the

comments on this provision and allowed the existing rule to remain in effect in the interim (49 FR 794, January 5, 1984).

The Board plans to review this provision of the regulation in the near future. A determination to reverse the rule could have an adverse impact on many small banks that are subsidiaries of holding companies because they might be required to (cont)

Timetable:

Action	Date		FR	Cite
Board requested comments	05/25/83	48	FR	23520
Board allows existing rule to remain in effect	01/05/84	49	FR	794
Board will review further by	10/00/85			

Small Entity: Yes

Additional Information: ABSTRACT CONT: restructure their nonbanking activities or to take other action.

Agency Contact: J. Virgil Mattingly, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA41

14. ● REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0537)

Legal Authority: 12 USC 1841 Bank Holding Company Act; 12 USC 221 Federal Reserve Act; 12 USC 3901 International Lending Supervision Act of 1983

CFR Citation: 12 CFR 225

Abstract: In January 1985, the Board requested public comment regarding whether, and to what extent, the Board should exercise its authority under the Bank Holding Company Act, the Federal Reserve Act, and the International Lending Supervision Act to authorize or limit the conduct of real estate investment activities by bank holding companies and their nonbank subsidiaries (50 FR 4519, January 31, 1985). The Board has not proposed a specific regulation at this time, and has only requested comment on the general question of whether, and in what direction Board regulation in this area is appropriate. In the event the Board determines to propose a regulation in this area, the public will be invited to comment on the regulation. Comment in this area was requested in response to enactment of a number of state laws that have recently authorized state banks to conduct a broad array of nonbanking activities that previously were not authorized for state banks or bank holding companies, including real estate investment activities. Until the Board reviews the public comments on this activity, it is unclear whether the Board will act in this area or (cont)

Timetable:

Date		FR	Cite
01/31/85 10/00/85	50	FR	4519
	01/31/85	01/31/85 50	01/31/85 50 FR

Small Entity: Yes

Additional Information: ABSTRACT CONT: what specific action the Board may take. Therefore, the effect on small entities cannot be accurately predicted. However, if the Board should take restrictive measures, bank holding companies of all sizes and their subsidiaries participating in this activity would be affected.

Agency Contact: J. Virgil Mattingly, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA52

15. ● REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0536)

Legal Authority: 12 USC 1841 et seq Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: In January 1985, the Board requested public comment as to whether the Board should permit bank holding companies that own nonbank banks to provide internal administrative services to, and establish management interlocks with, those nonbank banks (50 FR 2057, January 15, 1985). ("Nonbank banks" are institutions that are chartered as banks but which either do not accept demand deposits or do not make commercial loans.) The Board took this action to resolve a number of questions that had been raised regarding the appropriate scope of relationships between nonbank banks and their affiliates. It is likely that any action the Board might take would primarily affect larger bank holding systems and would relax a requirement or prohibition.

Therefore, it is expected that Board action would not have a significant economic impact on a substantial number of small entities. The Board will review the public comments and take further action within the near future.

Timetable:

Action	Date	FR Cite
Board requested comment	01/15/85	50 FR 2057
Further Board action by	04/00/85	

Small Entity: No

Agency Contact: Carl Howard, Senior Counsel, Federal Reserve System, Legal Division, 202 452-3786

RIN: 7100-AA51

16. REGULATIONS: Y - BANK
HOLDING COMPANIES AND CHANGE
IN BANK CONTROL; REGULATION: H "STATE BANK MEMBERSHIP"; AND
RULES OF PRACTICE FOR HEARINGS
(DOCKET NUMBER: R-0526)

Legal Authority: 12 USC 3907 International Lending Supervision Act of 1983; 12 USC 3903 International Lending Supervision Act of 1983; 12 USC 1844(b) Bank Holding Company Act; 12 USC 1818 Financial Institutions Supervisory Act of 1966; 12 USC 248 Federal Reserve Act; 12 USC 324 Federal Reserve Act; 12 USC 329 Federal Reserve Act

CFR Citation: 12 CFR 208, Appendix A; 12 CFR 225, Appendix A; 12 CFR 263

Abstract: In July 1984, the Board proposed for comment amended Capital Adequacy Guidelines for bank holding companies and State member banks as well as a regulation embodying procedures to enforce these Guidelines (49 FR 30317, July 30, 1984). This proposal is designed to implement the requirement in the International Lending Supervision Act of 1983 that the Board "cause banking institutions to achieve and maintain adequate capital." The proposal seeks to establish uniform minimum capital levels for all federally regulated banks (in conjunction with the Federal Deposit Insurance Corporation and the Comptroller of the Currency). The proposal would also raise the minimum capital requirements for larger regional and multinational state member banks and bank holding companies, and would establish a uniform minimum capital level for large and small banks and bank holding companies. The impact on small institutions would be a

slight easing of minimum primary capital requirements.

The Board will review the comments and is expected to take further action within the near future.

Timetable:

Action	Date		FR	Cite
Board requested comment	07/30/84	49	FR	30317
Further Board action by	03/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Richard Spillenkothen, Assistant Director, Division of Banking Supervision and Regulation, (202) 452-2594.

Agency Contact: James E. Scott, Senior Attorney, Federal Reserve System, Legal Division, 202 452-3513

RIN: 7100-AA45

17. ● +REGULATION: Z - TRUTH IN LENDING

Legal Authority: 15 USC 1604, as amended Truth in Lending Act

CFR Citation: 12 CFR 226

Abstract: Regulation Z currently requires that creditors provide information to consumers regarding variable rate features in credit transactions. In the last several years, adjustable rate mortgages have become increasingly common and complex, and concern has been expressed in Congress and elsewhere as to whether Truth in Lending disclosures adequately convey to consumers the terms and potential costs of these mortgages. The Board, as the agency charged with implementing the Truth in Lending Act, is considering whether to propose more extensive disclosure of the variable rate feature in order to provide consumers with the information needed for informed credit decisions, in keeping with the purpose of Truth in Lending. It is likely that any proposed amendment would involve an expansion of section 226.18(f) of the regulation, which outlines the required variable rate information, and that such an amendment might be limited to mortgage transactions. The Board is also concerned about the creditor burdens associated with compliance with the variable rate regulations of several federal agencies and will

consider what actions could be taken to minimize (cont)

Timetable:

Action	Date	FR Cite
Board to determine appropriate action by	10/00/85	Do Baltima Maria Maria Maria Maria Maria Maria Maria Maria

Small Entity: Yes

Additional Information: ABSTRACT CONT: the burdens of overlapping regulation in this area.

If the Board adopts revisions, mortgage creditors, including small business engaged in mortgage lending, could incur some costs in implementing the revised disclosure by revising and reprinting forms and changing certain procedures to comply with the requirement. Before any final action, the Board would consider appropriate actions to minimize the burdens and costs of compliance.

Agency Contact: Margaret Stewart or Susan Werthan, Senior Attorneys, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-2412

RIN: 7100-AA50

18. REGULATION: AA - UNFAIR OR DECEPTIVE ACTS OR PRACTICES (DOCKET NUMBER: R-0006)

Legal Authority: 15 USC 57a Federal Trade Commission Act

CFR Citation: 12 CFR 227

Abstract: The Federal Trade
Commission (FTC) Act requires that
whenever the FTC enacts a rule
covering unfair or deceptive acts or
practices, the Federal Reserve Board
must, within 60 days of the rule's
effective date, promulgate a
substantially similar rule governing
banks. The Board may decline to issue
such a rule only if the Board determines
that such acts or practices of banks are
not unfair or deceptive or that
implementation of the rule with respect
to banks would seriously conflict with
essential monetary and payment
systems policies of the Board.

In March 1984, the FTC published a trade regulations rule known as the Credit Practices Rule (49 FR 7740, March 1, 1984), which will prohibit certain provisions that sometimes appear in consumer credit contracts to aid in the collection of unpaid debts. It

will also impose certain specific disclosure and contractual requirements on creditors. The rule will go into effect on March l, 1985 and will apply only to non-financial institution creditors.

When the FTC first published the proposed Credit Practices Rule in 1975, the Board published a substantially similar (cont)

Timetable:

The second secon						
Action	Date		FR	Cite		
FTC proposed Credit Practices Rule	04/00/75	40	FR	16347		
Similar proposal published by Board	04/00/75	40	FR	19495		
FTC adopted Credit Practices Rule	03/01/84	49	FR	7740		
Board published similar proposal	11/30/84	49	FR	47041		
Board to determine action by	05/00/85					

Small Entity: Yes

Additional Information: ABSTRACT CONT: proposal (40 FR 19495). The Board received public comments and made them available to the FTC. In November 1984, the Board published for comment a proposal substantially similar to the FTC's final Credit Practices Rule (49 FR 47041, November 30, 1984), and requested comment on whether the FTC's rule should apply to banks. The Board will review the public comments and is expected to take further action within the near future.

Agency Contact: Steven Zeisel or Richard Garabedian, Staff Attorneys, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3867

RIN: 7100-AA42

19. ● + REGULATION: AA - UNFAIR OR DECEPTIVE ACTS OR PRACTICES

Legal Authority: 15 USC 57a Federal Trade Commission Act

CFR Citation: 12 CFR 227

Abstract: In November 1984, the Federal Trade Commission (FTC) published a final trade regulation rule on the sale of used motor vehicles, known as the "Used Car Rule," (49 FR 45692 November 29, 1984), effective May 9, 1985. In adopting the Used Car Rule, the FTC specifically excluded banks and other financial institutions

from the rule's "dealer" definition. This conclusion was based upon the determination that banks do not engage in the sale of used motor vehicles in a retail sales environment, and, absent such an environment, the risk of the deceptive practices found to be characteristic of used car sales presentations was substantially diminished.

The FTC Act, generally, requires the Federal Reserve Board to issue a substantially similar rule to prohibit substantially similar acts or practices of banks within 60 days of the effective date of an FTC rule covering unfair or deceptive acts or practices. The Act provides that the Board may decline to issue a rule if the Board determines that such acts or practices of banks are not unfair or deceptive or that (cont)

Timetable:

Action	Date	FR C	ite
FTC adopted the "Use Car Rule"	11/29/84	49 FR 4	5692
Board to determine appropriate action by	04/00/85		

Small Entity: No

Additional Information: ABSTRACT CONT: implementation of the rule with respect to banks would seriously conflict with essential monetary and payment systems policies of the Board.

The Board is currently examining the rule, the FTC's conclusion, and its responsibilities under the FTC Act to determine whether any action by the Board would be necessary or appropriate. To the extent that the Board takes any action, it is unlikely that the action would have a significant impact on a substantial number of small entities.

Agency Contact: Gerald Hurst, Senior Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3667

RIN: 7100-AA49

20. REGULATION: EQUAL EMPLOYMENT OPPORTUNITY (DOCKET NUMBER: R-0527)

Legal Authority: 12 USC 248(I) Federal Reserve Act, Sec 11(I)

CFR Citation: 12 CFR 268

Abstract: In August 1984, the Board issued for public comment proposals to revise and expand its Equal Employment Opportunity regulation for the following purposes: (1.) to conform the regulation in so far as possible to existing regulations of the Equal **Employment Opportunity Commission** governing the substantive rights of employees and applicants for employment with Federal agencies; (2.) to designate clear responsibility for equal employment opportunity functions in light of changes in the Board's organizational structure; and (3.) to prohibit discrimination against the handicapped in programs and activities conducted by the Board.

It is not expected that this proposal would have a significant economic impact on a substantial number of small entities as it focuses primarily on Board personnel and management policies and practices.

The Board will review the public comments and is expected to take further action during the next six months.

Timetable:

Action	Date	in a	FR	Cite
Board requested comment	08/24/84	49	FR	33822
Further Board	10/00/85			

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Stephen L. Siciliano, Senior Counsel, Legal Division, (202) 452-3920.

Agency Contact: Portia Thompson, EEO Programs Officer, Federal Reserve System, Office of Staff Director for Management, 202 452-3549

RIN: 7100-AA46

21. PROPOSALS TO REDUCE RISK ON LARGE DOLLAR TRANSFER SYSTEMS (DOCKET NUMBER: R-0515)

Legal Authority: 12 USC 221 et seq

Abstract: In April 1984, the Board requested public comment on several proposals to reduce risks on largedollar wire transfer systems (49 FR 13186, April 3, 1984). The Board took this action in response to its concern that developments that might arise in connection with such networks could destabilize financial markets and the economy. The proposals, if adopted,

would likely apply only to financial institutions, although customers of such institutions may be affected indirectly. Because large-dollar funds transfer systems are typically used frequently only by the largest financial institutions, it is not anticipated that these proposals, if adopted, would have a significant economic impact on a substantial number of small entities.

The Board will review the public comments and is expected to take further action within the next three months.

Timetable:

Action	Date	FR Cite
Board requested comment	04/03/84	49 FR 13186
Board extended comment	10/29/84	49 FR 24595

Action	Date	FR Cite
Further Board action by	06/00/85	an assignific

Small Entity: No

Agency Contact: Edward C. Ettin. Deputy Director, Federal Reserve System, Division of Research and Statistics, 202 452-3368

Existing Regulations Under Review

RIN: 7100-AA47

FEDERAL RESERVE SYSTEM (FRS)

22. REGULATORY IMPROVEMENT PROJECT

Legal Authority: 12 USC 3501 Financial Regulation Simplification Act of 1980; 5 USC 605 Regulatory Flexibility Act

Abstract: The Board's Regulatory Improvement Project involves, among other things, a substantive, zero-based review of all Federal Reserve regulations that affect the public to determine: (1) the fundamental objectives of the regulation and the extent to which it is meeting current policy goals, (2) nonregulatory alternatives that would accomplish the objectives, (3) costs and benefits of the regulation, (4) unnecessary burdens imposed by the regulation, and (5) the clarity of the regulation. The Project also participates in the development of proposals listed in this agenda to ensure that the objectives of the Project are met.

Since publication of the last semiannual Agenda, specific revision of Regulation B ("Equal Credit Opportunity") has been proposed. (See Entry RIN 7100-

AA28). In addition, comments on a proposed revision of Regulation K ("International Banking Operations") are being reviewed. (See Entry RIN 7100-AA44). It is expected that both of these reviews will be completed during the next twelve months. Consideration will be given to commencing within the next twelve months the zero-based (cont)

Timetable:

Action	Date		FR	Cite
ANPRM Regulation B	06/21/83	48	FR	28285
Revision of Regulation K proposed for comment	06/25/84	49	FR	26002
Revision of Equal Employment Opportunity Regulation proposed for comment	08/24/84	49	FR	33822
Revision of Regulation B proposed for comment	03/01/85			ADAM ADAM

Small Entity: No

Additional Information: ABSTRACT CONT: review of the following regulation: P -- "Minimum Security Devices and Procedures" (12 CFR 216); O-"Interest on Deposits" [12 CFR 217]; R--"Relations with Dealers in Securities under Section 32, Banking Act of 1933" (12 CFR 218); and AA-"Unfair or Deceptive Acts or Practices" (12 CFR 227). Consideration will also be given to beginning major reviews of the Board's "Rules of Procedure" [12 CFR 262] and the "Rules Regarding Availability of Information" (12 CFR 261), and to developing a simplified draft of the Board's "Equal Employment Opportunity" regulation (12 CFR 268).

Commenters are invited to submit any suggestions they may have for possible changes in this regulatory agenda for the next twelve months.

Agency Contact: Barbara R. Lowrey. Associate Secretary, Federal Reserve System, Office of the Secretary, 202 452-3742

RIN: 7100-AA14

FEDERAL RESERVE SYSTEM (FRS)

Completed Actions

COMPLETED RULEMAKINGS 23. REGULATION: E - ELECTRONIC **FUND TRANSFERS (DOCKET** NUMBER: R-0502)

Legal Authority: 15 USC 1693b Electronic **Fund Transfer Act**

CFR Citation: 12 CFR 205

Abstract: In January 1984, the Board published for comment two proposed amendments to Regulation E [49 FR 2204, January 18, 1984). The first proposal would bring within the definition of an electronic fund transfer, and thus within the coverage of the Electronic Fund Transfer Act and the regulation, transfers resulting from point-of-sale debit card transactions that are processed electronically but do not involve an electronic terminal at the point of sale. In addition, it would provide additional time in these cases for error resolution.

The second proposal would give financial institutions the option to disclose charges for electronic fund transfers -- on periodic statements either on a transaction-by-transaction basis, or as a total sum. After considering the public comments the Board, in October 1984, adopted the second proposal as proposed and the first proposal with some changes (49 FR 40794, October 18, 1984). As adopted, the first proposal brings within the definition of an electronic fund transfer all transfers resulting from debit card transactions; extends the time periods for error resolution for all point-of-sale transactions; (cont)

Completed Actions

Illitetable.	PERSONAL PROPERTY.	
Action	Date	FR Cite
Board published for comment two proposed amendments to Regulation E	01/18/84	49 FR 2204
Board adopted	10/18/84	49 FR 40794

amendments Small Entity: No

Additional Information: ABSTRACT CONT: and provides an exemption from the debit card requirement that an account be provisionally recredited with the amount of an unresolved error within 10 or 20 business days, if the account is subject to the Board's Regulation T.

The amendments are not expected to have a significant economic impact on a substantial number of small entities since the compliance requirements are unlikely to be very burdensome and in some cases such as the longer error resolution times, compliance burdens are being reduced.

Agency Contact: Gerald Hurst, Senior Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3667

RIN: 7100-AA34

24. REGULATION: J - COLLECTION OF CHECKS AND OTHER ITEMS AND WIRE TRANSFERS OF FUNDS (DOCKET NUMBER: R-0357 AND R-0522)

Legal Authority: 12 USC 342 Federal Reserve Act; 12 USC 248(o) Federal Reserve Act; 12 USC 360 Federal Reserve Act; 12 USC 248(i) Federal Reserve Act

CFR Citation: 12 CFR 210

Abstract: In February 1985, the Board adopted a proposal to improve the process by which checks are returned. The Board has amended Subpart A of Regulation J to require the paying bank to provide timely notice to the depository institution at which the check was originally deposited that the check is being returned unpaid (50 FR 5734, February 12, 1985). The Federal Reserve Banks will enhance the notification service they currently provide to assist paying banks in meeting this requirement, and also will make an enhanced notification service available to depository institutions for checks collected outside the Federal Reserve. The proposal that was

adopted is a change in an earlier Board proposal issued in May 1981 and adopted in part by the Board in August 1981 (46 FR 42059, August 19, 1981). At that time the Board deferred action on three proposals: two have been incorporated in the proposal that was adopted and the other (an amendment incorporating provisions for collecting coupons and other securities similar to provisions regarding the payment and return of cash items) has been deferred pending further study. The Board has concluded that the proposal that was (cont)

Timetable:

Timetable.		The second second			
Action	Date	FR Cite			
Board solicited comment on proposals to amend Subpart A	05/01/81	46 FR 24576			
Board adopted one proposal and deferred action on others	08/19/81	46 FR 42059			
Board requested comment on revised proposals	06/28/84	49 FR 26597			
Board adopted revised proposal	02/12/85	50 FR 5734			

Small Entity: No

Additional Information: ABSTRACT CONT: adopted should not have a significant economic impact upon a substantial number of small entities.

Agency Contact: Robert G. Ballen, Attorney, Federal Reserve System, Legal Division, 202 452-3265

RIN: 7100-AA43

25. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL

Legal Authority: 12 USC 1861 Bank Service Corporation Act

CFR Citation: 12 CFR 225

Abstract: The October 1984 Agenda referred to a possible proposal to amend Regulation Y by adding authority for member banks to invest individually or jointly in bank service corporations under an amendment to the Bank Service Corporation Act made by section 709 of the Garn-St Germain Depository Institutions Act of 1982. The Board's staff has been processing applications under this Act by adapting

existing procedures to these applications and believes that the Board may adequately continue to do so without need for further regulation. Therefore, an amendment to Regulation Y is no longer being considered.

Timetable:

Action		Date	FR Cite
Board action	not	02/27/85	

Small Entity: No

Agency Contact: J. Virgil Mattingly, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA26

26. REGULATION: Z - TRUTH IN LENDING (DOCKET NUMBER: R-0501)

Legal Authority: 15 USC 1604, as amended Truth in Lending Act

CFR Citation: 12 CFR 226

Abstract: In January 1984, the Board published for comment a proposed amendment to Regulation Z, which would clarify that all credit cards issued for use in transactions that are generally exempt from Regulation Z are still subject to the Regulation Z provisions that prohibit the unsolicited issuance of credit cards and that limit the cardholder's liability for unauthorized use to a maximum of \$50 (49 FR 2210, January 18, 1984). Following review of public comments, the Board in November 1984 adopted the proposal in substantially the form proposed (49 FR 46989, November 30, 1984).

The vast majority of the credit cards that are affected by this amendment are telephone credit cards; therefore, the entities most affected will be in the telecommunications industry. However, cards issued for use with other types of exempt transactions (such as those issued for use with fixed credit lines over \$25,000 that are not secured by real estate or a dwelling) are also subject to the provisions on issuance and liability for unauthorized use. The amendment should not (cont)

Timetable:

Action	Date	F	R	Cite	
Board requested comment	01/18/84	49 F	R	2210	
Board adopted amendment	11/30/84	49 F	R	46989	

Completed Actions

Small Entity: No

Additional Information: ABSTRACT CONT: have a significant adverse impact on small entities. To facilitate compliance, the Board set a delayed effective date of January 29, 1985 for complying with the unsolicited issuance prohibition.

Agency Contact: Ruth R. Amberg, Senior Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3667

RIN: 7100-AA37 [FR Doc. 85-6886 Filed 04-26-85; 8:45am] BILLING CODE 6210-01-T



Monday April 29, 1985

Part LIV

Federal Trade Commission

Semiannual Regulatory Agenda



FEDERAL TRADE COMMISSION 16 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: Federal Trade Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The following agenda of Commission proceedings is published in accordance with the Federal Trade Commission Improvements Act of 1980, Pub. L. 96-252 and the Regulatory Flexibility Act, Pub. L. 96-354. Each projected event reflects the FTC staff's assessment of events that it expects will occur in the listed proceedings during the coming year. No Commission determination on the need for or the

substance of a trade regulation rule or any other procedural option should be inferred from the projected events included in this agenda.

Several agenda items concern proceedings that may affect a substantial number of small businesses as that term is used in the Regulatory Flexibility Act. Whether any such proceeding will result in a rule which is likely to have a significant economic impact on such entities depends upon final Commission determinations on the need for or on the substance of a trade regulation rule.

Except for notice of completed actions, the information in this agenda represents judgments of the FTC staff, based upon information now available. These views should not be regarded as a

final staff position, nor should they be attributed to the Commission itself. The Commission will address the issues presented on the rulemaking record in the final consideration of each proceeding.

Agenda items include the projected timing of any future Commission action. In most instances the dates of future events are listed by month, not a specific day. Further details may be obtained from the agency contact responsible for a particular proceeding. Discovery of new information, changes in circumstances, or in the law may alter the information set forth in this agenda.

By direction of the Commission. Emily H. Rock, Secretary.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	Ophthalmic Practice Rules (formerly Eyeglasses II)	3084-AA03
2	Health Spas	3084-AA06
3	Hearing Aids.	3084-AA07
4	Ophthalmic Practice Rules (formerly Eyeglasses II) Health Spas Hearing Aids Amendment to Trade Regulation Rule Concerning Preservation of Consumers Claims and Defenses ("Holder-in-Due Course Rule") Amendment to Labeling and Advertising of Home Insulation Rule Mobile Home Sales and Service Proprietary Vocational and Home Study Schools Standards and Certification	3084-AA08
5	Amendment to Labeling and Advertising of Home Insulation Rule	3084-AA09
6	Mobile Home Sales and Service	3084-AA10
7	Proprietary Vocational and Home Study Schools	3084-AA11
8	Standards and Certification	3084-AA13
9	Amendment to the Rules and Regulations Under the Wool Products Labeling Act of 1939 and the Textile Fiber Products Identification Act.	3084-AA29

Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
10	Pre-Sale Availability of Written Warranty Terms (Existing Regulation; Modifications under Consideration)	3084-AA15
11	Retail Food Store Advertising and Marketing Practices	3084-AA17
12	Cooling-Off Period for Door-to-Door Sales	3084-AA10
13	Mail Order Merchandise	3084-AA19
14	*Review of the Premerger Notification Rules and Report Form	3084-AA23
15	Games of Chance in the Food Retailing and Gasoline Industries Rule	3084-AA24
16	Franchising and Business Opportunities	3084-AA25
17	*Review of the Premerger Notification Rules and Report Form	3084-AA26
18	Labeling and Advertising of Home Insulation Rule	3084-AA27
19	Informal Dispute Settlement Procedures	3084-AA30
20	Amendments to Octane Posting and Certification Rule	3084 AA32

^{*}Indicates priority regulation.

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
21 22 23	Protein Supplements Used Motor Vehicles Amendments to Octane Posting and Certification Rule	3084-AA12 3084-AA14 3084-AA16

FEDERAL TRADE COMMISSION (FTC)

Current and Projected Rulemakings

1. OPHTHALMIC PRACTICE RULES (FORMERLY EYEGLASSES II)

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 456, (Revision)

Abstract: The staff of the FTC's Bureau of Consumer Protection has identified several state and private restrictions on the delivery of eye care goods and services which may decrease consumer access to vision care services, increase the cost of those services, and impede the growth of alternative methods of organizing eye-care practices. The principal question the Commission is exploring is the impact of such restrictions on the price, quality and availability of vision care. The Commission's investigation has sought, through the development of empirical market research, to determine whether higher prices result from these restrictions and, if so, whether offsetting consumer benefits also result. The primary impact of a rule on small businesses could stem from the increased competition in the vision care industry which can be anticipated as a result of deregulatory effect of the rule. Rule provisions removing certain restraints on commercial ophthalmic practice could enhance competition by permitting small entities (i.e., optometrists and opticians) to engage in alternate modes of practice; or to expand, should they desire to do so. The affirmative requirements of a rule could impose additional (cont)

Timetable:

Action	Date	FR Cite
ANPRM ANPRM Comment Period Begin	12/01/80 12/01/80	45 FR 79823

Action	Date	FR Cite			
ANPRM Comment Period End	02/02/81				
NPRM	01/04/85	50 FR 598			
NPRM Comment Period End	04/05/85				
Public Hearings Begin	05/20/85				

Small Entity: Undetermined

Additional information: ABSTRACT CONT: record-keeping, postage, and photocopying costs. The alternatives to an FTC trade regulation rule include: a formal complaint against a professional association or an ophthalmic board alleged to have engaged in illegal acts or practices; a voluntary guide defining unfair acts or practices; legislative recommendations to Congress or to the States; or the release of a public report setting forth the findings of the staff.

Government Levels Affected: Local,

Agency Contact: Gary Hailey, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3452

RIN: 3084-AA03

2. HEALTH SPAS

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 443, (New)

Abstract: The rule proposed at the outset of this proceeding would require that health spa membership contracts provide consumers with a right to cancel and receive a full refund during a three-day cooling-off period. If a seller's facilities are not yet fully operational, the consumer would have ten days to cancel after notice that the spa facilities are fully operational. After

this period, the consumer would have a right to cancel by paying up to a 5 percent cancellation fee plus a prorated portion of the contract price. Other provisions of the proposed rule would prescribe the form of the cancellation notices, limit contracts to two years, and prohibit the receipt of more than 5 percent of the contract price from consumers if a spa is not fully operational and available for use at the time the contract is signed. All industry members would incur costs for printing new contracts in order to comply with the proposed rule. Membership cancellations attributable to the requirements of the proposed rule would adversely affect the cash flow of health spas. Consumers would benefit from the proposed rule's unlimited cancellation rights to the extent they are not currently (cont)

Timetable:

8/75	40 FR 34615
00/79	
	50 FR 2829
	2/85

Small Entity: Yes

Additional Information: ABSTRACT CONT: granted by the industry. Alternatives under consideration include (1) a rule that would prohibit certain business practices by industry members and would require full disclosures of all ramifications of a health spa membership purchase; (2) changes in the nature of the refund requirement; (3) changes in other provisions of the rule; (4) case by case enforcement; and (5) consumer and business education. The proposed rule would have a significant economic impact on a substantial number of

small entities by varying required contract terms and imposing monetary refund requirements where none presently exist.

Agency Contact: John Crowley, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3376

RIN: 3084-AA06

3. HEARING AIDS

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 52 Federal Trade Commission Act; 15 USC 55 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 440, (New)

Abstract: The proposed regulation currently under consideration would afford hearing aid purchasers a right to cancel the transaction within 30 days of purchase subject only to specified cancellation charges. Staff has explored alternative rule proposals that would require hearing aid dispensers to disclose whether they offer a trial period or would contain specific advertising prohibitions. In addition, staff has explored case by case enforcement and other alternatives to a Commission rule. If a trial period is required, the costs of the rule would be the dispenser's loss on the returned aid and the administrative expense of complying with the rule. This loss would be mitigated, among other things, by a cancellation fee and by the opportunity to re-sell the used aid. The greatest impact would be felt by dealers who do not currently offer customers trial periods with the sale of a hearing aid, particularly dealers with a high percentage of dissatisfied customers. Many dealers now offer trials. For those dealers the rule would be expected to have little impact beyond the administrative cost of complying with the rule, or any mandated changes in cancellation fees or other charges associated (cont)

Timetable:

Action	Date		FR	Cite
NPRM	06/00/75	40	FR	26646
Officer's Report	08/00/77			
Original Staff Report	11/00/78			

Action	Date	FR Cite
Initial Commission consideration	10/00/79	
Commission consideration of appropriate action	07/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: with trials. The benefit would be to protect consumers from deceptive and unfair sales practices, and from the risk that a hearing aid will not significantly enhance hearing. The purposes of this rule would be to prevent deceptive and unfair sales practices in the sale of hearing aids and to give consumers contractual remedies against the risk that a hearing aid device will provide no significant benefit to the user. Since most hearing aids are sold by small businesses, the rule is expected to affect a large number of small businesses. Should some costs of implementing the rule be passed from dispensers to manufacturers of hearing aids (e.g., return of aids rejected by customer), there would be some impact on small manufacturers of aids as well.

Agency Contact: Paul J. Petruccelli, Federal Trade Commission, Division of Marketing Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-1642

RIN: 3084-AA07

4. AMENDMENT TO TRADE REGULATION RULE CONCERNING PRESERVATION OF CONSUMERS CLAIMS AND DEFENSES ("HOLDERIN-DUE COURSE RULE")

Priority: Undetermined

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 433

Abstract: The objective of the proposed amendment is to ensure that a purchaser's duty to pay is not separated from sellers' duty to perform when consumer sales are financed by third party creditors or purchase money lenders. The original rule requires sellers to ensure that credit contracts used in consumer installment sales and purchase money loans contain a provision that makes any holder of the contract subject to all legal claims and

defenses related to the sale transaction which the buyer may have against the seller. The proposed amendment would extend to creditors the obligation to ensure that credit contracts contain the required provision. Benefits from the proposed amendments may include improvement in the retail market due to increased scrutiny by creditors of the sellers with whom they do business and availability to consumers of additional claims and defenses against creditors. Some creditors may have increased costs associated with screening contracts and monitoring the reputations of retailers with whom they deal. Alternatives considered by the Commission include: rejection of the amendment; postponement of decision pending additional information on

Timetable:

Timetable:			
Action	Date	FR	Cite
Notice of Proposed Amendment	11/18/75	40 FR	53530
Rule & Statement of Basis & Purpose	11/18/75	40 FR	53506
Final Notice of Proposed Amendment	02/05/76	41 FR	5305
Guidelines on TRR	05/14/76	41 FR	20022
Statement of Enforcement Policy	08/16/76	41 FR	34594
Open End Consumer Credit Contracts	09/16/77	42 FR	46509
Presiding Officer's Report	02/16/78	43 FR	6810
Staff Report	11/24/78	43 FR	54950
Tentative Cmsn Approval and Request for Comment	11/15/79	44 FR	65771
Staff Recommendations to Commission	11/00/85		The same

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: compliance with the original rule; adoption of the amendment extending the rule to creditors and also making additional technical amendments. The amendment would shift some compliance costs from small businesses to creditors that control the contract form. Otherwise, because the

Current and Projected Rulemakings

existing rule already applies to retail sellers, the amendment should have no appreciable effect on other small businesses.

Agency Contact: Jonathan D. Jerison, Federal Trade Commission, Division of Credit Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 724-1160

RIN: 3084-AA08

5. AMENDMENT TO LABELING AND ADVERTISING OF HOME INSULATION RULE

Legal Authority: 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 460.10; 16 CFR 460.18; 16 CFR 460.19; 16 CFR 460, Appendix B

Abstract: The Commission's home insulation trade regulation rule became effective on September 29, 1980. Among other things, it requires advertisers to disclose specific additional information in advertisements or other promotional materials when they make energy savings claims about an insulation product or refer to the product's thickness, R-Value or price. The Commission temporarily stayed the effective date of those disclosure requirements as they applied to television ads pending completion of these amendment proceedings. The Commission has announced its intention to reopen the rulemaking proceeding to consider whether it should amend the rule's disclosure requirements insofar as they apply to television advertising. (ANPR, 46 FR 47236, Sept. 25, 1981.) The TV ad disclosure requirements in the rule benefit consumers by ensuring that they have an opportunity to understand and evaluate claims that may otherwise lead to misguided purchasing decisions. The major cost to consumers is the possible displacement of other valuable information in advertisements by the required disclosures. The major cost to industry members is the (cont)

Timetable:

Action	Date	Laster V	FR	Cite
Final Rule Published	08/29/79	44	FR	50218
Rule Promulgated	08/31/79			
Temp. stay of certain requirements	08/15/80	45	FR	54702

Action	Date	FR Cite
Rule effective except requirmt stay	09/29/80	A Total Lot
ANPRM	09/25/81	46 FR 47236
Lift test requirement stay	08/24/82	47 FR 36806
Commission consideration of TV	11/00/85	
disclosure requirements		

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: time necessary to make the required disclosures. Possible alternatives to the disclosure requirements include: amended disclosures or disclosure language; shortened disclosures; no disclosures; and different requirements as to the manner in which required disclosures must be made.

Agency Contact: Kent Howerton, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-8934

RIN: 3084-AA09

6. MOBILE HOME SALES AND SERVICE

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 47(a) Federal Trade Commission Act

CFR Citation: 16 CFR 441, (New)

Abstract: Almost all mobile homes are sold with a manufacturer's warranty but many buyers may not receive adequate and timely service under the warranty. The rule would address possibly inadequate performance of mobile home warranties through a number of possible remedies: setting specific service deadlines, prohibiting exclusion of set-up and transportation from warranty coverage, requiring written service agreements between warrantors and their service agents, and requiring maintenance of service records. Compliance costs estimated by staff will be approximately \$145 per home for most firms affected, and could be less, depending on what provisions are actually adopted. An estimated 20% of buyers would benefit by saving about \$242 for warranty repairs they would otherwise not get; another 15% of buyers would have service time cut by an estimated 4 months. The incidence

of warranted defects could be reduced, increasing the useful life of homes. Buyers could also receive better financing terms due to lowering the incidence of defects that diminish resale value. Consumers might benefit from better information, if warranties accurately reflected what service is included (cont)

Timetable:

Action	Date		FR	Cite
Previous NPRM	05/29/75	40	FR	23334
NPRM	05/23/77	42	FR	26398
Officer's Report	09/11/79			
Staff Report	08/13/80			
Staff Recommendation to Commission	09/00/85			

Small Entity: Yes

Additional Information: ABSTRACT CONT: in the purchase price of the home. The proposed rule will have an impact on 200 mobile home manufacturers and 12,000 mobile home dealers, most of which are small businesses. There are alternatives to rule provisions. Instead of specific time deadlines for warranty repairs, manufacturers and dealers could set their own deadlines as long as they are disclosed in their warranties; instead of requiring manufacturers to disseminate consumer questionnaires, to monitor effectiveness of factory and dealer warranty repairs, manufacturers could select their own monitoring devices; some responsibilities and duties of the manufacturers may not be needed (e.g., pre-occupancy inspection, set-up and transportation damage).

Agency Contact: Allen Hile, Federal Trade Commission, Division of Marketing Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3554

RIN: 3084-AA10

7. PROPRIETARY VOCATIONAL AND HOME STUDY SCHOOLS

Priority: Undetermined

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 438, (New)

Abstract: In 1979, the Second Circuit Court of Appeals set aside the rule as originally issued by the Commission,

citing problems with some of the remedies that the rule provided to purchasers of proprietary vocational training. The Staff has prepared recommendations as to how the Commission should respond to the Court's decision. Alternatives under consideration include a rule that would give schools the option of providing either a strict pro rata refund remedy or a track record disclosure, a rule requiring some refunds but not on a strict pro rata basis, and a rule with no refund requirements at all. Alternatives to rulemaking include case-by-case enforcement, and FTC intervention before other state and federal agencies having jurisdiction over vocational schools to prevent deceptive practices. The rule may benefit consumers by enabling them to avoid expenditures on inappropriate courses and increasing the effectiveness of the vocational school industry in training and placing people in productive jobs. The coolingoff track record disclosures and refund components of the rule variations under consideration would impose real social costs on schools covered (cont)

Timetable:

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Action	Date		FR	Cite	
NPRM	08/15/74	39	FR	29385	
Previous Final Rule published	12/18/78	43	FR	60796	
Rule set aside & remanded by Court	12/13/79				
New Staff Recommenda- tion published	07/10/81	46	FR	35668	
Staff Recommendations to Commission	12/00/85				

Small Entity: Yes

Additional Information: ABSTRACT CONT: including administrative costs associated with processing and collecting and disseminating information. Price increases may result from these costs as well as the possibility of paying out increased refunds. The rule should be most costly to schools that use unfair or deceptive practices to induce students to enroll in their courses. Schools that do not use these practices may not incur significant cost increases. The rule seeks to deter deceptive sales practices by requiring schools to provide material information to prospective students, and to provide students with contractual remedies which they can

use to protect themselves when necessary. Most of the 6,000 schools that would be affected by the rule are small businesses.

Agency Contact: Walter Gross, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3826

RIN: 3084-AA11

8. STANDARDS AND CERTIFICATION

Priority: Undetermined

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 46(g) Federal Trade Commission Act

CFR Citation: 15 CFR 457, (New)

Abstract: Standards for products ranging from nuts and bolts to computers are set by trade associations, professional societies, testing laboratories, and other private sector groups. They are relied on by consumers, building code officials, government agencies, and others for regulatory and procurement purposes. These standards can provide significant benefits, such as lowering the cost of communications between buyers and sellers; improving the transfer of technology; encouraging efficiencies in design, production, and inventory; and assuring the safety, fitness, energy efficiency, or other aspects of product performance. However, substantial injury to competition and consumers can occur if standards or certification actions block the use of superior or lower cost technology, inflate product prices, or deceive consumers about the quality or safety of a product. In the proceeding, the Commission is examining whether a rule, guide, or other enforcement action is needed to address these competitive and consumer injuries. The Commission is particularly interested in the impact on injurious practices of other events, such as promulgation of OMB Circular A-119 and recent court (cont)

Timetable:

Action	Date		FR	Cite
NPRM	12/07/78	43	FR	57269
Staff Report	04/11/83	48	FR	15484
Presiding Officer's Report	06/06/83	48	FR	25218
Post Record	- 09/06/83			

Action	Date	
Rebuttal Comments Due	10/21/83	
Staff Recommenda-	05/00/85	
tions to Commission		

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: actions. An alternative to a rule is a case-by-case approach to any standards-related problems. The rule might have a significant economic effect - both positive and negative - on small businesses. Many complaints about injurious standards and certification actions were filed by small businesses. The rule is aimed at alleviating these injuries. On the other hand, most of the standards and certification organizations that would be subject to the rule and subject to any compliance costs are small businesses.

Agency Contact: Dean Graybill, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3914

RIN: 3084-AA13

9. • AMENDMENT TO THE RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939 AND THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Priority: Undetermined

Legal Authority: 15 USC 68b(d); 15 USC 70i

CFR Citation: 16 CFR 300; 16 CFR 303

Abstract: The Wool Products Labeling Act of 1939 requires all wool products to bear a label showing the percentage of wool, recycled wool, and non-wool fibers contained in the product and the name of the manufacturer or other distributor. The Textile Fiber Products Identification Act requires each household textile product to bear a label showing the percentage of each fiber contained in the product, the name of the manufacturer or distributor, and the country of origin if the product was manufactured principally in a foreign country. Each Act prohibits misbranding and false advertising of the fiber content of covered products and, in the case of textile products, requires that the appropriate generic name be used for all fibers. Each Act

and accompanying rules are designed to

Current and Projected Rulemakings

protect producers and consumers from being deceived by misbranding and false advertising of covered products. Since the rules closely follow statutory requirements, most of the costs imposed on affected industry members may not be attributable to the rules. The rules apply to textile fiber product manufacturers and certain marketers some of which may be small businesses. (cont)

Timetable:					
Action	Date	FR Cite			
NPRM	11/13/84	49 FR 44913			
Staff Recommendation to Commission	01/00/85				
Final Rule Promulgated	05/00/85				

Small Entity: Yes

Additional Information: ABSTRACT CONT: On September 24, 1984 Congress amended these Acts. (Title III, Pub. Law 98-417). Effective December 24, 1984, the country of origin must be added to the information on the label, all products must be labeled, labels must be located in the neck of any garment having a neck, and mail order catalogues and other mail order promotional material must contain the disclosure for each covered product whether it was made in the U.S.A., imported, or both.

Agency Contact: Earl Johnson, Federal Trade Commission, Division of Enforcement, Federal Trade Commission, Washington, D.C. 20580. 202 376-2891

RIN: 3084-AA29

FEDERAL TRADE COMMISSION (FTC)

10. PRE-SALE AVAILABILITY OF WRITTEN WARRANTY TERMS EXISTING REGULATION; MODIFICATIONS UNDER CONSIDERATION)

Legal Authority: 15 USC 2302(b)(1)(A): 15 USC 2309(a) Magnuson-Moss Warranty--FTC Improvements Act

CFR Citation: 16 CFR 702

Abstract: The Magnuson-Moss Warranty Act (15 U.S.C. 2302(b)(1)(A)) requires that the Federal Trade Commission promulgate a rule to require that the terms of written warranties for consumer products be made available to consumers prior to purchase. The Rule modifications currently being considered are intended to achieve the Congressional objective more effectively by making the Rule requirements more flexible and thus lessening the costs and burdens of compliance while still ensuring consumers access to warranties prior to purchase. The current Pre-Sale Availability Rule requires that retailers of consumer products costing more than \$15 make warranty texts available to consumers prior to purchase by placing the warranty text in one or a combination of four specified locations; (1) on the product, (2) in a binder, (3) on the package, or (4) on a sign. Manufacturers are required to provide materials sufficient for retailers to meet their obligations. The Rule modifications currently under consideration would reduce retailers' obligations by requiring only that warranties accompany the product or be made readily available on request prior to sale. Changes in the Rule could (cont)

Timetable:

Action	Date	FR Cite
Promulgation of Original Rule	12/31/75	45 FR 60168
Begin Review	11/04/81	
Commission Consideration	01/17/85	
NPRM	04/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: produce benefits by reducing the total costs of compliance with the present rule for retailers. The Commission has issued a Notice of Proposed Rulemaking to solicit comments on the proposed revisions and to pose questions regarding (among other issues) retailers' responses to the changes and requirements for disclosure of warranty availability during television advertising.

Agency Contact: Rebecca Johnson. Federal Trade Commission, Division of Marketing Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3357

RIN: 3084-AA15

11. RETAIL FOOD STORE ADVERTISING AND MARKETING **PRACTICES**

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 424

Abstract: The Commission's Rule on Retail Food Store Advertising and Marketing Practices seeks to ensure that consumers receive the prices and goods offered in grocery stores' advertisements, and to enable the

stores to compete fairly on the basis of

Existing Regulations Under Review

price. Since the rule applies to all retail food stores, it may have had a significant effect on a substantial number of small grocery stores. The rule states that it is a violation of Section 5 of the Federal Trade Commission Act for grocery stores to advertise products at a particular price unless such products are in stock and conspicuously and readily available for sale at the advertised price during the effective period of the advertisement. The rule is intended to benefit consumers by ensuring that advertised items are available, that advertisinginduced purchasing trips are not fruitless, and that store prices accurately reflect the prices appearing in the ads. The rule may cause costs to be incurred in maintaining sufficient inventory to meet anticipated demand. and costs associated with the monitoring of price changes, changing marked prices, and training of employees to comply with the rule. (cont)

Timetable:

Action	Date	FR	Cite
Comment on Reg Flex Act Review	12/00/83	Park and	incom.
ANPRM	- 12/10/84	49 FR	48059
ANPRM Comment Period End	02/08/85		
Commission Consideration	06/00/85		

Small Entity: Yes

Additional Information: ABSTRACT CONT: Because more information is needed to assess the relative costs and

benefits of the rule and whether or not the rule should be amended, staff will be recommending acquiring additional information by means of an advance notice of proposed rulemaking.

Agency Contact: Lewis Franke, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2891

RIN: 3084-AA17

12. COOLING-OFF PERIOD FOR DOOR-TO-DOOR SALES

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 429

Abstract: The rule states that sellers of consumer goods or services with a purchase price of \$25.00 or more who sell away from their place of business must furnish to the buyer certain information regarding the buyer's right to cancel sales within three business days and must give the buyer a full refund of any down payment upon the buyer's cancellation. The rule requires a seller to furnish the buyer with a complete receipt or copy of a contract, along with a notice informing the buyer of the right to cancel the transaction, to furnish the buyer with a completed Notice of Cancellation. The rule is intended to benefit consumers by permitting them to reflect on their purchase and the terms of any contract. to compare the purchase with offerings of other sellers, and to ascertain the accuracy of any representations made. The resulting costs to sellers include the costs associated with cancellation (processing cancelled orders, returning downpayments, retrieving delivered goods, and returning traded-in merchandise) and the additional cost of printing the required cancellation notices. Since the rule affects all doorto-door sellers, it may have a significant economic effect on a (cont)

Timetable:

Action	Date ·	FR Cite
Begin Review	03/00/83	
End Review	12/00/85	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: substantial number of small entities. The Commission is continuing its review of the rule in accordance with Section 610 of the Regulatory Flexibility Act. Staff is exploring nonsubstantive changes in the notices required by the rule.

Agency Contact: Lewis Franke, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2891

RIN: 3084-AA18

13. MAIL ORDER MERCHANDISE

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 435

Abstract: The Commission's rule concerning mail order merchandise was promulgated on October 22, 1975. The rule requires mail order sellers to possess a reasonable basis for any claims made concerning shipping date or, in the absence of any specifically stated date, to ship the ordered merchandise within thirty (30) days of receipt of an order. In the event of delays in shipment, the rule establishes notification procedures whereby buyers have the option either to agree to the delay or to cancel the order and receive a prompt refund. The Commission's rule is designed to address a number of significant consumer problems described on the record of the rulemaking proceeding, including failure to deliver ordered merchandise. unexplained delays in delivery, failure to make prompt (or any) refunds upon cancellation of an order, and inability to obtain responses to inquiries about pending orders. The rule enables consumers to obtain ordered merchandise within a reasonable time period or, if delays occur, to cancel the order and obtain a prompt refund, so that losses due to undelivered merchandise, delays, and inadequate or nonexistent refunds can be avoided. By subjecting sellers (cont)

Timetable:

Action	Date	FR Cite
Rule Promulgated	10/22/75	40 FR 49492
Initiation of Reg Flex Act Review	10/20/83	
ANPRM	12/00/84	
Final Report to Commission	12/00/85	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: who solicit orders they cannot fill within a reasonable time to the risk of cancellation, the rule may provide competitive benefits, since buyers may shift their business to more efficient merchants. Costs relating to the rule may include the cost of establishing a system for monitoring and recording orders, deliveries, delays, cancellations, consents to delays, and refunds; the costs of complying with the rule's notification requirements regarding delays (printing, postage, etc.); the cost of processing refunds; and additional inventory costs. Pursuant to Sec. 610 of the Regulatory Flexibility Act, the Commission is undertaking a review of this rule to determine whether the rule has had a significant economic impact on a substantial number of small entities and, if so, whether the rule should be amended to minimize any such impact. The rule applies to all members of the mail order industry. including small firms. In addition, the staff is considering whether the rule should be amended to cover orders placed by telephone or other electronic means.

Agency Contact: Raymond L. Rhine, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2863

RIN: 3084-AA19

14. REVIEW OF THE PREMERGER NOTIFICATION RULES AND REPORT FORM

Priority: Agency Determination

Legal Authority: 15 USC 18a Clayton Ad

CFR Citation: 16 CFR 801; 16 CFR 802 16 CFR 803; 16 CFR 803, Appendix

Abstract: The Premerger Notification Rules and the Antitrust Improvements Act Notification and Report Form were adopted pursuant to Section 7A of the Clayton Act. Section 7A requires firms of a certain size contemplating mergers or acquisitions of a specified size to file notification with the Federal Trade Commission (FTC) and the Department of Justice (DOJ) and to wait a designated period before consummating the transaction. It also requires the FTC, with the concurrence of the Assistant Attorney General for Antitrust, to promulgate rules requiring that notification be in a form and contain information necessary to enable the FTC and DOJ to determine whether the proposed acquisition may, if consummated, violate the antitrust laws. Review of these rules and the

Form focuses on reducing the paperwork burden imposed on the business community. On July 29, 1981, the Commission proposed several changes in the current premerger rules (46 Fed. Reg. 38710). These proposed changes, with some modification, were adopted in July 1983. On July 2, 1982, the Commission requested comments on several approaches to reduce further the burden imposed by the premerger rules and the Form. The staff (cont)

Timetable:

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Action	Date		FR	Cite
NPRM Clarification/Bur Reduction	07/29/81 den	46	FR	38710
Begin Review	09/30/81			
Notice of Request for Comments	07/02/82	47	FR	29182
Final Action Clarification/Bur Reduction	07/29/83 den	48	FR	34427
Final Action Effective	08/29/83			
Clarification/Bur Reduction	den			
Staff Proposal to Commission - Review	04/00/85			

Small Entity: No

Additional Information: SMALL ENTITY CONT: The Premerger Notification Rules do not affect nonbusiness entities or small businesses. A firm must have sales or assets of at least \$10 million to be subject to any reporting obligation. Moreover, any transaction is exempt under the rules if it is valued at less than \$15 million and will not result in the acquiring person's holding 50% of the voting securities of a corporation with sales or assets of \$25 million or more.

ABSTRACT CONT: plans to submit to the Commission, in the Spring of 1985, proposed changes in the Premerger rules that will pertain, in part, to the burden reduction initiative.

Agency Contact: John M. Sipple, Federal Trade Commission, Premerger Notification Office, Bureau of Competition, Washington, DC 20580, 202 523-3404

RIN: 3084-AA23

15. GAMES OF CHANCE IN THE FOOD RETAILING AND GASOLINE INDUSTRIES RULE

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 419.1

Abstract: The Commission's trade regulation rule concerning games of chance became effective on October 17. 1969. The rule establishes requirements for food and gasoline retailers in conducting and advertising games of chance by requiring disclosure of oddsof-winning and prize information in broadcast and print advertisements, as well as in point of sale information. During January, 1983, the Commission granted a temporary partial exemption to allow supermarkets and gas stations to advertise their games on radio and television without disclosing full information on prizes and odds-ofwinning. In addition, the Commission also published an advance notice of proposed rulemaking on whether to make the broadcast exemption permanent. Finally, the Commission has proposed to reduce the recordkeeping requirements of the rule from three years to one year in keeping with the goals of the Paperwork Reduction Act, and requests public comment on other possible areas where amendments to the rule may be appropriate. The rule benefits consumers by allowing contestants to enter games of chance with full knowledge of all material information to enable equal competition for (cont)

Timetable:

Action	Date	FR	Cite
Promulgation of Original Rule	08/19/69	34 FR	13302
ANPRM	01/04/83	48 FR	265
Temporary Partial Exemption	01/10/83	48 FR	1046
Submit Staff Analysis to Commission	06/00/85		

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: prizes. The major costs to industry are the possible burdensomeness of the electronic media disclosure and recordkeeping provisions of the rule, both of which are currently being reconsidered. Possible alternatives include different disclosures, reduced disclosures, or no disclosures.

Agency Contact: John M. Mendenhall, Attorney, Federal Trade Commission, Cleveland Regional Office, Suite 500-Mall Building, 118 St. Clair Ave, Cleveland, Ohio 44114, 216 522-4207

RIN: 3084-AA24

16. FRANCHISING AND BUSINESS OPPORTUNITIES

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 436

Abstract: The franchise trade regulation rule was adopted in response to evidence of deceptive and unfair practices in connection with the sale of the types of businesses covered by the rule. In some instances prospective franchisees lack a ready means of obtaining essential and reliable information about their proposed business investment. This lack of information reduces the ability of prospective franchisees either to make an informed investment decision or otherwise verify the representations of the business' salespersons. The rule attempts to deal with these problems by requiring franchisors and franchise brokers to furnish prospective franchisees with information about the franchisor, the franchise business and the terms of the franchise agreement. Franchisors and franchise brokers must furnish additional information if they have made any claim about actual or potential earnings, either to the prospective franchisee or in the media. All disclosures must be made (i) before any sale is made and (ii) by means of disclosure documents whose form and content are set forth in the rule. The rule requires disclosure of (cont)

Timetable:

Action -	Date	FR Cite
Rule promulgated	12/21/78	43 FR 59614
Initiation of Reg Flex Act	03/00/84	
Review		
Consideration of Appropriate	07/00/85	

Small Entity: Undetermined

Additional information: ABSTRACT CONT: certain information. It does not regulate the substantive terms of the franchisor-franchisee relationship. It does not require registration of the offering or the filing of any documents with the Federal Trade Commission in

connection with the sale of franchises. In accordance with Section 610 of the Regulatory Flexibility Act, the Commission will review this rule to examine its impact on small entities and assess whether any modifications are needed.

Agency Contact: John M. Tifford, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2805

RIN: 3084-AA25

17. RULES FOR USING ENERGY COST AND CONSUMPTION INFORMATION USED IN LABELING AND ADVERTISING OF CONSUMER APPLIANCES UNDER THE ENERGY POLICY AND CONSERVATION ACT

Legal Authority: 42 USC 6294 National Energy Conservation Policy Act; PL 94-163 Energy Policy and Conservation Act, Sec 324, 1975

CFR Citation: 16 CFR 305

Abstract: The Energy Policy and Conservation Act (EPCA) required the Commission to consider labeling rules for the disclosure of energy information, based on standard test procedures prescribed by the Department of Energy, for at least 13 categories of major household appliances. The Commission adopted a labeling rule for seven appliance categories: (1) refrigerators and refrigerator- freezers; (2) freezers; (3) dishwashers; (4) clothes washers; (5) water heaters; (6) room air conditioners; and (7) furnaces. The Commission exempted five other categories of appliances. Following DOE's adoption of final test procedures for central air conditioners (and heat pumps), the Commission initiated a rulemaking to consider including these products. The Commission is also considering including two new types of furnaces in the rule's current coverage of furnaces.

The rule mandates that specific energy costs or efficiency information for covered products be disclosed in catalogs and on a label (fact sheets are required for furnaces). The label must include a highlighted energy cost or efficiency disclosure, a range indicating the highest and lowest energy costs or (cont)

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Action	Date		FR	Cite
NPRM (Air Conditioners)	08/11/80	45	FR	53340
NPRM (Furnaces)	07/24/81	46	FR	38105
Publication of Staff Reports	08/00/83			
Final Rec. to Commission	02/00/85			
Initiation of Reg Flex Act Review	05/00/85			

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: efficiencies for all similar appliance models, and a chart that permits an individual to estimate how much it will cost to run the appliance each year based on local utility rates. The primary purpose of the rule is to permit consumers to compare the energy usage of competing appliances and to weigh that information along with other product features.

Since the Commission's rule implements the statutory directives in EPCA, most of the costs imposed on industry members may not be attributable to the rule. The rule applies mainly to manufacturers of household appliances, but does impose some burdens on distributors and retailers. Some of these entities may be small businesses pursuant to Section 610 of the Regulatory Flexibility Act; therefore, the Commission will initiate a review of the rule during FY 1984 to determine whether the rule has had a significant economic impact on a substantial number of small entities and, if so, whether the rule should be amended.

Agency Contact: James Mills, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-3646

RIN: 3084-AA26

18. LABELING AND ADVERTISING OF HOME INSULATION RULE

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 460

Abstract: The Commission's home insulation trade regulation rule became effective on September 29, 1980. In summary, the major provisions of the rule: (1) prescribe standardized test methods for determining the R-values,

or effectiveness, of home insulation materials; (2) mandate prepurchase point-of-sale disclosures of R-values and related information to consumers on labels and fact sheets; (3) require installers and new home sellers to disclose to consumers information about the insulation installed; (4) require disclosure of R-values or related information in advertisements which make specific claims about home insulation products; and (5) require substantiation and qualifying disclosures in advertisements which make energy savings claims about home insulation products. The rule is designed to enable consumers to evaluate and compare the thermal performance characteristics of these materials, and to ensure that promotional claims for home insulation products will be fair and nondeceptive. The disclosure requirements of the rule may benefit smaller manufacturers and other sellers, whose insulation products often compare favorably on an R-value basis with (cont)

Timetable:

Antion

Action	Date		LU	Cite
Rule promulgated	08/29/79	44	FR	50218
Rule effective	09/29/80	45	FR	54704
Initiation of Reg Flex Act Review	05/25/84	49	FR	22104
Commission consideration of appropriate action	05/00/85			

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: products produced by the dominant manufacturers in the industry. The resulting costs to covered sellers include the costs of conducting tests. preparing test reports, maintaining records, preparing labels and fact sheets, making disclosures in advertisements, and making disclosures in sales contracts or receipts given to consumers. Since the rule applies to all manufacturers, installers and other retail sellers of home insulation products, and to all retail new home and mobile home sellers, it may have a significant economic effect on a substantial number of small entities. To assess the possible impact of the rule on such small entities, the Commission is commencing a review of the rule in accordance with Section 610 of the Regulatory Flexibility Act.

Existing Regulations Under Review

Agency Contact: Kent C. Howerton, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-8934

RIN: 3084-AA27

19. • INFORMAL DISPUTE SETTLEMENT PROCEDURES

Priority: Undetermined

Legal Authority: 15 USC 2309; 15 USC 2310(a)(2) Magnuson-Moss Warranty--FTC improvements Act

CFR Citation: 16 CFR 703

Abstract: The Magnuson-Moss Warranty act, enacted on January 4, 1975, requires that the Federal Trade Commission promulgate a rule prescribing the minimum requirements for any informal dispute settlement procedure which is incorporated into the terms of a written warranty-subject to the Act. Because warrantors are not required to incorporate such procedures into warranties, the rule applies only to warrantors who voluntarily choose to do so. The present rule sets forth detailed procedural, recordkeeping, and reporting requirements for dispute settlement mechanisms designed to insure their fairness. In accordance with Section 610 of the Regulatory Flexibility Act, The Commission will begin a review of the rule during fiscal 1985 to examine whether the rule has had a significant economic impact on a substantial number of small entities and to assess whether any changes are needed. The review process will focus on whether changes in the rule would advance the Congressional objective of encouraging warrantors to establish informal dispute settlements. The review will also consider possible incentives for additional warrantors to participate in dispute (cont)

Timetable:			
Action	Date	FR Cite	
Promulgation of Original Rule	12/31/75		
Begin Review	12/00/84		
Request for Public	05/00/85		
Comment on			
Regulatory		THE STANDARD	
Flexibility		ALL TO MAN WELL	
Review			

Small Entity: No

Additional Information: ABSTRACT CONT: settlement mechanisms while continuing to ensure the fairness of mechanism procedures.

Agency Contact: Joseph Kattan, Federal Trade Commission, Division of Marketing Practices, Federal Trade Commission, Washington, D.C. 20580, 202 523-3860

RIN: 3084-AA30

20. MAMENDMENTS TO OCTANE POSTING AND CERTIFICATION RULE

Priority: Undetermined

Legal Authority: 15 USC 2801 et seq Petroleum Marketing Practices Act

CFR Citation: 16 CFR 306

Abstract: The Federal Trade
Commission, in accordance with the
Regulatory Flexibility Act and
publication of a Plan for the Periodic
Review of Commission Rules, 46 FR
35118 (July 7, 1981), is soliciting
comments and data on whether the
Octane Certification and Posting Rule,
16 CFR Part 306 ("the Rule"), has had a
significant economic impact on small
entities, and if it has, whether the Rule
should be amended to minimize any
such significant economic impact on
small entities.

The Rule establishes standard procedures for determining, certifying and posting (by means of a label on the fuel dispenser) the octane rating of automotive gasoline intended for sale to consumers. In addition, the Rule contains recordkeeping requirements that require gasoline refiners and importers to retain octane rating test records and gasoline distributors and retailers to retain octane certification records pertaining to the gasoline they sell in commerce for one year.

The Rule is intended to enable consumers to buy gasoline with an octane rating that is high enough to prevent (cont)

Timetable:

Date	FR Cite
03/30/79	44 FR 19160
06/01/79	
04/00/85	
12/00/85	
	03/30/79 06/01/79 04/00/85

Small Entity: Yes

Additional Information: ABSTRACT CONT: inefficient and harmful "engine knock" and to help consumers to avoid buying gasoline with an octane rating that is needlessly higher than the requirements of their automobiles.

The purpose of this review is limited to determining whether the Rule should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any significant economic impact of the Rule upon a substantial number of small entities.

Agency Contact: James Mills, Federal Trade Commission; Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-3646

RIN: 3084-AA32

FEDERAL TRADE COMMISSION (FTC)

Completed Actions

COMPLETED RULEMAKINGS 21. PROTEIN SUPPLEMENTS

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 52 Federal Trade Commission Act

CFR Citation: 16 CFR 454, (New)

Abstract: The proposed rule addressed the advertising and labeling of protein

supplements in three ways. First, there were provisions designed to inform consumers of certain possible health hazards. Second, the rule would have prohibited certain false or deceptive claims. Third, the rule would have required a general disclosure in the advertising and labeling of these products that most Americans receive

all the protein they need from the food they eat. Adoption of the proposed rule may have benefitted the public by reducing the incidence of hazardous, false, or misleading representations concerning the composition, use, and effects of protein supplements. The cost to the public of adopting the rule would have included the cost of changing

Completed Actions

labels and costs attributable to advertising disclosures. Large firms make most sales of protein supplements. However, a sizeable number of small firms also produce such products, and would have been subject to the rule. (cont)

Timetable:

Date	FR Cite
09/05/71	40 FR 41144
03/10/76	41 FR 10232
06/04/76	41 FR 22593
06/15/78	
07/24/79	
10/00/84	
12/20/84	
12/20/84	49 FR 5555
	09/05/71 03/10/76 06/04/76 06/15/78 07/24/79 10/00/84

Small Entity: Yes

Additional Information: ABSTRACT CONT: The Commission has voted to terminate the rulemaking proceeding in favor of case-by-case enforcement against deceptive infant-use claims. The Commission determined that the rulemaking record failed to establish that infant-use or other deceptive claims were sufficiently prevalent to justify an industry-wide rule, and that case-by-case enforcement would fully address any isolated problems that might occur.

Agency Contact: Harrison Sheppard, Federal Trade Commission, San Francisco Regional Office, 450 Golden Gate Avenue, San Francisco, CA 94102, 415 556-1270

RIN: 3084-AA12

22. USED MOTOR VEHICLES

Priority: Undetermined

Legal Authority: 15 USC 45; 15 USC

57(a); 15 USC 2309(b)

CFR Citation: 16 CFR 455, (NEW)

Abstract: On September 14, 1983, pursuant to a joint stipulation between the Commission and the petitioners for review, the Second Circuit remanded

the rule to the Commission. (Miller Motor Car Corp. v. FTC, Nos. 81-4144 et al.) On July 10, 1984, the Commission tentatively adopted a rule that would require dealers to post a window form on used cars sold to consumers which discloses, in plain language, information concerning warranty coverage offered (if any), the meaning of an "As Is" sale (in which neither express warranties nor implied warranties are offered), and other important information. The form also informs consumers that oral promises are difficult to enforce and suggests that consumers ask about independent inspections. Alternatives that were considered included required inspections, voluntary inspections, and a requirement to disclose "known defects." The tentatively adopted rule was published for 30 days of technical comments and substantive comment on survey data that was included in the rulemaking record.

Timetable:

Action	Date	FR Cite
NPRM	01/06/76	41 FR 1089
Final Rule Published	08/14/81	46 FR 41328
Rule Promulgated	08/18/81	
Concurrent Resolution of Disapproval	05/26/82	
Second Circuit reinstated petitions to review Rule	07/26/83	
Rule Remanded to Commission	09/14/83	
Invitation for public comment on "known defects" portions of the Rule	12/16/83	48 FR 55874
Staff Recommendation to Commission	05/00/84	
Tentative Adoption	07/10/84	
Invitation for Comment	07/31/84	49 FR 30511
Revised Final Rule Published	11/19/84	49 FR 45692
Final Action	11/19/84	49 FR 45692
Final Action Effective	05/09/85	

Small Entity: Yes

Agency Contact: Lemuel W. Dowdy, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2893

RIN: 3084-AA14

23. AMENDMENTS TO OCTANE POSTING AND CERTIFICATION RULE

Legal Authority: 15 USC 2801 et seq Petroleum Marketing Practices Act

CFR Citation: 16 CFR 306

Abstract: Title II of the Petroleum Marketing Practices Act ("PMPA", Pub. L. 95-297, June 19, 1978) required the Commission to promulgate a rule which establishes standard procedures for determining, certifying and posting, by means of a label on the fuel dispenser, the octane rating of automotive gasoline intended for sale to consumers. The Commission's rule was promulgated on March 30, 1979 and became effective on June 1, 1979. The rule is intended to enable consumers to buy a gasoline with an octane rating that is high enough to prevent inefficient and harmful "engine knock," and to avoid buying gasoline with an octane rating that is too high for their needs. Although compliance imposes costs on affected industry members, the rule's requirements parallel those in PMPA; therefore, the rule adds little, if any, additional cost. The rule requires refiners and importers to retain test records and distributors and retailers to retain octane certification records for one year, to facilitate tracing the source of inaccurate octane representations. While the Commission has attempted to minimize the burden on small business. the staff is considering (cont)

		MALL	17
Date		FR	Cite
03/30/79	44	FR	19160
06/01/79			
01/00/85			
	03/30/79	03/30/79 44 06/01/79	03/30/79 44 FR 06/01/79

Small Entity: Yes

Additional Information: ABSTRACT CONT: whether the recordkeeping requirements are unnecessary and whether sufficient incentives exist to

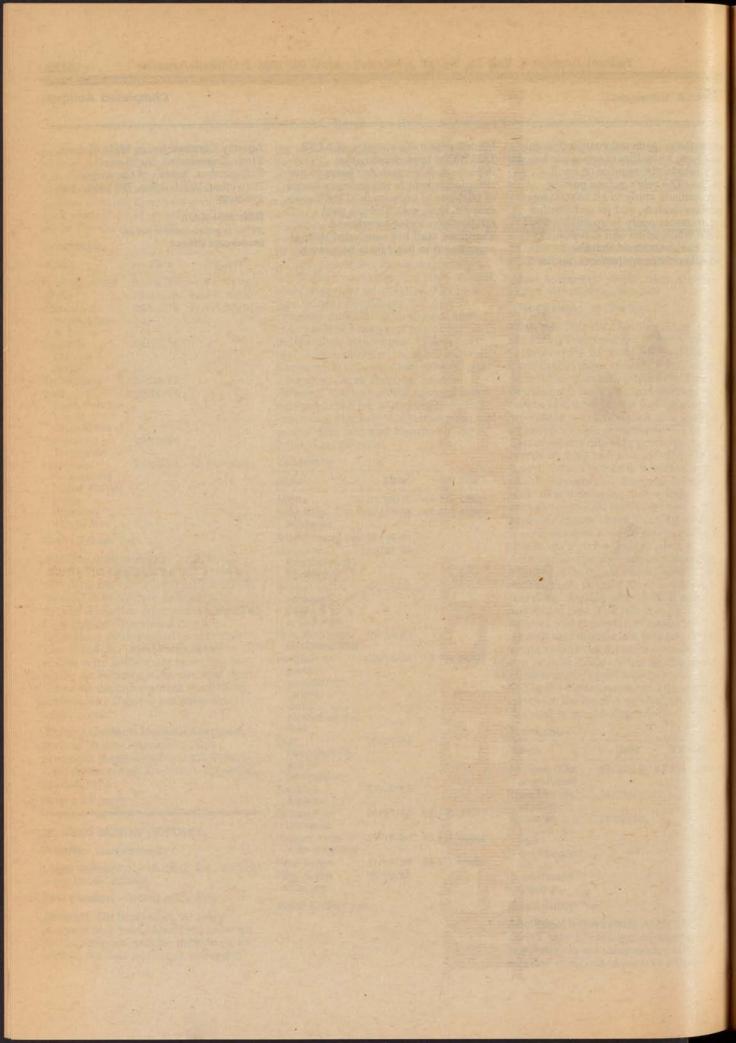
Completed Actions

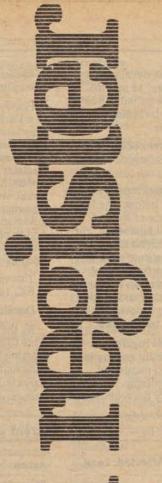
retain the records voluntarily. The rule may have a significant economic impact on a substantial number of small entities. The rule's octane posting requirements apply to all 180,000 retail gasoline dealers, and its certification requirements apply to approximately 20,000 wholesalers and distributors. Staff has determined that the recordkeeping requirements are not a

burden within the meaning of 5 CFR 1320.7(b)(1) implementing the Paperwork Reduction Act because the records are kept in the ordinary course of business to keep track of the source, amount, type, cost, and tax paid relative to gasoline transferred. Therefore, staff has concluded that no amendment to this rule is necessary.

Agency Contact: James Mills, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-3646

RIN: 3084-AA16 [FR Doc. 85-6402 Filed 04-26-85; 8:45 am] BILLING CODE 6750-01-T





Monday April 29, 1985

Part LV

Interstate Commerce Commission

Semiannual Regulatory Agenda



ICC

INTERSTATE COMMERCE COMMISSION

49 CFR Ch. X

[Ex Parte No. 420 (Sub-No. 8)]

Semiannual Regulatory Agenda

AGENCY: Interstate Commerce Commission.

ACTION: Notice of semiannual regulatory agenda to be part of a Unified Agenda of Federal Regulations.

SUMMARY: Pursuant to OMB Bulletin No. 85-6, issued under section 6(b) of E.O. 12291 to implement the provisions of section 5 of the Executive Order concerning Regulatory Agendas, the Commission is publishing an agenda of (1) current and projected rulemakings, and (2) existing regulations being reviewed to determine whether to propose modifications through rulemaking. Listed below are the

regulatory actions to be developed or reviewed during the next 12 months. Following each rule identified is a brief description of the rule including its purpose and legal basis.

FOR FURTHER INFORMATION CONTACT: A contact person is identified for each of the rules listed below.

SUPPLEMENTARY INFORMATION: Two lists of proceedings appear below. The first contains information about subject areas in which the Commission is currently conducting rulemaking proceedings or may institute such proceedings in the near future. The second contains information about existing regulations being reviewed to determine whether to propose modifications through rulemaking.

The agenda identifies regulations likely to have a significant economic impact on a substantial number of "small entities." Accordingly, this information will satisfy the requirements

of section 602 of the Regulatory Flexibility Act, 5 U.S.C. 602.

Finally, this agenda will comprise part of a Unified Agenda of Federal Regulations compiled by the Office of Management and Budget which is to be published in a single issue of the Federal Register in April 1985. The purpose of the Unified Agenda is to provide the public with more comprehensive documentation of the Federal government's current regulatory plans, and to provide a systematic means of monitoring regulatory activity in each agency.

This notice is issued pursuant to 49 U.S.C. 10321 and 5 U.S.C. 553.

Decided: February 20, 1985.

By the Commission, Chairman Taylor, Vice Chairman Gradison, Commissioners Sterrett, Andre, Simmons, Lamboley, and Strenio. James H. Bayne, Secretary.

INTERSTATE COMMERCE COMMISSION (ICC)

RAILROAD CONSOLIDATION PROCEDURES - TRACKAGE RIGHTS EXEMPTION, EX PARTE NO. 282 (SUB-NO. 9)

Priority: Agency Determination

Legal Authority: 49 USC 10505; 49 USC 11343 to 11346; 5 USC 553

CFR Citation: 49 CFR 1180, (formerly 49 CFR 1111)

Abstract: We propose to exempt from regulation, as a class, trackage rights transactions under 49 U.S.C. 11343 that are: 1) based on written agreements; and 2) not sought as responsive applications to rail consolidation proceedings.

Timetable:

Committee of the Commit					
Action	Date		FR	Cite	
NPRM	09/15/82	47	FR	40668	
NPRM Comment Period Begin	09/15/82	47	FR	40668	
NPRM Comment Period End	10/15/82				
Pending Final Decision	00/00/00			4	

Small Entity: No.

Public Compliance Cost: Initial Cost: \$200; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1981 Government Levels Affected: Local, State, Federal

Analysis: Draft RFA 09/15/82 (47 FR 40668)

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Room 5417, Washington, DC 20423, 202 275-7245

RIN: 3120-AA09

ZONE OF REASONABLENESS FOR CAR HIRE CHARGES, EX PARTE NO. 334 (SUB-NO. 5)

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10706; 49 USC 10734; 49 USC 11122; 5 USC 553

CFR Citation: 49 CFR 1033; 49 CFR 1036

Abstract: The Commission is considering whether to increase carrier flexibility in establishing car hire charges.

Timetable:

Action	Date		FR	Cite
NPRM	10/22/80	1	331.	
NPRM Comment Period Begin	11/03/80	45	FR	73524
NPRM Comment Period End	12/22/80			

Current and Projected Rulemakings

Action	Date	FR Cite
Presently under internal evaluation	00/00/00	

Small Entity: No

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, 202 275-7245

RIN: 3120-AA13

SPECIAL TEMPORARY AUTHORITY PROCEDURES, EX PARTE NO. MC-64 (SUB-NO. 2A)

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1131

Abstract: Proposal to add categories of emergency situations in which special temporary operating authority for motor carriers may be granted.

Timetable:

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Action	Date		FR	Cite
NPRM	06/05/80			37912
NPRM Comment Period Begin	06/05/80	45	FR	46459
NPRM Comment	08/11/80			

Action	Date	FR Cite
Draft under internal evaluation	00/00/00	A STATE OF THE PARTY OF THE PAR

Small Entity: Not Applicable

Agency Contact: Howell I. Sporn, Deputy Director, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7691

RIN: 3120-AA19

BRANCH LINE ACCOUNTING SYSTEM-RAILROADS

Legal Authority: 49 USC 10362(b)(7) CFR Citation: 49 CFR 1201

Abstract: These rules establish a standardized system of accounting which will permit the collection and publication by railroads of information necessary to determine accurately the revenues attributable, avoidable costs, and service units of light density lines scheduled for abandonment under 49 CFR 1121 or 1125. This proceeding is a continuing matter, by statute, based upon the Regional Rail Reorganization Act of 1973, modified by the Railroad Revitalization & Regulatory Reform Act of 1976; therefore, completion dates are

Timetable:

inappropriate.

Action	Date		FR	Cite
NPRM	01/11/78	43	FR	1732
Continuing proceeding by statute	00/00/00			

Small Entity: Not Applicable

Agency Contact: James R. Wells, Transportation Industry Analyst, Interstate Commerce Commission, Section of Rail Services Planning, Washington, DC 20423, 202 275-0840

RIN: 3120-AA23

PETITION TO EXPAND PASSENGER MOTOR CARRIER SUPERHIGHWAY AND DEVIATION RULES, EX PARTE NO. MC-65 (SUB-NO. 6)

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1042

Abstract: Proposal to expand the amount by which a motor carrier of passengers may deviate from its certificated route in order to perform authorized service in an efficient and timely way.

Timetable:

Action	Date	N. J	FR	Cite
NPRM	02/01/79	44	FR	6580
Under internal evaluation	00/00/00			

Small Entity: Not Applicable

Agency Contact: S. David Berger, Supervising Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7980

RIN: 3120-AA24

DORMANCY, DIVISION OF OPERATING RIGHTS, AND NEW COMPETITIVE SERVICE IN MOTOR CARRIER ACQUISITION CASES, EX PARTE NO. MC-155

Legal Authority: 49 USC 10926; 49 USC 11343; 49 USC 11344

CFR Citation: 49 CFR 1132; 49 CFR 1134

Abstract: New rules would propose to deal with the handling of sales of motor carrier operating rights involving dormant rights or rights which create additional competition by sale.

Timetable:

Action	Date	FR Cite
Draft under internal evaluation	00/00/00	- AND STATE

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$957,300; Base Year for Dollar Estimates: 1983

Government Levels Affected: Federal

Analysis: Draft RFA 01/20/83

Agency Contact: Warren Wood, Senior Attorney, Motor Section, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Room 2330, Washington, DC 20423, 202 275-7977

RIN: 3120-AA27

COSTING METHODOLOGIES FOR THE NORTHEAST CORRIDOR; COMMUTER SERVICE

Legal Authority: PL 97-35, Sec 1163(a) Northeast Rail Service Act of 1981

Abstract: These rules establish an appropriate costing methodology for compensating Amtrak for the use of its trackage in the Northeast Corridor and other areas by commuter rail passenger and freight services. It is based on an avoidable costing methodology concept.

Amtrak is treated as the dominant user and the other users of its properties as the minority users; this is for purposes of assigning joint costs. This proceeding is a continuing matter under the Northeast Rail Services Act of 1981; as such, completion dates are not pertinent.

Timetable:

Action	Date	900	FR	Cite
ANPRM	09/04/81	46	FR	44999
NPRM	01/25/82	47	FR	3418
NPRM Comment Period Begin	01/25/82	47	FR	3418
NPRM Comment Period End	03/01/82			
Continuing proceeding by statute	00/00/00			

Small Entity: No

Agency Contact: Stephen M. Grimm, Transportation Industry Analyst, Interstate Commerce Commission, Washington, DC 20423, 202 275-0839

RIN: 3120-AA31

REASONABLY EXPECTED COSTS

Legal Authority: 49 USC 10705a(b)(2) Staggers Rail Act of 1980

CFR Citation: 49 CFR 1129

Abstract: A railroad may impose a surcharge on traffic originating or terminating on certain light density lines. These surcharges may be applied without Commission interference unless the surcharge increases the carrier's share of joint-line revenues above 110 percent of variable cost plus 100 percent of the carrier's reasonably expected costs of continuing to operate the line itself; i.e., its on-branch costs. These rules establish the methodology for determining "reasonably expected costs." It will benefit the public by permitting shippers a mechanism to monitor and determine the appropriateness of a light density line surcharge. This proceeding is "open" pursuant to the Staggers Rail Act of 1980 and therefore, completion dates are not appropriate.

Timetable:

Action	Date	FR Cite
"Open" pursuant	00/00/00	A STATE OF THE PARTY OF THE PAR
to statute		

Small Entity: No

ICC

Agency Contact: James Wells, Accountant, Interstate Commerce Commission, Washington, DC 20423, 202 275-0840

RIN: 3120-AA32

STANDARDS FOR DETERMINING RAIL SERVICE CONTINUATION

Legal Authority: 45 USC 715(d)(6) Regional Rail Reorganization Act of 1973; 49 USC 10362(b)(6) RR Revitalization & Reg. Reform Act of 1976

CFR Citation: 49 CFR 1125

Abstract: The standards define the terms "revenue attributable to the rail properties," the "avoidable costs of providing service," a "reasonable return on the value," and a "reasonable management fee." When a railroad receives Commission approval to abandon a portion of rail property because it is a burden on interstate commerce, a financially responsible person may offer an operating subsidy (i.e., a rail service continuation payment) to keep the rail line in operation. The standards establish a formula for calculating the estimated first year subsidy payment; the formula utilizes the terms defined above. This standard benefits the public by facilitating the continuation of essential freight service that would otherwise cease; it further provides a mechanism adequately compensating a carrier for the service provided. This proceeding is a continuing matter by statute based upon the Regional Rail Reorganization Act of 1973, modified by the Railroad Revitalization & Regulatory Reform Act of 1976; therefore, completion dates are inappropriate.

Timetable:

Action	Date	FR Cite
Continuing proceeding by statute	00/00/00	tan in tulia

Small Entity: Not Applicable

Agency Contact: James Wells, Accountant, Interstate Commerce Commission, Section of Rail Services Planning, Washington, DC 20423, 202 275-0840

RIN: 3120-AA33

STANDARDS FOR DETERMINING COMMUTER RAIL SERVICE CONTINUATION SUBSIDIES AND EMERGENCY OPERATING PAYMENTS

Legal Authority: 45 USC 715 Regional Rail Reorganization Act of 1973; 49 USC 10362(b)(5); PL 94-210 RR Revitalization & Reg. Reform Act of 1976

CFR Citation: 49 CFR 1127

Abstract: These standards establish a methodology by which a subsidy amount may be calculated. This subsidy would be offered by a financially responsible party (usually a state agency or commuter authority) to a railroad to fund the deficits incurred in providing rail passenger commuter service in the Northeast. These standards benefit the public by facilitating the continuation of essential rail passenger service and providing a mechanism for adequately compensating a carrier for the service provided. This proceeding is a continuing matter, by statute, based upon the Regional Rail Reorganization Act of 1973, modified by the Railroad Revitalization & Regulatory Reform Act of 1976; therefore, completion dates are inappropriate.

Timetable:

Action	Date	FR Cite
ANPRM	06/05/81	'notinion
Continuing proceeding by statute	00/00/00	

Agency Contact: Stephen M. Grimm, Transportation Industry Analyst, Interstate Commerce Commission, Section of Rail Services Planning, Washington, DC 20423, 202 275-0839

RIN: 3120-AA34

INTERCHANGE POLICIES AT INTERNATIONAL BOUNDARY LINES, EX PARTE NO. MC-73 (SUB-NO. 1)

Legal Authority: 49 USC 10101; 49 USC 10321; 49 USC 11107; 5 USC 552; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1004; 49 CFR 1057

Abstract: Proposal to permit licensed motor carriers to interchange equipment at international boundary lines with licensed Mexican and Canadian carriers.

Timetable:

Action	Date	FR	Cite
NPRM	06/23/81	46 FR 3	32460
NPRM Comment Period Begin	06/23/81		
NPRM Comment Period End	08/07/81		
Draft under internal evaluation	00/00/00		

Small Entity: Undetermined

Agency Contact: Andrew L. Lyon, Principal Attorney, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7805

RIN: 3120-AA36

REVOCATION PROCEDURES FOR FAILURE TO FILE AND MAINTAIN INSURANCE (MOTOR CARRIERS), OR SURETY BONDS (MOTOR CARRIERS, BROKERS AND FREIGHT FORWARDERS), EX PARTE NO. MC-5 (SUB-NO.3)

Legal Authority: 49 USC 10925; 49 USC 10927

CFR Citation: 49 CFR 1043.7(f); 49 CFR 1084.8(g)

Abstract: Motor carriers, brokers and forwarders are required to file evidence of security for public protection in prescribed amounts. This proceeding involves improvement of the procedures by which revocation of certificates, licenses and permits is accomplished for failure to file or maintain the required security.

Timetable:

Illietable.				
Action	Date		FR	Cite
NPRM	12/13/82	47	FR	55980
NPRM Comment Period Begin	12/13/82	47	FR	55980
NPRM Comment Period End	01/13/83			
Final Action	09/02/85			
Final Action	10/09/85			

Small Entity: No

Effective

Agency Contact: Margaret Ginyard, Transportation Industry Analyst, Interstate Commerce Commission, Office of Compliance & Consumer Assistance, Room 6328, Washington, DC 20423, 202 275-6749

RIN: 3120-AA39

Current and Projected Rulemakings

REGULATIONS GOVERNING THE ADEQUACY OF INTERCITY MOTOR COMMON CARRIER PASSENGER SERVICE, EX PARTE NO. MC-95 (SUB-NO. 3)

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1063

Abstract: Proposal to develop rules governing adequacy of service, equipment, and facilities on buses.

Timetable:

Action	Date		FR	Cite
NPRM	09/06/79	44	FR	53092
NPRM Comment Period Begin	12/03/84	49	FB	4911
NPRM Comment Period End	02/01/85			
Comments under review	00/00/00			

Small Entity: Not Applicable

Agency Contact: James Brown, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7898

RIN: 3120-AA40

HANDLING OF C.O.D. SHIPMENTS, EX PARTE NO. MC-42

Priority: Agency Determination

Legal Authority: 49 USC 10101; 49 USC 10321; 49 USC 10762; 49 USC 11101; 5 USC 553

CFR Citation: 49 CFR 1052

Abstract: The Commission is considering whether to revise its existing regulations to authorize individual carriers to establish their own nondiscriminatory C.O.D. collection and remittance rules and to eliminate the requirement in existing recordkeeping.

Timetable:

Action	Date	FR Cite
NPRM	03/19/81	46 FR 17814
NPRM Comment Period Begin	03/20/81	
NPRM Comment Period End	05/04/81	
Draft Decision under internal evaluation	00/00/00	
Small Entity: No		

Agency Contact: Tom Barry, Attorney Advisor, Interstate Commerce Commission, Washington, DC 20423, 202 275-7548

RIN: 3120-AA42

IMPROVEMENT OF TOFC/COFC REGULATION (RAILROAD AFFILIATED MOTOR CARRIERS AND OTHER MOTOR CARRIERS), EX PARTE NO. 230 (SUB-NO. 6)

Priority: Agency Determination

Legal Authority: 49 USC 10321(a); 49 USC 10505; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1039

Abstract: The Commission has voted to extend to non-rail affiliated motor carriers its exemption from 49, Subchapter IV of the U.S. Code motor transportation of trailers and of containers used in continuous intermodal movements (TOFC and COFC service). The date the exemption will become effective is not yet determined.

Timetable:

Action	Date		FR	Cite
ANPRM	08/22/79	44	FR	49279
ANPRM Comment Period Begin	08/22/79	44	FR	49279
ANPRM Comment Period End	10/22/79			
NPRM	02/27/81	46	FR	14365
NPRM Comment Period Begin	02/27/81	46		14365
NPRM Comment Period End	03/30/81			
Vote of the Commission	09/20/84			
Draft Final Decision under internal evaluation	00/00/00			

Small Entity: No

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, 202 275-7245

RIN: 3120-AA47

COAL RATE GUIDELINES -NATIONWIDE, EX PARTE NO. 347 (SUB-NO. 1)

Priority: Agency Determination

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 10701a; 49 USC 10704; 49 USC 10709(a)

CFR Citation: Not yet determined

Abstract: The Commission is proposing a maximum rail rate policy applicable to captive coal traffic. Under the proposed "constrained market pricing" approach, rail carriers' pricing of market dominant coal traffic would be subject to four upward constraints. First, a coal shipper could not be charged more than the "stand-alone cost" of serving its traffic. Second. captive shippers would not be required to bear the cost of obvious management inefficiencies. Third, carriers which have adequate revenues, as we have defined them, would not be permitted to increase their rates on captive coal traffic. Finally, carriers would generally not be permitted to increase their rates on captive coal traffic by more than 15 percent in a single year (after allowing for inflation).

Timetable:

imetable:			10	
Action	Date		FR	Cite
NPRM	11/18/80	45	FR	80370
NPRM Comment Period Begin	11/18/80	46	FR	2204
NPRM Comment Period End	04/17/81			
Comment End Extended to 05/11/81	04/17/81	46	FR	22497
Interim Final Rule	12/16/81	46	FR	62958
Additional comments requested	02/10/82	47	FR	6109
Decision reopening 12/16 decision	08/05/82			
NPRM	02/08/83			
Public Comment Period Begins	02/22/83			
Public Comment Period Ends	07/28/83			
Oral Hearing	10/04/84			
Final Action	04/00/85			

Small Entity: Undetermined

Agency Contact: Leslie J. Selzer, Assistant to the Director, Interstate Commerce Commission, Bureau of Accounts, Washington, DC 20423, 202 275-7627

RIN: 3120-AA52

STANDARDS FOR RAILROAD REVENUE ADEQUACY, EX PARTE NO. 393 AND EX PARTE NO. 393 (SUB-NO. 1)

Priority: Major

Legal Authority: 49 USC 10704(a)(2)

ICC

CFR Citation: Not yet determined

Abstract: To assist the Commission in determining whether railroads are revenue adequate as prescribed by the IC Act. A final decision in the lead proceeding was issued on 03/30/81. The present NPRM (Sub-No.1) is to resolve several issues left outstanding in the earlier decision.

Timetable:

Action	Date	FR Cite
NPRM	11/26/80	DATE TO SERVE TO
NPRM	02/28/83	
NPRM Comment Period Begins	03/01/83	
NPRM Comment Period Ends	04/15/83	
Comment Period Extended to	09/16/83	48 FR 29964
Comments due	09/23/83	48 FR 42876
Final Action	04/00/85	
Final Action Effective	04/00/85	
Draft Decision under internal evaluation	00/00/00	

Small Entity: Undetermined

Agency Contact: Ward L. Ginn, Jr., Chief, Section of Financial Analysis, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Washington, DC 20423, 202 275-7488

RIN: 3120-AA61

ADOPTION OF UNIFORM RAIL COSTING SYSTEM FOR DETERMINING VARIABLE COST FOR JURISDICTIONAL THRESHOLD AND SURCHARGE PURPOSES (URCS), EX PARTE NO. 431

Priority: Major

Legal Authority: 49 USC 10705(a); 49

USC 10709

CFR Citation: Not yet determined

Abstract: Develops new cost methodology applicable to the rail industry as mandated in the 1976 4-R Act and the 1980 Staggers Rail Act.

Timetable:

Action	Date		FR	Cite
NPRM	01/31/83	48	FR	4562
NPRM Comment Period Begin	01/31/83	48	FR	25290
NPRM Comment Period End	09/28/83			
Decision to hold in abeyance until further notice	11/13/84	49	FR	45080

Next Action Undetermined

Small Entity: Yes

Agency Contact: William T. Bono, Chief, Section of Cost Development, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Washington, DC 20423, 202 275-7354

RIN: 3120-AA63

AGRICULTURAL COOPERATIVE EXEMPTION

Legal Authority: 49 USC 10529

CFR Citation: 49 CFR 1047.21 to 1047.23

Abstract: The draft final rules would modify existing regulations to enhance the Commission's enforcement powers over cooperatives. Cooperatives would be required to compile simple reports and maintain certain records in one location. Non-resident cooperatives would have to make such reports and records available in the United States, and the Notice Form OCP 102 required to be filed with the Commission would expire one year from the filing date.

Timetable:

Date	FR Cite
06/10/81	49 FR 30668
06/10/81	49 FR 30668
07/27/81	
09/02/85	
10/09/85	
	06/10/81 06/10/81 07/27/81 09/02/85

Small Entity: Yes

Agency Contact: Patricia M Schulze, Transportation Industry Analyst, Interstate Commerce Commission, OCCA, Washington, DC 20423, 202 275-7841

RIN: 3120-AA74

TRANSFERS OF OPERATING RIGHTS, EX PARTE NO. MC-111 (SUB-NO. 1)

Legal Authority: 49 USC 10101; 49 USC 10926; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1045.11; 49 CFR 1132; 49 CFR 1133; 49 CFR 1141; 49 CFR 1151

Abstract: When motor carriers, water carriers, brokers, and freight forwarders seek to transfer their operating rights, they must follow Commission procedures. Proposed regulations will seek to consolidate the various regulations, streamline them, and simplify the entire procedure.

Timetable:

Action	Date	FR C
NPRM	10/01/82	100
NPRM Comment Period Begin	10/01/82	
NPRM Comment Period End	10/31/82	
Draft NPRM under internal evaluation	00/00/00	

ite

Small Entity: Yes

Agency Contact: Suzanne Higgins, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7181

RIN: 3120-AA81

SPECIAL INTERMODAL AUTHORITY, EX PARTE NO. 282 (SUB-NO. 7)

Legal Authority: 49 USC 11344(e) CFR Citation: 49 CFR 1111.11

Abstract: The rules will implement a provision allowing special applications to provide the motor portion of a motorrail movement as a substitute for impaired rail service.

Timetable:

Action	Date	FR Cite
NPRM	10/18/80	
NPRM Comment Period Begin	10/18/80	
Interim Final Rule	10/18/80	
NPRM Comment Period End	11/18/80	
Presently under internal evaluation	00/00/00	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Louis E. Gitomer. Deputy Director, Rail Section, Interstate Commerce Commission, Room 5417, Washington, DC 20423, 202 275-7245

RIN: 3120-AA82

REVISION OF ACCOUNTING AND REPORTING REQUIREMENTS FOR MOTOR CARRIERS OF PROPERTY, DOCKET NO. 38904

Priority: Agency Determination

Legal Authority: 49 USC 11142

CFR Citation: 49 CFR 1207; 49 CFR 1249

Abstract: This rule would eliminate all the Commission's accounting and reporting rules for Class I and II common and contract motor carriers of property.

Timetable:

Action	Date	FR	Cite
NPRM	02/21/85	50 FR	7201
NPRM Comment Period Begin	02/21/85	- William	
NPRM Comment Period End	04/08/85		

Small Entity: No

Agency Contact: Francis R. Grisetti, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, D.C. 20423, 202 275-7448

RIN: 3120-AA84

REVISION TO ACCOUNTING RULES FOR CLASS I AND CLASS II COMMON AND CONTRACT MOTOR CARRIERS OF PROPERTY, DOCKET NO. 38837

Priority: Agency Determination

Legal Authority: 5 USC 553; 49 USC

CFR Citation: 49 CFR 1207

Abstract: The proposed rule would revise the regulations to: (1) make the uniform system of accounts a single-class system, generally based on the present requirements for Class II carriers; (2) eliminate recognition of gains on trade-ins of operating equipment; (3) eliminate the requirement for household goods carrier principals to obtain financial reports from their carrier agents; and (4) make miscellaneous technical changes to clarify the regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/18/83	48 FR 2557
NPRM Comment Period Begin	01/20/83	48 FR 2557
NPRM Comment Period End	03/07/83	
Final Action	12/00/85	
Small England		

Small Entity: No

Agency Contact: Francis R. Grisetti, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, D.C. 20423, 202 275-7448

RIN: 3120-AA85

REVISION TO THE UNIFORM SYSTEM OF ACCOUNTS FOR RAILROADS

Priority: Agency Determination Legal Authority: 49 USC 11166 CFR Citation: 49 CFR 1201

Abstract: The purpose of this regulation is to update the uniform system of accounts for railroads. This includes incorporating various suggestions from users and carriers and recommendations from Commission staff. It also addresses such areas as compliance with GAAP, clarity of presentation, and logic for level of detail in account classifications. Further, the operating expense account explanations will be revised for clarity.

Timetable:

Timetable.	THE PARTY OF THE P			
Action	Date	Pili	FR	Cite
NPRM	06/13/84	49	FR	24554
NPRM Comment Period Begin	06/13/84	49	FA	24554
NPRM Comment Period End	07/30/84			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Francis R. Grisetti, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, D.C. 20423, 202 275-7448

RIN: 3120-AA86

PROCEDURES GOVERNING THE PROCESSING, INVESTIGATION, AND DISPOSITION OF OVERCHARGE, DUPLICATE PAYMENT, OR OVERCOLLECTION CLAIMS

Legal Authority: 49 USC 10741; 49 USC 10761(a)

CFR Citation: 49 CFR 1008

Abstract: This action is considering the modification of rules governing processing of overcharge, duplicate payment, and overcollection claims to lessen burdens on small shippers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	at your miles many
NPRM Comment Period Begin	00/00/00	
NPRM Comment Period End	00/00/00	

Small Entity: Yes

Agency Contact: Patricia M. Schulze, Transportation Industry Analyst, Interstate Commerce Commission, Office of Compliance and Consumer Assistance, Washington, D.C. 20423, 202 275-7841

RIN: 3120-AA95

ELECTRONIC FILING OF TARIFFS, EX PARTE NO. 444

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10762

CFR Citation: 49 CFR 1300; 49 CFR 1303; 49 CFR 1304; 49 CFR 1305; 49 CFR 1306; 49 CFR 1307; 49 CFR 1308; 49 CFR 1309; 49 CFR 1310

Abstract: Commission regulations require filing of tariffs in printed form. The Commission is considering establishing rules and procedures to permit carriers to file tariffs electronically. The advance notice of proposed rulemaking seeks comments from interested parties.

Timetable:

Action	Date	FR Cite
ANPRM	03/08/83	
ANPRM Comment Period Begin	03/08/83	48 FR 18861
ANPRM Comment Period End	06/22/83	
Presently under internal evaluation	00/00/00	

Small Entity: Undetermined

Agency Contact: Charles E. Langyher, III, Chief, Section of Tariffs, Interstate Commerce Commission, Bureau of Traffic, Washington, D.C. 20423, 202 275-7739

RIN: 3120-AA99

ACCEPTABLE FORMS OF REQUESTS FOR OPERATING AUTHORITY FOR MOTOR CARRIERS AND BROKERS OF PROPERTY, EX PARTE NO. MC-55 (SUB-NO. 43A)

Priority: Major

Legal Authority: 5 USC 553; 49 USC 10101; 49 USC 10321; 49 USC 10922; 49 USC 10923; 49 USC 10924; 49 USC 11102

CFR Citation: 49 CFR 1160

Abstract: To permit applications for any reasonably broad commodity description.

ICC

Timetable:	in Appe	Against Com
Action	Date	FR Cite
NPRM	08/08/83	
NPRM Comment Period Begin	08/08/83	
NPRM Comment Period End	09/26/83	
Most rules effective	05/18/84	49 FR 15205
Supplemental NPR (bulk commodities	07/02/84	49 FR 27182
only)		
Comments due	08/16/84	
Comments under review	00/00/00	

Small Entity: No

Agency Contact: Suzanne Higgins, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7181

RIN: 3120-AB05

RAIL GENERAL EXEMPTION AUTHORITY - MISCELLANEOUS PROCESSED AND MANUFACTURED COMMODITIES

Priority: Agency Determination Legal Authority: 49 USC 10505 CFR Citation: 49 CFR 1039

Abstract: 49 USC 10505 requires that the Commission exempt from regulation the movement by rail of traffic for which it finds continued regulation no longer necessary to serve the Nation's transportation policy objectives and to protect shippers from abuse of market power by the railroads. In examining the transportation characteristics and markets of various commodities moying by rail, there appear to be many products for which sufficient competition exists among transportation alternatives so that regulation may no longer be necessary. Exemption of such commodities should provide increased rate and service flexibility for railroads to meet shippers' needs and to compete more effectively for the subject traffic. Anticipated benefits include lower rates and improved service, at a possible "cost" of increased price instability and competition to alternative transport firms.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	and the state of
Small Entit	v. Undetermined	

Agency Contact: Robert Lundy,

Economist, Interstate Commerce Commission, Washington, DC 20423, 202 275-6853

RIN: 3120-AB08

ELIMINATION OF PRESERVATION OF RECORDS RULES, DOCKET NO. 38849 (SUB-NO. 1)

Priority: Agency Determination

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 11145

CFR Citation: 49 CFR 1220

Abstract: This rule would eliminate the record preservation rules. These rules dictate the minimum length of time records must be preserved. The Commission believes the rules are no longer necessary and that their elimination will reduce costs and burdens substantially.

Timetable:

Action	Date	FR Cite
NPRM	01/26/84	49 FR 3493
NPRM Comment Period Begin	01/26/84	49 FR 3493
NPRM Comment Period End	03/12/84	
Final Action	04/00/85	

Small Entity: Yes

Agency Contact: Francis R. Grisetti, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, DC 20423, 202 275-7448

RIN: 3120-AB10

PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS (REVISION OF OPERATIONAL REGULATIONS)

Legal Authority: 49 USC 11110

CFR Citation: 49 CFR 1056

Abstract: This proceeding involves a plenary review of the household goods regulations in which the Commission invites public comment and proposals which would minimize the regulatory burden on movers to the maximum extent consistent with the protection of individual shippers.

Timetable:

Action	Date		rn	Cite
ANPRM	10/26/83	48	FR	49561
ANPRM	10/26/83	48	FR	49561
Comment Period Begin				
ANPRM	01/12/84			
Comment Period End				
NPRM	09/02/85			
NPRM Comment Period Begin	09/09/85			
NPRM Comment Period End	10/09/85			

Small Entity: Yes

Agency Contact: Patricia M. Schulze, Transportation Industry Analyst, Interstate Commerce Commission, Room 5331, Washington, DC 20423, 202 275-7841

RIN: 3120-AB17

BOX CAR HIRE AND CAR SERVICE, EX PARTE NO. 346 (SUB-NO. 19)

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10505; 5 USC 553

CFR Citation: 49 CFR 1039

Abstract: This proceeding considers alternatives to present car-hire and car service rules affecting boxcars and to the proposals made in Ex Parte No. 346 (Sub-No. 8), Exemption From Regulation - Boxcar Traffic (48 FR 20412, May 6, 1983).

Timetable:

			_	_
Action	Date		FR	Cite
ANPRM	06/27/84	49	FR	267
ANPRM	07/03/84	49	FR	267
Comment				
Period Begin				
ANPRM	11/20/84			
Comment				
Period End				
Reply comments	04/25/85			
due				

Small Entity: Undetermined

Agency Contact: Louis E. Gitomer. Deputy Director, Rail Section, Interstate Commerce Commission, Room 5417, Washington, DC 20423, 202 275-7245

RIN: 3120-AB19

POLICY ON RELEASE OF DATA FROM THE ICC WAYBILL SAMPLE

Priority: Undetermined

Current and Projected Rulemakings

Legal Authority: 49 USC 10321; 49 USC 11144; 5 USC 552; 5 USC 553

CFR Citation: 49 CFR 1244.8

Abstract: The Commission, in recognition of the sensitivity of unaggregated waybill data and the potential for competitive harm to shippers and railroads, proposes to establish a policy for the release of waybill sample data. The policy will balance the need of the users of the data and assure that confidential carrier or shipper information is not disclosed. The policy will be added to 49 C.F.R. 1244 as Section 1244.8.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	The second

Small Entity: No

Agency Contact: James A Nash, Transportation Industry Analyst, Interstate Commerce Commission, Washington, DC 20423, 202 275-6864

RIN: 3120-AB20

 STAGGERS RAIL ACT OF 1980 -CONFERENCE OF INTERESTED PARTIES, EX PARTE NO. 456

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10311

Abstract: The Commission instituted this proceeding to (1) gather information from carriers and shippers regarding the problems and benefits arising from the implementation of recent legislation, particularly the Staggers Rail Act of 1980, and (2) provide a forum for direct discussion among these affected parties. The Commission hopes that this conference will lead to a more complete

understanding of the changes that have occurred in rail transportation as a result of such legislation, and its implementation, and that it will assist the parties in resolving any problems that may exist.

Timetable:

Date	FR Cite
00/00/00	a to live

Small Entity: Undetermined

Agency Contact: David H. Allard, Chief Administrative Law Judge, Interstate Commerce Commission, 12th and Constitution Avenue, NW, Room 3123, Washington, DC 20423, 202 275-7502

RIN: 3120-AB23

INTERSTATE COMMERCE COMMISSION (ICC)

PROCEDURES FOR REQUESTING RAIL VARIABLE COST AND REVENUES DETERMINATION FOR JOINT RATES SUBJECT TO SURCHARGE OR CANCELLATION, EX PARTE NO. 389

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10705a; 5 USC 553

CFR Citation: 49 CFR 1031A

Abstract: The Commission has proposed procedures for obtaining relevant revenue and variable cost data under 49 USC 10705a.

Timetable:

Action	Date		FR	Cite
Previous NPRM	11/03/80	45	FR	72665
NPRM	03/30/81	46	FR	19238
NPRM Comment Period Begin	03/30/81	46	FR	19238
NPRM Comment Period End	04/29/81			

Action Date FR Cite End Review 00/00/00 Presently under 00/00/00

evaluation
Small Entity: No

internal

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, 202 275-7245

RIN: 3120-AA57

● EX PARTE NO. 394 (SUB-NO. 1), COST RATIO FOR RECYCLABLES -1983 DETERMINATION

Priority: Undetermined

Legal Authority: 49 USC 10731(e)

Abstract: The purpose of the proceeding is (1) to recalculate the revenue to variable cost (r/vc) ratio for rates on nonferrous recyclables under the statutory standard of 49 U.S.C.

10731(e); (2) to decide if this ratio should be calculated periodically and, if so, how often; (3) to determine the magnitude of change which would require a revision of the prescribed ratio; (4) to determine when the change should be applicable; and (5) to determine what effect any changes would have on future refund or reparation orders.

Existing Regulations Under Review

Timetable:

Action	Date	Time	FR	Cite
NPRM Draft final decision under internal review	06/29/83 00/00/00	48	FR	29925

Small Entity: No

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, 12th and Constitution Ave., NW, Room 5417, Washington, DC 20423, 202 275-7245

RIN: 3120-AB21

F

INTERSTATE COMMERCE COMMISSION (ICC)

Completed Actions

COMPLETED RULEMAKINGS
MODIFY RULES GOVERNING TARIFF
AMENDMENTS, EX PARTE NO. 435

Priority: Agency Determination

CFR Citation: 49 CFR 1300; 49 CFR 1306; 49 CFR 1307; 49 CFR 1309; 49 CFR 1310; 49 CFR 1312

ompleted:				
Reason	Date	Lou	FR	Cite
inal Action	01/04/85	50	FR	459
Final Action	02/04/85	50	FR	459

Completed Actions

Small Entity: No

Agency Contact: Lawrence C. Herzig 202 275-7358

RIN: 3120-AA65

CONSOLIDATION OF TARIFF PUBLISHING RULES, DOCKET NO. 37321

Priority: Agency Determination

CFR Citation: 49 CFR 1300; 49 CFR 1303; 49 CFR 1304; 49 CFR 1305; 49 CFR 1306; 49 CFR 1307; 49 CFR 1308; 49 CFR 1309; 49 CFR 1310; 49 CFR 1312

Completed:

Reason	Date		FR	Cite
Final Action	10/01/84	49	FR	38614
Final Action	10/30/84	49	FR	38614

Small Entity: Yes

Agency Contact: Charles Langyher 202 275-7739

2/0-//00

RIN: 3120-AA66

REVISION OF RAIL, MOTOR, WATER, AND FREIGHT FORWARDER CREDIT REGULATIONS, EX PARTE NOS. MC-1 AND 73 ET AL

CFR Citation: 49 CFR 1051; 49 CFR 1320; 49 CFR 1321; 49 CFR 1322; 49 CFR 1323; 49 CFR 1324

Completed:

Reason	Date	FR Cite
Final Action Final Action Effective	01/16/85 05/01/85	50 FR 2289

Small Entity: Undetermined

Agency Contact: Louis E. Gitomer 202

275-7245

RIN: 3120-AA94

EXEMPTION OF TRANSACTIONS UNDER 49 U.S.C. 11343, EX PARTE NO. 55 (SUB-NO. 57)

CFR Citation: 49 CFR 1002; 49 CFR 1181; 49 CFR 1182; 49 CFR 1183; 49 CFR 1186

Completed:

Reason	Date		FR	Cite
Final Action Final Action	12/11/84 12/12/84	49	FR	48314
Effective				

Small Entity: Yes

Agency Contact: Warren C. Wood 202 275-7977

RIN: 3120-AB09

ELIMINATION OF THIRTY DAY LEASING REQUIREMENT, EX PARTE NO. MC-43 (SUB-NO. 15)

CFR Citation: 49 CFR 1057

Completed:

Reason	Date	201	FR	Cite
Final Action	12/06/84	49 F	R	47850
Final Action Effective	01/07/85			

Small Entity: Yes

Agency Contact: Robert G. Rothstein 202 275-7912

RIN: 3120-AB11

INVESTIGATION INTO PRACTICES OF MOTOR COMMON CARRIERS OF PROPERTY ON RESIDENTIAL AND REDELIVERED SHIPMENTS, EX PARTE NO. MC-97 (SUB-NO. 2)

Priority: Undetermined CFR Citation: 49 CFR 1310

Completed:

Reason	Date	FR Cite
Final Action	02/04/85	Della Mill
Final Action Effective	05/06/85	

Small Entity: Undetermined

Agency Contact: Thomas Vining 202 275-7196

RIN: 3120-AB12

WITHDRAWAL OF ANTITRUST IMMUNITY FOR COLLECTIVE RATEMAKING ON SMALL SHIPMENTS, EX PARTE NO. MC-172

Priority: Agency Determination

Completed:

Reason	Date	FR	Cite
Final Action	12/13/84	49 FR	48774
Final Action Effective	12/14/84		

Small Entity: Undetermined

Agency Contact: Thomas T. Vining 202 275-7196

RIN: 3120-AB13

ACQUISITION OF MOTOR CARRIERS BY RAILROADS, EX PARTE NO. 438

Priority: Agency Determination

Completed:

Reason	Date	FR Cite
Final Action	07/30/84	49 FR 30376
Final Action Effective	08/29/84	

Small Entity: No

Agency Contact: Louis E. Gitomer 202 275-7245

RIN: 3120-AB16

HIN: 3120-AB16

LEASE AND INTERCHANGE REGULATIONS (MASTER LEASES), EX PARTE NO. MC-43 (SUB-NO. 14)

CFR Citation: 49 CFR 1057

Completed:

Reason	Date	FR Cite
Final Action	11/30/84	49 FR 47268
Final Action	12/03/84	

Small Entity: Undetermined

Agency Contact: Judy Ann Barnes 202 275-7962

RIN: 3120-AB18

COMPLETED REVIEWS

REVISION OF 49 CFR 1041, EX PARTE NO. 55 (SUB-NO. 51)

CFR Citation: 49 CFR 1041

Completed:

Reason		Date	FR Cite
Withdrawn	Action	02/27/85	Andrews Co.

Will Not Be

Small Entity: Undetermined

Agency Contact: Andrew L. Lyon 202 275-7805

RIN: 3120-AA72

CLARIFICATION OF CERTIFICATE OF REGISTRATION RULES, EX PARTE NO. 55 (SUB-NO. 50)

CFR Citation: 49 CFR 1100.245

Completed:

Reason	Date	FR Cite
Withdrawn Action Will Not Be	02/27/85	None.

Inmated

Small Entity: Undetermined

Agency Contact: Marie Simpson 202

275-7108

RIN: 3120-AA73

Completed Actions

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

• MODIFICATION OF SMALL CARRIER TRANSFER REGULATIONS FOR TRANSACTIONS INVOLVING MOTOR CARRIERS OF PROPERTY, EX PARTE NO. 55 (SUB-NO. 57A)

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 11343(e); 5 USC 553

CFR Citation: 49 CFR 1181; 49 CFR-1186 Small Entity: Undetermined

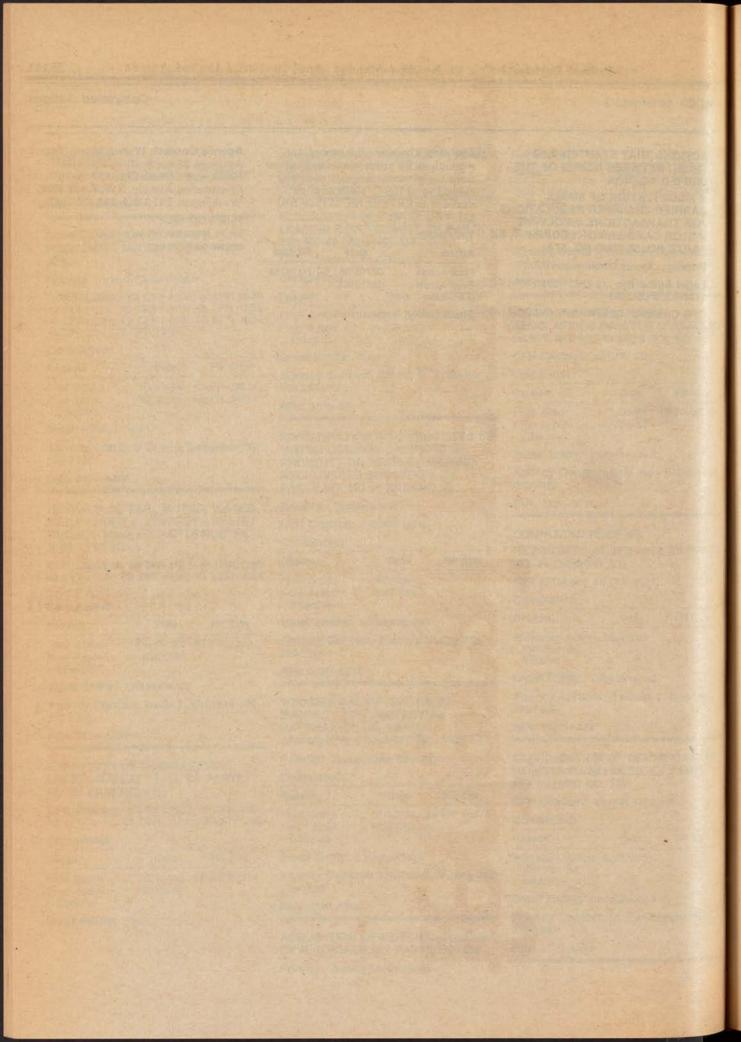
Abstract: These are the procedural regulations for processing small carrier transfers of motor property authority subject to 49 U.S.C. 10926 and the decision in Ex Parte No. 55 (Sub-No. 57).

Timetable:

Action	Date	FR Cite
Final Action	02/15/85	50 FR 6348
Final Action Effective	02/15/85	

Agency Contact: Warren Wood, Senior Attorney, Motor Section, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Room 2330, Washington, DC 20423, 202 275-7977

RIN: 3120-AB22 [FR Doc. 85-8403 Filed 04-26-85; 8:45 am] BILLING CODE 7035-01-T



Monday April 29, 1985

Part LVI

National Credit Union Administration

Semiannual Regulatory Agenda



NCUA

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Ch. VII

Semiannual Agenda of Regulations

AGENCY: National Credit Union Administration (NCUA).

ACTION: Semiannual agenda of regulations.

SUMMARY: Pursuant to its ongoing policy of reviewing regulations, NCUA is publishing a list of current and projected rulemaking, reviews of existing regulations, and completed actions as of February 8, 1985. NCUA is also including this Agenda in the "Unified Agenda of Federal Regulations."

DATE: This information is current as of February 25, 1985.

Administration, 1776 G Street, N.W., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: On a particular regulation, contact the person named in the listing for that regulation at the above address.

SUPPLEMENTARY INFORMATION: The purpose of this Agenda is to enable the credit union community and the public to track regulatory development and review at NCUA and to enable interested parties to more effectively participate in that process. The Agenda is divided into three parts describing, respectively, (1) current rulemaking proceedings and regulatory reviews, (2) projected rulemaking and reviews and (3) actions completed since the last Agenda.

The Agenda is published pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) and NCUA's statement of policy concerning development and review of regulations (IRPS 81-4, 46 FR 2948).

NCUA will voluntarily include this Agenda in the Office of Management and Budget's next publication of its "Unified Agenda of Federal Regulations." The NCUA Board believes that participation in this joint publication will further the public interest by including NCUA in a single source of information concerning current and projected rulemaking and reviews of existing regulations.

Accordingly, the following updates NCUA's last semiannual agenda.

Approved by the NCUA Board this 25th day of February 1985.

Rosemary Brady.

Secretary of the Board.

Current and Projected Rulemakings

Se- quence Number	IV A THIS Title	Regulation Identifier Number
1	Supervisory Committee Audit	3133-AA13
2	Payout Priorities for Involuntary Liquidation of Federally Insured Credit Unions	3133-AA28
3	*Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the National Credit Union Administration	3133-AA29
4	Federal Credit Union Insurance and Group Purchasing Activities	3133-AA30
5	Credit Union Service Organizations	3133-AA46

^{*}Indicates priority regulation.

Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
6	Mergers of Credit Unions, Division of Assets, Liabilities, and Capital	3133-AA08
7	Requirements for Insurance	3133-4409
8	Advertisement of Insured Status	3133-AA10
9	Reserves	3133-4412
10	Nondiscrimination Requirements	3133-AA17
11	Description of Office, Disclosure of Official Records, Availability of Information, Promulgation of Regulations	3133-AA32
12	Establishment of a Cash Fund	3133-AA34
13	Operational Systems	3133-AA35
14	Refund of Interest	3133-AA36
15	Community Development Credit Union Program	3133-AA37
16	Community Development Credit Union Program Rules of Board Procedure	3133-AA39
17	Operational Procedures for Share Draft Programs; Federally Insured State Chartered Credit Unions	3133-AA4
18	Other Applications	3133-AA4
19	Deminions	2422 000
20	Financial and Statistical and Other Reports	3133-AA48
21	Loan Participation	3133-AA49
22	Purchase, Sale and Pledge of Eligible Obligations	3133-AA50
23	Purchase, Sale and Pledge of Eligible Obligations	3133-AA51
24	Federal Credit Unions Acting as Depositories and Financial Agents of the Government	3133-AA5
25	Borrowed Funds From Natural Persons	3133-AA5
26	Clarification and Definition of Account Insurance Coverage	3133-AA55

NCUA

Existing Regulations Under Review—Continued

Se- quence Number	Title	Regulation Identifier Number
27	Records Preservation Programs	3133-AA56

Completed Actions

Se- quence Number	Title	Regulation Identifier 'Number
28 29 30 31 32 33	Federal Credit Union Ownership of Fixed Assets Corporate Credit Unions Fees Paid by Federal Credit Unions Rebate Procedures for Federally Insured Credit Unions National Credit Union Share Insurance Fund Share, Share Draft and Share Certificate Accounts	3133-AA06 3133-AA18 3133-AA31 3133-AA40 3133-AA43

NATIONAL CREDIT UNION ADMINISTRATION (NCUA)

Current and Projected Rulemakings

1. SUPERVISORY COMMITTEE AUDIT

Legal Authority: 12 USG 1761d; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.12

Abstract: This regulation sets forth the responsibilities of the Supervisory Committee of Federal credit unions to make, or cause to be made, an annual audit. The review will cover issues related to the use of audits in conjunction with NCUA's examination responsibilities.

Timetable:

Action	Date		FR	Cite
ANPRM	09/07/83	48	FR	41598
ANPRM Comment Period Begin	09/07/83			
ANPRM Comment Period End -	12/15/83			
NPRM	04/26/84	49	FR	17951
NPRM Comment Period Begin	04/26/84	49	FR	17951
NPRM Comment Period End	07/18/84			
Final Rule to be presented to NCUA Board	03/01/85			
Small Entity: No				

Agency Contact: Louis P. Acuna, Director, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA13

2. PAYOUT PRIORITIES FOR INVOLUNTARY LIQUIDATION OF FEDERALLY INSURED CREDIT UNIONS

Legal Authority: 12 USC 1766(a); 12 USC 1766(b); 12 USC 1787(a)(2); 12 USC 1787(d); 12 USC 1789(11)

CFR Citation: 12 CFR 744

Abstract: This regulation would implement a change in the manner in which NCUA currently makes payouts as the liquidating agent of federally insured credit unions.

Review of comments received indicate that further evaluation is necessary.

Timetable:

action

Action	Date		FR	Cite
NPRM	11/00/83	48	FR	52588
NPRM Comment Period Begin	11/00/83	48	FR	52588
NPRM Comment Period End	01/20/84			
No present schedule for further Board	00/00/00			

Small Entity: No

Agency Contact: James J. Engel, Assistant General Counsel, National Credit Union Administration, 1776 G Street, N.W., Washington, DC 20456, 202 357-1030

RIN: 3133-AA28

3. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL CREDIT UNION ADMINISTRATION

Priority: Agency Determination
Legal Authority: 12 USC 1766(a)

CFR Citation: 12 CFR 794

Abstract: The proposed rule is a uniform rule to be adopted by Federal agencies which provides for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended. The Act prohibits discrimination on the basis of handicap as it applies to programs or activities conducted by the NCUA.

Timetable:

Action	Date	FR	Cite
NCUA Board approved a Proposed Rule	01/18/84	A STATE OF	03
NPRM Comment Period End	12/26/84		- 23

Current and Projected Rulemakings

Next Action Undetermined

Small Entity: No

Agency Contact: Benny R. Henson, Department of Administration, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1055

RIN: 3133-AA29

4. FEDERAL CREDIT UNION INSURANCE AND GROUP **PURCHASING ACTIVITIES**

Legal Authority: 12 USC 1757(15); 12 USC 1766(a)

CFR Citation: 12 CFR 721

Abstract: The proposed rule eliminates the reimbursement restrictions for the functions FCU's perform in connection with credit-related insurance.

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Action	Date	FR Cite
NPRM	08/01/84	49 FR 30739
NPRM Comment Period Begin	08/01/84	49 FR 30739
NPRM Comment Period End	11/30/84	
Board action is	04/30/85	

Small Entity: No

Agency Contact: Robert Fenner, Director, National Credit Union Administration, Department of Legal Services, 1776 G Street, N.W. Washington, DC 20456, 202 357-1030

RIN: 3133-AA30

5. CREDIT UNION SERVICE **ORGANIZATIONS**

Legal Authority: 12 USC 1757; 12 USC 1766: 12 USC 1784

CFR Citation: 12 CFR 701.27

Abstract: The notice of proposed rulemaking requests comment on several issues in an effort to revise and clarify the credit union service organization regulation.

Timetable:

Action	Date	FR Cite
NPRM	02/01/85	50 FR 4698
NPRM Comment Period Begin	02/01/85	50 FR 4698
NPRM Comment Period End	03/29/85	

Small Entity: No

Agency Contact: Robert M. Fenner, Director, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA46

NATIONAL CREDIT UNION ADMINISTRATION (NCUA)

6. MERGERS OF CREDIT UNIONS, DIVISION OF ASSETS, LIABILITIES, AND CAPITAL

Legal Authority: 12 USC 1766 to 1789

CFR Citation: 12 CFR 708; 12 CFR 709

Abstract: These regulations set forth procedural requirements for a credit union to merge with another credit union. The regulations also prescribe procedures to enable members of a Federal credit union who are in a separately identifiable group to undertake an equitable division of their assets, liabilities and capital and to charter a new Federal credit union. The regulations will be reviewed to determine whether mandatory requirements are necessary or whether the subject may be covered in a manual.

Timetable:

Action	Date	FR Cite
NPRM will be presented to NCUA Board by	06/30/85	CHARLES OF THE PARTY OF THE PAR
Small Entity: N	lo	

Agency Contact: Wilmer A. Theard, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW. Washington, DC 20456, 202 357-1065

RIN: 3133-AA08

7. REQUIREMENTS FOR INSURANCE

Legal Authority: 12 USC 1781 to 1790

CFR Citation: 12 CFR 741

Abstract: These regulations set forth criteria for determining the insurability of a credit union which makes application for insurance of its accounts pursuant to Title II of the Federal Credit Union Act. The review of this regulation will determine the need to update, revise and simplify these requirements. Sections 741.5 and 741.7 were revised in October 1984 pursuant to the capitalization of the National Credit Union Share Insurance Fund.

Timetable:

Action	Date	FR Cite
End Review	06/30/85	numpermanes &
Small Entity: N	10	

Existing Regulations Under Review

Agency Contact: Thomas C. Buckman, Director, National Credit Union Administration, Department of Insurance, 1776 G Street, NW. Washington, DC 20456, 202 357-1010

RIN: 3133-AA09

8. ADVERTISEMENT OF INSURED STATUS

Legal Authority: 12 USC 1785; 12 USC

CFR Citation: 12 CFR 740

Abstract: These regulations prescribe requirements with regard to the official sign which insured credit unions must display and also pertain to requirements for advertising. The regulations will be reviewed to determine whether mandatory requirements are necessary and to update, simplify and revise, if necessary.

Timetable:

Action	Date	FR Cite
End Review	06/30/85	West 1971
Small Entity	No	

NCUA

Existing Regulations Under Review

Agency Contact: Thomas C. Buckman, Director, National Credit Union Administration, Department of Insurance, 1776 G Street, NW, Washington, DC 20456, 202 357-1010

RIN: 3133-AA10

9. RESERVES

Legal Authority: 12 USC 1762; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 702.1; 12 CFR 702.2

Abstract: These regulations set forth the requirements for the establishment and maintenance of a regular reserve (as provided by the Federal Credit Union Act) and set forth procedures for applications for approval to decrease reserves.

Timetable:

TOTAL STREET,		
Action	Date	FR Cite

Further review to 06/30/85 be completed by

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert M. Fenner, Deputy General Counsel, Department of Legal Services, (202) 357-1030

Agency Contact: Charles W. Filson, Director, National Credit Union Administration, Office of Programs, 1776 G Street, NW, Washington, DC 20456, 202 357-1132

RIN: 3133-AA12

10. NONDISCRIMINATION REQUIREMENTS

Legal Authority: 12 USC 1757; 12 USC 1759; 12 USC 1766; 12 USC 1786; 12 USC 1788; 24 USC 3601 to 3610; 24 USC 1981; 15 USC 1601 et seq

CFR Citation: 12 CFR 701.31

Abstract: This regulation sets forth prohibitions against discrimination by Federal credit unions in making real estate related loans and appraisals. The regulation also sets forth guidelines for compliance with the Fair Housing Act and court decisions rendered thereunder. The regulation will be reviewed to simplify and revise as necessary.

Timetable:

Action Date FR Cite

End Review 06/30/85

Small Entity: No

Agency Contact: Hattie M. Ulan, Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA17

11. DESCRIPTION OF OFFICE, DISCLOSURE OF OFFICIAL RECORDS, AVAILABILITY OF INFORMATION, PROMULGATION OF REGULATIONS

Legal Authority: 12 USC 1752a CFR Citation: 12 CFR 790

Abstract: These regulations set forth the organizational format of the central and regional offices, information which may or may not be made available to the public and the procedures and costs for obtaining such information, procedures for the promulgation of agency rules and regulations, and National Security Information procedures.

Timetable:

Action Date FR Cite
End Review 06/30/85

Small Entity: No

Agency Contact: Benny R. Henson, National Credit Union Administration, Department of Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1055

RIN: 3133-AA32

12. ESTABLISHMENT OF A CASH

Legal Authority: 12 USC 1757(12)

CFR Citation: 12 CFR 701.10

Abstract: This rule provides the regulatory authority to cash checks and money orders. The review will determine the need to update, revise, and simplify.

Timetable:

Action Date FR Cite

Recommendation 06/30/85 to be made to NCUA Board

Small Entity: No

Agency Contact: Steven R. Bisker, Asst. General Counsel, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA34

13. OPERATIONAL SYSTEMS

Legal Authority: 12 USC 1766 CFR Citation: 12 CFR 723

Abstract: This regulation allows credit unions, associations of credit unions, and other parties interested in credit union programs to submit pilot programs relating to electronic funds transfer through remote service units, loan programs, and other operational systems to the NCUA for evaluation and approval. The Agency designates a program as a pilot program if it will benefit all credit unions and the parties they serve.

Timetable:

Action Date FR Cite

End Review 03/00/85

Small Entity: No

Agency Contact: Martin Kushner. National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA35

14. REFUND OF INTEREST

Legal Authority: 12 USC 1766(a); 12 USC 1761b(9)

CFR Citation: 12 CFR 701.24

Abstract: This rule provides the conditions and limitations on an FCU making interest payment refunds to

making interest payment refunds to members who paid interest on loans during a dividend period. The review will determine the need to update, revise and simplify the rule.

Timetable:

Action Date FR Cite

Recommendation 06/30/85 to be made to NCUA Board

Small Entity: No

NCUA

Existing Regulations Under Review

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW. Washington, DC 20456, 202 357-1030

RIN: 3133-AA36

15. COMMUNITY DEVELOPMENT CREDIT UNION PROGRAM

Legal Authority: 12 USC 1754; 12 USC 1758; 12 USC 1759; 12 USC 1766(f); 42 USC 2981; 42 USC 2985(e)

CFR Citation: 12 CFR 705

Abstract: This rule implements a demonstration program called the Community Development Credit Union (CDCU) Program. The program provides for seed capital funds and technical assistance to strengthen a limited number of credit unions and thereby enable them to deliver improved services to, and to aid in the revitalization and the economic development of, their communities.

Timetable:

Action	Date	FR Cite
End Review Recommendation	01/31/85 06/30/85	THE PARTY
to be made to NCUA Board	Manual Studies	

Small Entity: No

Agency Contact: Wilmer A. Theard, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW. Washington, DC 20456, 202 357-1065

RIN: 3133-AA37

16. RULES OF BOARD PROCEDURE

Legal Authority: 12 USC 1752a(d)

CFR Citation: 12 CFR 722

Abstract: This regulation sets forth the rules of procedure governing how the Board will conduct its business. The review will determine the need to update, revise and simplify.

Timetable:

Small Entity: No

Action	Date	FR Cite
End Review	06/30/85	

Agency Contact: Rosemary Brady, Secretary of the NCUA Board, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1100

RIN: 3133-AA39

17. OPERATIONAL PROCEDURES FOR SHARE DRAFT PROGRAMS; FEDERALLY INSURED STATE CHARTERED CREDIT UNIONS

Legal Authority: 12 USC 1766(a); 12 USC 1785(f)(1)

CFR Citation: 12 CFR 761

Abstract: The rule provides the regulatory authority for federally insured state credit unions to offer share draft accounts. The review will determine the need to update, revise and simplify.

Timetable:	The state of the s	De la constante
Action	Date	FR Cite
Recommendation to be made to NCUA Board	06/30/85	Andrea and
Small Entity: No		

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW. Washington, DC 20456, 202 357-1030

RIN: 3133-AA42

18. OTHER APPLICATIONS

Legal Authority: 12 USC 1766(a)

CFR Citation: 12 CFR 701.5

Abstract: This rule specifies the manner in which applications, requests, or submittals to NCUA, not addressed in other sections of the regulations, shall be presented to the Agency. The review will determine the need to update, revise and simplify.

Timetable:

Action	Date	FR Cite

Recommendation 06/30/85 to be made to NCUA Board

Small Entity: No

Agency Contact: Steven R. Bisker. Assistant General Counsel, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW. Washington, DC 20456, 202 357-1030

RIN: 3133-AA44

19. O DEFINITIONS

Legal Authority: 12 USC 1752(5); 12 USC 1757(6); 12 USC 1766(a)

CFR Citation: 12 CFR 700.1

Abstract: The regulation sets forth basic definitions applicable in all of NCUA's regulations. The definitions will be revised for accuracy and simplification.

Timetable:

Action	Date	FR Cite
Initial staff review	06/30/85	citava)

completed by Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA47

20. FINANCIAL AND STATISTICAL AND OTHER REPORTS

Legal Authority: 12 USC 1756; 12 USC 1766; 12 USC 1782; 12 USC 1789

CFR Citation: 12 CFR 701.13

Abstract: This regulation sets forth reporting requirements for Federal credit unions. The regulation will be reviewed for accuracy and consistency with other regulations.

Date

FR Cite

Timetable:

Action

Initial staff revi	ew 06/30/85
to be	
completed by	V

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA48

FR Cite

21. O LOAN PARTICIPATION

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.22

Abstract: This regulation sets forth definitions and requirements for Federal credit unions that wish to participate in making loans with other credit unions, credit union organizations or financial organizations. The regulation will be reviewed to determine the need to update, revise and simplify it.

Timetable:

Action Date FR Cite
Initial staff review 06/30/85
to be completed by

Small Entity: No

Agency Contact: Yvonne Gilmore, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA49

22. • PURCHASE, SALE AND PLEDGE OF ELIGIBLE OBLIGATIONS

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.23

Abstract: This regulation sets forth definitions and requirements for Federal credit unions that wish to purchase, sell or pledge a loan or group of loans. The regulation will be reviewed to determine the need to update, review and simplify it.

Timetable:

Action Date FR Cite
Initial staff review 06/30/85
to be completed by

Small Entity: No

Agency Contact: Yvonne Gilmore, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA50

23. © COMPENSATION OF OFFICIALS

Legal Authority: 12 USC 1761; 12 USC 1761a; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.33

Abstract: This regulation sets out the restrictions on compensation to Federal credit union directors and credit and supervisory committee members. The regulation will be reviewed for accuracy and consistency with the Federal Credit Union Act.

Timetable:

Action Date FR Cite
Initial staff review 06/30/85
to be completed by

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA51

24. © FEDERAL CREDIT UNIONS ACTING AS DEPOSITORIES AND FINANCIAL AGENTS OF THE GOVERNMENT

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1767; 12 USC 1789; 12 USC 1789

CFR Citation: 12 CFR 701.37-2

Abstract: This regulation sets out the authority for and requirement of federally insured credit unions when they serve as depositories and financial agents of the United States government. It also lists the functions credit unions may perform in this capacity. The regulation will be reviewed for clarification and simplification.

Timetable:

Action Date FR Cite
Initial staff review 06/30/85
to be completed by

Small Entity: No

Agency Contact: Steven R. Bisker, Assistant General Counsel, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA53

25. • BORROWED FUNDS FROM NATURAL PERSONS

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.38

Abstract: This regulation sets forth the requirements a Federal credit union must meet when it borrows funds from natural persons. The regulation will be reviewed to determine whether clarification or simplification is necessary.

Date

Timetable:

Action

Initial staff review 06/30/85 to be completed by

Small Entity: No

Agency Contact: Steven R. Bisker, Assistant General Counsel, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA54

26. ● CLARIFICATION AND DEFINITION OF ACCOUNT INSURANCE COVERAGE

Legal Authority: 12 USC 1781; 12 USC 1782; 12 USC 1783; 12 USC 1784; 12 USC 1785; 12 USC 1786; 12 USC 1786; 12 USC 1787; 12 USC 1788; 12 USC 1789; 12 USC 1790; 17 USC 1766

CFR Citation: 12 CFR 745

Abstract: This regulation sets forth definitions, general principles, and types of accounts that are insured by the National Credit Union Share Insurance Fund. This regulation will be reviewed for any necessary clarification and simplification.

Timetable:

Action Date FR Cite

Initial staff review 06/30/85
to be completed by

Small Entity: No

Agency Contact: Thomas C. Buckman, Director, National Credit Union Administration, Department of Insurance, 1776 G Street, NW, Washington, DC 20456, 202 357-1010

RIN: 3133-AA55

27. ● RECORDS PRESERVATION PROGRAMS

Legal Authority: 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 749

Abstract: This regulation mandates that Federal credit unions maintain a

NCUA

Existing Regulations Under Review

records preservation program. It sets forth program implementation procedures and also lists what records must be stored. This regulation will be reviewed to determine the need to update, revise and simplify.

Timetable:		
Action	Date	FR Cite
Initial staff review to be	06/30/85	
completed by		

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA56

NATIONAL CREDIT UNION ADMINISTRATION (NCUA)

Completed Actions

COMPLETED RULEMAKINGS 28. FEDERAL CREDIT UNION OWNERSHIP OF FIXED ASSETS

Legal Authority: 12 USC 1757(4); 12 USC

CFR Citation: 12 CFR 701.36

Abstract: This regulation requires credit unions to do certain financial planning and reporting prior to investing more than 5 percent of its assets in fixed assets. The regulation was revised to eliminate certain reporting requirements and to clarify and simplify others.

Section (c) of the rule imposes limitations on FCU's with \$1 million or more in assets investing in excess or 5% of shares and retained earnings in fixed assets. Other sections apply to all FCU's and restrict insider dealing and place limits on acquisition for future expansion.

Timetable:

Action	Date		FR	Cite
NPRM Comment Period Begin	01/00/84	49	FR	3087
NPRM Comment Period End	05/21/84			
Final Action	12/28/84	49	FR	50365
Final Action Effective	12/31/84	49	FR	50365

Small Entity: No

Agency Contact: Charles Filson, Director, Office of Programs, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1140

RIN: 3133-AA06

29. CORPORATE CREDIT UNIONS .

Legal Authority: 12 USC 1761; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 704

Abstract: These regulations set forth operational requirements particular to corporate central Federal credit unions, including special reserve requirements, management requirements, and annual audit requirements. Passage of the

Garn-St Germain Depository
Institutions Act of 1982 requires
updating of this rule. Corporate central
issues, such as chartering guidelines,
bylaws, and operational programs, have
been reviewed independent of this rule.
The rule grants authority to corporate
credit unions to develop new services
for member credit unions in the area of
investments, liquidity management,
payment system and corporate services.

Timetable:

Action	Date	FR Cite
ANPRM	09/07/83	THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NA
ANPRM Comment Period Begin	09/07/83	
ANPRM Comment Period End	12/15/83	
NPRM	04/26/84	49 FR 17953
NPRM Comment Period Begin	04/26/84	49 FR 29619
NPRM Comment Period End	08/31/84	
Final Action	12/28/84	49 FR 50368
Final Action Effective	01/01/85	49 FR 50368

Small Entity: No

Agency Contact: Robert A. Duff, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA18

30. FEES PAID BY FEDERAL CREDIT

Legal Authority: 12 USC 1755 CFR Citation: 12 CFR 701.6

Abstract: This regulation sets forth the basis for assessing operating fees paid by Federal credit unions to the National Credit Union Administration and the administrative procedures involved in payment of this fee. Under the revised rule operating fees are based on total assets as of June 30 rather than December 31. Operating fees are due on

January 31 or as otherwise directed by the Board. This change should eliminate errors and allow NCUA ample time to review FCU financial reports.

Timetable:

Action	Date	FR Cite
Final Action	11/27/84	49 FR 46541
Final Action Effective	12/26/84	49 FR 46541

Small Entity: No.

Agency Contact: Robert M. Fenner, Director, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA31

31. REBATE PROCEDURES FOR FEDERALLY INSURED CREDIT UNIONS

Legal Authority: 12 USC 1786 CFR Citation: 12 CFR 746

Abstract: This regulation sets forth the requirements for the entitlement and rebate of share insurance premiums paid to the National Credit Union Share Insurance Fund by a federally insured credit union that is closed for liquidation, voluntarily or involuntarily. This regulation was deleted with the capitalization of the share insurance fund.

Timetable:

Action	Date	FR Cite
Final Action Regulation Deleted	10/17/84	49 FR 40561
Final Action Effective	12/01/84	49 FR 40561
End Review Regulation Deleted	06/30/85	

Small Entity: No

Agency Contact: Charles Filson, Director, National Credit Union Administration, Department of Programs, 1776 G Street, NW, Washington, DC 20456, 202 357-1142

RIN: 3133-AA40

32. NATIONAL CREDIT UNION SHARE INSURANCE FUND

Legal Authority: 12 USC 1789(b)(2)
CFR Citation: 12 CFR 741; 12 CFR 746

Abstract: Recently enacted legislation provides for an increase in the capitalization of the National Credit Union Share Insurance Fund by the placing of a deposit in the Fund from each insured credit union in an amount equaling one percent of the credit union's insured shares. This rule will provide procedures to implement the capitalization. Part 741 was modified and Part 746 was repealed.

Timetable:

Action	Date		FR	Cite
NPRM	08/01/84	49	FR	30740
NPRM Comment Period Begin	08/01/84	49	FR	30740

Action	Date	FR Cite
NPRM Comment Period End	09/07/84	
Final Action	10/17/84	49 FR 40561
Final Action Effective	12/01/84	49 FR 40561

Small Entity: No

Agency Contact: Charles Filson, Director, National Credit Union Administration, Office of Programs, 1776 G Street, NW, Washington, DC 20456, 202 357-1142

RIN: 3133-AA43

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

33. • SHARE, SHARE DRAFT AND SHARE CERTIFICATE ACCOUNTS

Legal Authority: 12 USC 1757(6); 12 USC 1766; 12 USC 1789(a)(11)

CFR Citation: 12 CFR 701.35

Abstract: This final rule clarifies that state laws that attempt to regulate disclosures, funds availability and service fees are not applicable to Federal credit union share, share draft and share certificate accounts.

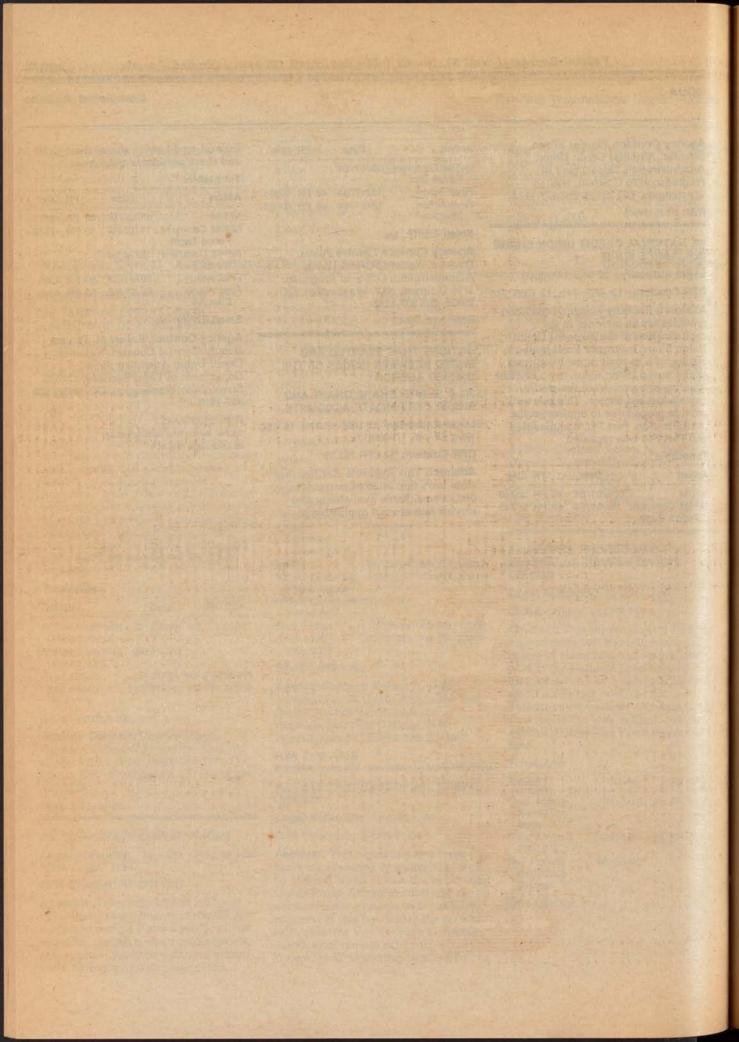
Timetable:

Action	Date		FR	Cite
NPRM	11/27/84	49	FR	46552
NPRM Comment Period Begin	11/27/84			46552
NPRM Comment Period End	12/24/84			
Final Action	02/01/85	50	FR	4636
Final Action Effective	02/01/85	50	FR	4636

Small Entity: No

Agency Contact: Robert M. Fenner, Deputy General Counsel, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA45 [FR Doc. 85-8411 Filed 04-28-85; 8:45 am] BILLING CODE 7535-01-T





Monday April 29, 1985

Part LVII

Nuclear Regulatory Commission

Semiannual Regulatory Agenda



NUCLEAR REGULATORY COMMISSION

10 CFR Ch. I

Regulatory Agenda

AGENCY: Nuclear Regulatory Commission.

ACTION: Semiannual publication of NRC regulatory agenda.

SUMMARY: The Nuclear Regulatory
Commission (NRC) is publishing its
semiannual Regulatory Agenda in
accordance with Pub. L. 96-354, "the
Regulatory Flexibility Act," and
Executive Order 12291, "Federal
Regulations." The Agenda is a
compilation of all rules on which the
NRC has recently completed action or
has proposed, or is considering action.
This issuance updates any action
occurring on rules since publication of
the last semiannual Agenda on October
22, 1984 (49 FR 42478).

ADDRESSES: Comments on any rule in the Agenda may be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch. Comments may also be hand delivered to Room 1131, 1717 H Street, N.W., Washington, D.C. between 8:15 a.m. and 5:15 p.m. Comments received on rules for which the comment period has closed will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closure dates specified in the Agenda.

The Agenda and any comments received on any rule listed in the Agenda are available for public inspection, and copying at a cost of seven cents per page, at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555. Single copies of the NRC Quarterly Agenda can be purchased from the NRC/GPO Sales Program, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 at a cost of \$6.00 each or \$16.00 for an annual subscription.

FOR FURTHER INFORMATION CONTACT:
For further information concerning NRC rulemaking procedures or the status of any rule listed in this Agenda, contact

John D. Philips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone (301) 492-7086. Persons outside the Washington, D.C. metropolitan area may call toll-free: (800) 368-5642. For further information on the substantive content of any rule listed in the Agenda, contact the individual listed under the heading "Agency Contact" for that rule.

SUPPLEMENTARY INFORMATION: Although publication of the Agenda is only required semiannually in April and October, the NRC has chosen to update and publish its Agenda each quarter. However, the information contained in this semiannual publication is updated to reflect any action which has occurred on rules since publication of the last NRC semiannual Agenda on October 22, 1984 (49 FR 42478).

Organization of the Agenda

Rules in this Agenda are divided into two main categories, "Action Completed Rules" and "Current and Projected Rulemakings." Rules in the "Action Completed" category include all rules which have been finally promulgated or withdrawn since publication of the last semiannual Agenda.

"Current and Projected Rulemakings" contain those rules currently under development. This category is subdivided into three sections. Section I includes all rules which have been published in the Federal Register as proposed rules. Section II includes all rules which have been published in the Federal Register as advance notices of proposed rulemaking. Section III includes all unpublished rules on which the NRC expects to take action.

Within each category and section, the rules are ordered from lowest to highest 10 CFR part, and when more than one rule appears under the same part, the rules are arranged within the part according to the date of most recent publication. If a rule contains changes to more than one 10 CFR part, the rule is listed under the lowest affected part.

The information in this Agenda has been updated through March 7, 1985. The date included under the heading "timetable," for next scheduled action indicates the date the rule is scheduled to be published in the Federal Register. The date is considered tentative and is not binding on the Commission or its

staff. This Regulatory Agenda is intended to provide increased notice and opportunity for public participation in the NRC rulemaking process. The NRC may, however, consider or act on any rulemaking even if it is not included in the Regulatory Agenda.

Rulemakings Approved by the Executive Director for Operations (EDO)

The Executive Director for Operations (EDO) initiated a procedure for the review of the regulations being prepared by staff offices that report to him to ensure that staff resources were being allocated to achieve most effectively NRC's regulatory priorities. This procedure requires EDO approval before staff resources may be expended on the development of any new rulemaking. Furthermore, all existing rules must receive EDO approval prior to the commitment of additional resources.

Rules that have received EDO approval to date are identified by the symbol (+) at the beginning of the title. As additional rules receive EDO approval, they will be identified in subsequent editions of this Agenda. Those unpublished rules whose further development has been terminated will be noted in this edition of the Agenda and deleted from subsequent editions. Rules whose termination was directed subsequent to publication of a notice of proposed rulemaking will be removed from the Agenda after publication of a notice of withdrawal.

The NRC Agenda lists 107 rulemaking actions. Of these, no rulemaking items are considered to be priority or major as defined in section 1(b) of Executive Order 12291. In the "Action Completed" category there are 22 completed actions. In the "Current and Projected Rulemaking" category: section I contains 36 proposed rulemakings; section II contains 10 advance notices of proposed rulemakings and section III contains 39 unpublished rulemakings. Nine rules potentially will have a "significant economic impact on a substantial number of small entities" as defined in the Regulatory Flexibility Act.

Dated at Bethesda, Maryland this 7th day of March 1985.

For the Nuclear Regulatory Commission. John Philips,

Acting Director, Division of Rules and Records, Office of Administration.

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
7	Procedures Involving the Equal Access to Justice Act: Implementation	3150-AA01
2	Licensing and Regulatory Policy and Procedures for Environmental Protection: Alternative Site Reviews	3150-4403
3	Possible Amendments to "Immediate Effectiveness" Rules	3150-AA04
4	Modifications to the NRC Hearing Process (Limited Interrogatories and Factual Basis for Contentions)	3150-AA05
5	Commission Review Procedures for Power Reactor Construction Permits; Immediate Effectiveness Rule	3150-AA55
6	Hybrid Hearing Procedures for Expansions of Onsite Spent Fuel Storage Capacity at Civilian Nuclear Power Reactors	3150-AB19
7	Exceptions to Notice and Comment Rulemaking Procedures	3150 AR/1
8	Nondiscrimination on Basis of Age in Federally Assisted Commission Programs	3150-AA06
9	Production or Disclosure in Response to Subpoenas or Demands of Courts or Other Authorities	3150-AR63
10	Reports of Theft or Loss of Licensed Material	3150-AA64
11	Residual Contamination in Smelted Alloys Decommissioning Criteria for Nuclear Facilities	3150-AA10
13	Patient Dosage Measurement.	
14	+ Implementation of the Convention on the Physical Protection of Nuclear Material	3150-AA12
15	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards	3150-AR50
16	Uranium Mill Tailings Regulations: Ground Water Protection and Other Issues	3150-AB56
17	Technical Specifications for Nuclear Power Reactors	3150-4422
18	Fitness for Duty of Personnel with Access to Nuclear Power Plants	3150-AA27
19	Safeguards Requirements for Nonpower Reactor Licensees Possessing Formula Quantities of Strategic Special Nuclear Material	3150-AA30
20	Changes in Property Insurance Requirements for NRC Licensed Nuclear Power Plants	3150-AA47
21	Revision of Backfitting Process for Power Reactors	3150-AA59
22	Notice and Comment on, Procedures for State Consultation on, and Standards for Making Determinations about Whether License Amendments Involve No Significant Hazards Considerations	3150-AA61
23	Operator's Licenses	3150-4488
24	Personnel Access Authorization Requirements for Nuclear Power Plants (Part of Insider Package)	3150-4400
25	Pressurized Thermal Shock	3150-AB05
26 27	Protection of Contractor Employees	3150-AB07
28	Refinement of Emergency Planning Regulations	3150-AB48
29	Limiting The Use of Highly Enriched Uranium in Domestic Research and Test Reactors Consideration of Earthquakes in the Context of Emergency Preparedness	3150-AB60
30	Explanation to Table S-3 Uranium Fuel Cycle Environmental Data.	3150-AB75
31	Additional Technical Criteria for the Disposal of High-Level Radioactive Wastes in Geological Repositories Located in the Unsaturated Zone	
32	Disposal of High-Level Radioactive Wastes in Geologic Repositories: Procedural Amendments	3150-AB44 3150-AB47
33	Material Control and Accounting Requirements for Licensees Possessing Formula Quantities of Strategic Special Nuclear Material	3150-AA50
34	Miscellaneous Amendments Concerning Physical Protection of Nuclear Power Plants (Part of Insider Rule Package)	3150-AA36
35	Modification of Protection Requirements for Spent Fuel Shipments	3150-AA96
36	Searches of Individuals at Power Reactor Facilities (Part of Insider Package)	3150-AB17
37	Regulatory Reform of the Rules of Practice and Rules for Licensing of Production and Utilization Facilities	3150-AB04
38	Hules of Practice for Domestic Licensing Proceedings: Role of NRC Staff in Adjudicatory Licensing Hearings	3150-AB42
39	Standards for Protection Against Radiation	3150-AA38
40	Accreditation of Personnel Dosimeter Processors	3150-AA39
42	Emergency Preparedness for Fuel Cycle and Other Radioactive Materials Licensees	3150-AA41
43	Certification of Industrial Radiographers	3150-AA43
44	Design and Other Changes in Nuclear Power Plant Facilities After Issuance of Construction Permit	3150-AA44
45	Modification of the Policy and Regulatory Practice Governing the Siting of Nuclear Power Reactors	3150-AA46
46	Seismic and Geologic Siting Criteria for Nuclear Power Plants	3150-AA49 3150-AA51
47	Hevised Hules of Practice for Domestic Licensing Proceedings	3150-AB66
48	Jurisdiction of Adjudicatory Boards	3150-AA53
49	Separation of Functions and Ex Parte Communications in On-the-Record Adjudications	3150-AA00
50 51	Adjudications Special Procedures for Resolving Conflicts Concerning the Disclosure or Nondisclosure of Informa-	3150-AB70
52	tion	3150-AB78
53	Criteria for Reopening Records in Formal Licensing Proceedings	3150-AB79
54	Retention Periods for Records	3150-AB43
55	Nondiscrimination on the Basis of Sex - Title IX of the Education Amendments of 1972, as Amended	3150-AB53
56	Nondiscrimination on the Basis of Handicap in Nuclear Regulatory Commission Programs	3150-AB54
57	+ Conforming Amendments to Prenotification, Quality Assurance, and Package Monitoring Requirements Residual Radioactive Contamination Limits for Decommissioning	3150-AB51 3150-AB52
91		

Current and Projected Rulemakings—Continued

Se- quence Number	Title	Regulation Identifier Number
59	Access to and Protection of National Security Information and Restricted Data	3150-AB67
60	Access Authorization for Licensee Personnel	3150-AB80
61	Licensing of Sources and Devices	3150-AB34
62	+ Financial Responsibility of Materials Licensees for Cleanup After Accidental and Unexpected Releases	3150-AB5
63	Regional Nuclear Materials Licensing for Certain Federal Facilities	3150-AB8
64	Informal Hearing Procedures for Materials Licenses Proceedings	3150-AB83
65	Radiation Surveys and In-House Inspection Systems in Radiography	3150-AB1
66	+ Medical Use of Byproduct Material	3150-AA7
67	+ Physician's Use of Radioactive Drugs	3150-AB/
68	+ Licenses and Radiation Safety Requirements for Well-logging Operations	3150-AB3
69	+ Material Balance Reports	3150-AB8
70	Extension of Criminal Penalties	3150-AA8
71	+ Codes and Standards for Nuclear Power Plants (1983 Edition, Winter 1982 through Summer 1984 Addenda)	3150-AA8
72	Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors	3150-AA8
73	+ Radon 222 Estimate for Table S-3	3150-AA8
74	General Design Criterion on Human Factors	3150-AB1
75	Station Blackout.	3150-AB3
76	+ Communications Procedures Amendments	3150-AB6
77	+ Modifications to GDC 4 Requirements for Protection Against Postulated Pipe Ruptures	3150-AB7
78	Deletion of the Unusual Event Emergency Classification	3150-AB8
79	Update of Table S-4, Part 51	3150-AB3
80	Financial Responsibility Standards for Long Term Care for Low Level Waste Disposal Sites	3150-AB5
81	+ Material Status Reports	3150-AB2
82	Rule to Amend the Transportation Provisions Pertaining to the Shipment of Low Specific Activity (LSA) Material	3150-AB3
83	+ Physical Protection Requirements for Independent Spent Fuel Storage Installations (ISFSIs)	3150-AB2
84	+ Reporting Requirements for Safeguards Events	3150-AB4
85	Criteria for an Extraordinary Nuclear Occurrence	3150-AB0

Completed Actions

Se- quence Number	Title Title	Regulation Identifier Number
86	Export/Import of Nuclear Equipment and Material	3150-AB00
87	Elimination of Review of Financial Qualifications of Electric Utilities in Operating License Reviews and Hearings for Nuclear Power Plants	3150-AB69
88	Changes in Radiation Dose-Limiting Standards	3150-AA08
89	+ Authority for the Copying of Records and Retention Periods for Security Records	3150-AA63
90	+ General Design Criteria for Fuel Reprocessing Plants	3150-AA15
91	Interim Requirements Related to Hydrogen Control	3150-AA21
92	Requirements for Licensee Action Regarding the Disposition of Spent Fuel Upon Expiration of the Reactors'	
93	Operating License	3150-AB40
94	Criteria and Procedures for Determining the Adequacy of Available Spent Nuclear Fuel Storage Capacity	3150-AB22
95	+ Material Control and Accounting Requirements for Low Enriched Uranium Fuel Cycle Facilities	3150-AA93
96	Severe Accident Design Criteria	3150-AA45
97	Lower Radiation Exposure Levels for Fertile Women	3150-AA07
98	Performance Testing of Bioassay Labs	3150-AA67
99	+ Periodic and Systematic Reevaluation of Parts 30 and 32	3150-AA70
100	L Revision of Consumer Product Approval Criteria and Regulations	3150-AB37
101	Glass Enamel and Glass Enamel Frit Containing Small Amounts of Uranium	3150-AB49
102	Extension of Construction Completion Date	315U-MD00
103	Additional Scram System Requirement for Westinghouse Nuclear Power Plants	3150-AB29
104	Experience Requirements for Senior Operators at Nuclear Power Plants	3150-AB64
105	Requirements for Senior Managers at Nuclear Power Plants	3150-AB31
106	+ Clarification of General Physical Protection Requirements	3150-AB45
107	Minor Correcting Amendments	3150-AB77

NUCLEAR REGULATORY COMMISSION (NRC)

Current and Projected Rulemakings

PROPOSED RULES

1. PROCEDURES INVOLVING THE EQUAL ACCESS TO JUSTICE ACT: IMPLEMENTATION

Legal Authority: 5 USC 504

CFR Citation: 10 CFR 1; 10 CFR 2

Abstract: The proposed rule provides new provisions intended to implement the Equal Access to Justice Act (EAJA). The provisions would provide for the payment of fees and expenses to certain eligible individuals and businesses that prevail in adjudications with the agency when the agency's position is determined not to have been substantially justified. The basis for these proposed regulations is a set of model rules issued by the Administrative Conference of the United States (ACUS) that have been modified to conform to NRC's established rules of practice. The proposed rule would further the EAJA's intent by insuring the development of government-wide "uniform" agency regulations and by providing NRC procedures and requirements for the filing and disposition of EAIA applications. A final draft rule was sent to the Commission in June 1982, but Commission action has been suspended pending a decision by the Comptroller General on the availability of funds to pay awards to intervenor parties. The decision from the Comptroller General has been rendered and is currently being analyzed.

More recently than the actions just discussed, however, (cont)

Timetable:

Action	Date		FR	Cite
NPRM	10/28/81	46	FR	53189
NPRM Comment Period Begin	10/28/81	46	FR	53189
NPRM Comment Period End	11/28/81			

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: the President vetoed a version of a bill that would renew with some change the EAJA and requested that Congress submit another version. [November 12, 1984, Memorandum of Disapproval on H.R. 5479, Weekly Compilation of Presidential Documents, Volume 20, pp.1814-1816]. This rule is being held in abeyance until another version of the EAJA has been passed.

Agency Contact: Beverly Segal, Nuclear Regulatory Commission, Office of the General Counsel, Washington,

RIN: 3150-AA01

DC 20555, 202 634-3224

2. LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION; ALTERNATIVE SITE REVIEWS

Legal Authority: 42 USC 2201; 42 USC 4332; 42 USC 5841

CFR Citation: 10 CFR 2; 10 CFR 50; 10 CFR 51

Abstract: The proposed rule would focus on six major issues associated with alternative site selection for nuclear power plants; (1) information requirements, (2) timing, (3) region of interest, (4) selection of candidate sites, (5) comparison of the proposed sites with alternative sites, and (6) reopening of the alternative site decision. The proposed rule would provide procedures and performance criteria for reviewing alternative sites for nuclear power plants under the National Environmental Policy Act of 1969 (NEPA). The proposal is intended to stabilize alternative site review of a license application by codification of the lessons learned in past and recent review of nuclear power plant sites into an environmentally sensitive rule. The proposed rule would develop understandable written NRC review and decision making criteria to permit a rational and timely decision concerning the sufficiency of the alternative site analysis.

Alternatives to this rulemaking would include publishing a policy statement or regulatory guide or withdrawing the proposed rule. Each of these alternatives would be less efficient than completing the rulemaking. The provisions of the proposed (cont)

Timetable:

Action	Date		FR	Cite
NPRM	04/09/80	45	FR	24168
NPRM Comment Period Begin	04/09/80	45	FR	24168
NPRM Comment Period End	06/09/80			

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: rule provide a flexible and reasoned approach to siting that would facilitate license review and make decisions more predictable. Confusion and controversy over this issue would be reduced. There would be no significant impact on costs other than savings that would result from greater certainty regarding the Commissions requirements. NRC resources necessary to complete this rulemaking are minimal. Approximately two-man months of staff time will be required to finalize this rule if the Commission decides to complete the rulemaking.

After considering the comments on the proposed rule, the Commission published a final rule on May 28, 1981 (46 FR 28630). That final rule addressed the sixth issue, reopening the construction permit or early site review stages insofar as it relates to operating license proceedings. Finalization of other portions of the proposed rule has been deferred until completion of a comprehensive review of radionuclide source terms from reactor accidents.

Agency Contact: William R. Ott. Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4615

RIN: 3150-AA03

3. POSSIBLE AMENDMENTS TO "IMMEDIATE EFFECTIVENESS" RULES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: The proposed rule indicates that the Commission is considering five alternative amendments to the "immediate effectiveness" rule for construction permit proceedings. Under the original "immediate effectiveness" rule (36 FR 828, January 19, 1971) construction of a nuclear power plant could begin on the basis of an initial decision by the Atomic Safety and Licensing Board (ASLB) even though that decision was subject to further review by the Commission. The Commission is concerned that the rule often prevented it from reviewing a case until construction was well underway and that this might have (1) allowed commitment of large sums of money to altering sites before a final decision was made on site-related issues and (2) promoted piecemeal review rather than promoting early resolution of all licensing issues to be considered. Present rules provide for limited review of ASLB decisions by the Atomic Safety and Licensing Appeal Board (ASLAB) and the Commission

prior to issuance of construction permits.

This proposed rule would help to determine whether NRC should return to the former "immediate effectiveness" rule or adopt one of the following alternatives:(1) require the ASLAB (cont)

Timetable:

Action	Date	FR	Cite
NPRM Interim Final Bule	05/22/80 04/00/85	45 FR	34279

Small Entity: No

Additional Information: ABSTRACT CONT: to make a separate ruling on the question of effectiveness, or (2) require final ASLAB and Commission decisions on the merits of certain construction-related issues prior to authorizing issuances of the construction permit; (3) require final ASLAB and Commission decisions on the merits of all issues prior to authorizing issuances of the construction permit; and, return to the former "immediate effectiveness" rule, but relax the standards for obtaining a stay of the ASLAB decisions.

The public comment period on the "Regulatory Reform Proposal Concerning the Rules of Practice and Rules for Licensing of Production and Utilization Facilities" (49 FR 14698) closed June 11, 1984. As a result of staff evaluation of these comments and further staff review of the "immediate effectiveness" issues, a rule is being proposed that will supersede this proposed rule and another entitled, "Commission Review Procedures for Power Reactor Construction Permits; Immediate Effectiveness Rule."

Agency Contact: Beverly Segal, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-3224

RIN: 3150-AA04

4. MODIFICATIONS TO THE NRC
HEARING PROCESS (LIMITED
INTERROGATORIES AND FACTUAL
BASIS FOR CONTENTIONS)

Legal Authority: 42 USC 2239

CFR Citation: 10 CFR 2

Abstract: The proposed rule would expedite conduct of NRC adjudicatory proceedings by requiring intervenors in formal NRC hearings to set forth the facts on which contentions are based

and the sources or documents used to establish those facts and limit the number of interrogatories that a party may file in an NRC proceeding. The proposed rule would expedite the hearing process by, among other things. requiring intervenors to set forth at the outset the facts upon which their contention is based and the supporting documentation to give other parties early notice of intervenor's case so as to afford opportunity for early dismissal of contentions where there is no factual dispute. Expediting the hearing process should ultimately provide cost savings to all participants in the process. The content of this rule is being considered as part of the regulatory reform rulemaking package. The package was published in the Federal Register on April 12, 1984 (49 FR 14698).

Timetable:

Action	Date		FR	Cite	
NPRM	06/08/81	46	FR	30349	
Regulatory Reform Rule	12/00/84				

Next Action Undetermined

Small Entity: No

Agency Contact: James Tourtellote, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, 202 634-1461

RIN: 3150-AA05

5. COMMISSION REVIEW PROCEDURES FOR POWER REACTOR CONSTRUCTION PERMITS; IMMEDIATE EFFECTIVENESS RULE

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The proposed rule would amend the immediate effectiveness rule with regard to rules of practice for granting a power reactor construction permit to conform to those for granting an operating license. It (1) would retain the requirement that the Commission conduct a limited review of an Atomic Safety and Licensing Board's decision to grant a construction permit pending completion of administrative appeals and (2) would delete the requirement that an Atomic Safety and Licensing Appeal Board conduct a similar review. The proposed rule would not affect the separate Appeal Board and Commission appellate reviews of the merits of Licensing Board decisions. It would reduce somewhat the time required for

administrative review of construction permit decisions while retaining direct Commission oversight prior to permit issuance.

The comment period closed November 24, 1982. Nine comments were received. Half of the comments favored the proposed rule while half opposed it. This proposed rule does not preclude further action on five alternatives for amending the "Immediate effectiveness" rule presented in an earlier notice on (cont)

Timetable:

Action	Date	FF	Cite
NPRM	10/25/82	47 FF	47260
NPRM Comment Period Begin	10/25/82	47 FF	47260
NPRM Comment Period End	11/24/82		
Final Action	04/00/85		

Small Entity: No

Additional Information: ABSTRACT CONT: May 22, 1980 (45 FR 34279).

The public comment period on the "Regulatory Reform Proposal Concerning the Rules of Practice and Rules for Licensing of Production and Utilization Facilities" [49FR 14698] closed June 11, 1984. As a result of staff evaluation of these comments and further staff review of the "immediate effectiveness" issues, a rule is being proposed that will supersede this proposed rule and another entitled, "Possible Amendments to 'Immediate Effectiveness' Rules."

Agency Contact: Martin G. Malsch, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-1465

RIN: 3150-AA55

6. HYBRID HEARING PROCEDURES FOR EXPANSIONS OF ONSITE SPENT FUEL STORAGE CAPACITY AT CIVILIAN NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2201; 42 USC 2239

CFR Citation: 10 CFR 2; 10 CFR 72

Abstract: The proposed rule contains two options for implementing the hybrid hearing process in Section 134 of the Nuclear Waste Policy Act of 1982. That section sets forth a hybrid hearing process for certain contested proceedings on applications for a license or a license amendment to

expand the spent nuclear fuel storage capacity at the site of a civilian nuclear power reactor. Either version of the proposed rule would provide for an oral argument in the early stage of the hearing process and would designate only genuine and substantial issues for resolution in an adjudicatory hearing. Option 1 would add a new Subpart K to Part 2. Subpart K would require the use of hybrid procedures in all proceedings to which section 134 applies. It would also change the initial stages of the existing hearing process by allowing a person whose interest is affected to participate as a party and to obtain discovery without the need to plead contentions. Option 2 would permit the use of hybrid procedures at the request of any party to the proceeding. It would be implemented by means of an alternative form of summary disposition under a new Sec. 2.749a. (cont)

Timetable:

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Action	Date		FR	Cite
NPRM	12/05/83	48	FR	54499
NPRM Comment Period Begin	12/05/83	49	FR	414
NPRM Comment Period Extended to 02/20/84	01/04/84	49	FR	414
NPRM Comment Period End	02/20/84			
Final Action	07/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT: In all other respects, the existing Part 2 procedures would apply. The Commission sought comments on both proposals to aid in its choice of procedures for the final rule.

The hybrid hearing procedures are intended to simplify and expedite the licensing process for spent fuel storage facility expansions and transshipments. The proposed rule is needed to permit full realization of those statutory purposes. Because section 134 applies by its terms to applications filed after January 7, 1983, a final rule should be developed as soon as practicable. There are no alternatives to rulemaking that would meet the statutory objectives. The rule will simplify and expedite the hearing process resulting in less costly and shorter hearings for license applicants, intervenors, the NRC staff, and the Licensing Boards. Members of the public who seek to participate in NRC licensing proceedings will have an opportunity to request an oral argument

but will be required to make a stronger showing of need in order to require that an adjudicatory hearing be held.

Agency Contact: Linda S. Gilbert, Nuclear Regulatory Commission, Office of Executive Legal Director, Washington, DC 20555, 301 492-7678

RIN: 3150-AB19

7. EXCEPTIONS TO NOTICE AND COMMENT RULEMAKING PROCEDURES

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: This proposed rule would amend the Commission's rules of practice by revising NRC procedures contained in Sections 2.804 and 2.805 to clarify the Commission's use of the exceptions to notice and comment rulemaking contained in the Administrative Procedure Act (5 U.S.C. 553(b)). Exception to notice and comment rulemaking may be applied (1) to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice (5 U.S.C. 553(b)(A)) or (2) when the agency for good cause finds that notice and comment are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 553(b)(B)). This clarification is necessary in light of the U.S. Court of Appeals for the District of Columbia decision in Union of Concerned Scientists v. Nuclear Regulatory Commission, No. 82-2000 (D.C. Cir. June 30, 1983) which vacated a Commission rulemaking on the **Environmental Qualification of** electrical equipment. The court held that by making the rule immediately effective, instead of providing for notice and comment, the NRC had among other things, violated 10 CFR 2.804 of the Commission regulations which the Court read as a requirement for notice and comment in all (cont)

Timetable:

Action	Date		FR	Cite
NPRM	04/02/84	49	FR	13043
NPRM Comment Period Begin	04/02/84	49	FR	13043
NPRM Comment Period End	05/02/84			
Final Action	03/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT: Commission rulemakings. The

proposed rule will provide explicitly for Commission discretion to invoke in appropriate situations the APA exceptions to notice and comment rulemakings cited above. There are no satisfactory alternatives to this proposed clarification. It will have little or no impact on the public or the regulated industry because it merely clarifies existing Commission practice. Development and promulgation of the rule will involve approximately 320 hours of NRC staff time, at \$60 per hour for a total of \$119,200.

Agency Contact: Francis X. Cameron, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, 301 492-8689

RIN: 3150-AB41

8. NONDISCRIMINATION ON BASIS OF AGE IN FEDERALLY ASSISTED COMMISSION PROGRAMS

Legal Authority: 42 USC 6101 CFR Citation: 10 CFR 4

Abstract: The proposed rule would implement the provisions of the Age Discrimination Act of 1975, as amended. The proposed amendment makes it unlawful for any recipient of Federal financial assistance to discriminate on the basis of age in programs or activities receiving Federal financial assistance from the NRC. The Act also contains certain exceptions that permit, under limited circumstances, continued use of age distinctions or factors other than age that may have a disproportionate effect on the basis of age. The Act applies to persons of all ages. The proposed rule is necessary to comply with the Age Discrimination Act of 1975, which directs that all Federal agencies empowered to provide Federal financial assistance issue rules, regulations, and directives consistent with standards and procedures established by the Secretary of Health and Human Services (HHS). NRC's proposed and final regulations have been modeled after those HHS guidelines as published in 45 CFR 90. (cont)

Timetable:

Action	Date		FR	Cite
NPRM	09/21/81	46	FR	46582
Final Action	07/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT: On November 23, 1981, a copy of the draft final regulations was transmitted to the Office of the General Counsel of the Civil Rights Division, HHS, for review to comply with the requirement that final agency regulations not be published until the Secretary of HHS approved them. On July 13, 1984, HHS transmitted a letter to NRC indicating its approval of the regulation, as proposed.

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Agency Contact: Edward E. Tucker, Nuclear Regulatory Commission, Office of Small and Disadvantaged, Business Utilization/Civil Rights, Washington, DC, 301 492-7697

RIN: 3150-AA06

9. PRODUCTION OR DISCLOSURE IN RESPONSE TO SUBPOENAS OR DEMANDS OF COURTS OR OTHER AUTHORITIES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 9

Abstract: The proposed rule would add Subpart D to 10 CFR Part 9 to prescribe procedures with respect to the production of documents or disclosure of information in response to subpoenas or demands of courts or other judicial or quasi-judicial authorities in state and Federal proceedings. The proposed rule would clarify the procedures to be followed by Commission employees in responding to demands for testimony. information, or documents and would ensure that the responsibility for determining the response to the demands is placed on the appropriate Commission official.

Timetable:

Action	Date	FR Cite
NPRM	07/10/84	49 FR 28012
NPRM Comment Period Begin	07/10/84	49 FR 28012
NPRM Comment Period End	08/09/84	
Final Action	05/01/85	

Small Entity: No

Agency Contact: Theresa W. Hajosh, Nuclear Regulatory Commission, Office of General Counsel, Washington, DC 20555, 202 634-1493

RIN: 3150-AB63

10. REPORTS OF THEFT OR LOSS OF LICENSED MATERIAL

Legal Authority: 42 USC 2073

CFR Citation: 10 CFR 20

Abstract: The proposed rule would remove a discretionary clause that requires each NRC licensee to report a loss or theft of licensed material only when it appears to the licensee that the loss or theft would pose a substantial hazard to persons in an unrestricted area. The proposed rule would provide increased radiological safety to the public by requiring that all losses or thefts of licensed material be reported to the NRC if the loss exceeds the minimum quantity specified in the regulations. The estimated total annual cost to affected licensees is \$6,000, or approximately \$200 per license. The estimated cost to the NRC is \$2,000 annually.

Timetable:

Action	Date	FR Cite
NPRM	05/09/83	48 FR 20721
NPRM Comment Period Begin	05/09/83	
NPRM Comment Period End	06/23/83	
Final Action	12/00/85	

Small Entity: No

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AA64

11. RESIDUAL CONTAMINATION IN SMELTED ALLOYS

Legal Authority: 42 USC 2021; 42 USC 2073; 42 USC 2077; 42 USC 2111; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 32; 10 CFR 70: 10 CFR 150

Abstract: The proposed rule would exempt from licensing and regulatory requirements technetium-99 and low-enriched uranium as residual contamination in any smelted alloy. The proposed rule would remove the Commission's present specific licensing requirement that has the effect of inhibiting trade in and recycling of metal scrap contaminated with small amounts of these radioactive materials. This requirement also prevents recycling by the secondary metals industry of smelted alloys containing these two radioactive materials. The

NRC issued the proposed rule in response to a Department of Energy request. A draft environmental statement for this action has been prepared.

Timetable:

Action	Date		FR	Cite
NPRM	10/27/80	45	FR	7087
NPRM Comment Period Begin	10/27/80	45	FR	7087
NPRM Comment Period End	12/11/80			
Environmental Impact Statement	04/30/84		in a	

Next Action Undetermined

Small Entity: No

Analysis: Draft Environmental Statement 10/27/80 (45 FR 20874)

Agency Contact: D. R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AA10

12. DECOMMISSIONING CRITERIA FOR NUCLEAR FACILITIES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 51; 10 CFR 70; 10 CFR 72

Abstract: The advance notice of proposed rulemaking sought comment on a proposal to develop a more explicit policy for decommissioning nuclear facilities. The proposal would provide more specific guidance on decommissioning criteria for production and utilization facility licensees and byproduct, source, and special nuclear material licenses. This action is intended to protect public health and safety and to provide the applicant or licensee with appropriate regulatory guidance for implementing and accomplishing nuclear facility decommissioning. Although it is planned to provide additional guidance through regulatory guides, it is necessary to amend the regulations in order to achieve appropriate assurances that funds for decommissioning will be available.

The major cost impact of the proposed rule would involve proper planning at all stages of nuclear facility operation. Proper planning includes providing for (1) financial assurance that funding will be available for decommissioning, (2) maintenance of records that could

affect decommissioning, and (3) careful(cont)

Timetable:

Action	Date		FR	Cite
ANPRM	03/13/78	43	FR	10370
NPRM	02/11/85	50	FR	5600
NPRM Comment Period Begin	02/11/85	50	FR	5600
*NPRM Comment Period End	05/13/85			

Small Entity: Yes

Additional Information: ABSTRACT CONT: planning of procedures at the time of decommissioning. For non-reactor facilities affected by financial assurance requirements, it is estimated that the major impact will result in an aggregate expenditure of 85 staff-years (\$6.4 million) spread over 5 years (or 1.28 million per year).

For the approximately 80 operating reactors plus 75 research and test reactors, it is estimated that the major impact will result in an aggregate expenditure of 8.5 staff-years (\$638,000) spread over 3 years. These expenditures will ensure that adequate measures have been taken to protect the health and safety of occupational workers, the public, and the environment within the confines of optimum cost benefit consideration.

Analysis: Draft Environmental Statement 02/10/81 (46 FR 11666)

Agency Contact: Keith G. Steyer/Catherine Mattsen, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7910

RIN: 3150-AA40

13. PATIENT DOSAGE MEASUREMENT

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 35

Abstract: The proposed rule would require that the activity of each radiopharmaceutical dosage be measured before it is administered to a patient. Each of NRC's specific medical licensees is currently required to perform these measurements by a license condition. This action is intended to ensure the consistent application of the requirement and to simplify licensing by replacing the individual license conditions with a single regulatory requirement that

would apply to all current and future medical licensees. Because, the only way to impose a requirement on all medical licensees is by license condition or regulation; no alternative action was considered. The proposed rule will require licensees to measure each dosage and make a record of each measurement. Because, the requirement is currently imposed by license condition, there will not be cost savings or additional burden; however, the industry and NRC will benefit by having a clear, concise requirement in the regulation. The proposed rule is being incorporated into a proposed revision of 10 CFR Part 35 (See RIN-3150-AA73 Medical Use of Byproduct Material).

Timetable:

Action	Date		FR	Cite
NPRM	09/01/81	46	FR	43840
NPRM Comment Period Begin	09/01/81	46	FR	43840
NPRM Comment Period End	11/30/81			
Final Action	04/00/85			

Small Entity: No

Public Compliance Cost: Initial Cost: \$690,000; Yearly Recurring Cost: \$690,000; Base Year for Dollar Estimates: 1981

Analysis: Preliminary RIA 09/00/81

Agency Contact: Norman L. McElroy, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4108

RIN: 3150-AA12

14. + IMPLEMENTATION OF THE CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40; 10 CFR 70; 10 CFR 73; 10 CFR 110

Abstract: The NRC is amending its regulations in order to implement the provisions of the Convention on the Physical Protection of Nuclear Material. Since NRC is responding to implementing legislation enacted by Congress and signed by the President, no alternatives were considered. The proposed amendments would require (1) the physical protection of transient shipments of special nuclear material of moderate and low strategic significance and irradiated reactor fuel, (2) advance

notification to NRC concerning the export of Convention-defined nuclear materials, and (3) advance notification and assurance of protection to NRC concerning the importation of Convention- defined nuclear materials from countries that are not parties to the Convention, and (4) advance notification and assurance of protection concerning transient shipments of Convention-defined nuclear material shipped between countries that are not party to the Convention. The adoption of the proposed amendments would result in improved security for Convention-defined nuclear material during international transport. (cont)

Timetable:

Action	Date		FR	Cite	
NPRM	07/14/83	48	FR	32182	
NPRM Comment Period Begin	07/14/83	48	FR	32182	
NPRM Comment Period End	10/13/83				
Rule is currently pending before the Commission	00/00/00				

Small Entity: No

Additional Information: ABSTRACT CONT:

Compliance with the new regulations is expected to cost licensees about \$230,000 annually. Public comments have been received and analyzed.

Public Compliance Cost: Yearly Recurring Cost: \$230,000; Base Year for Dollar Estimates: 1983

Agency Contact: Carl Sawyer, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4186

RIN: 3150-AA92

15. URANIUM MILL TAILINGS REGULATIONS: CONFORMING NRC REQUIREMENTS TO EPA STANDARDS

Legal Authority: 42 USC 2014; 42 USC 2092; 42 USC 2093; 42 USC 2094; 42 USC 2095; 42 USC 2111; 42 USC 2113; 42 USC 2114; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2236; 42 USC 2282; 42 USC 2021; 42 USC 5841

CFR Citation: 10 CFR 40

Abstract: The proposed rule would revise the Nuclear Regulatory Commission's regulations governing the disposal of uranium mill tailings to conform them to regulations recently

published by the Environmental Protection Agency that set standards for protecting the environment from these wastes. The proposed rule would remove inconsistencies between NRC and EPA requirements and incorporate in NRC regulations the stability, radon release, and other provisions of the EPA standard not related to groundwater. This action is necessary to comply with provisions of the Uranium Mill Tailings Radiation Control Act and the NRC Authorization Act for FY 1983; therefore no alternatives to this action need to be considered. EPA has estimated that compliance with their recently published regulations would cost the uranium milling industry from about \$310 million to \$540 million to dispose of all existing tailings and tailings to be generated by the year 2000. This includes the costs of the groundwater protection provisions which are to be addressed in future NRC rule changes. The EPA regulations are binding on NRC licensees in the interim. The final rule should be in place within 6 months after (cont)

Timetable:

Action	Date	SHIP.	FR	Cite
NPRM	11/26/84	49	FR	48418
NPRM Comment Period Begin	11/26/84	50	FR	2293
NPRM Comment Period End	02/10/85			
Final Action	05/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT: publication of the proposed rule and require only nominal (less than at \$25,044) NRC staff resources.

Agency Contact: Kitty S. Dragonette, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4390

RIN: 3150-AB50

16. URANIUM MILL TAILINGS REGULATIONS: GROUND WATER PROTECTION AND OTHER ISSUES

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 7901 Note

CFR Citation: 10 CFR 40

Abstract: The advance notice of proposed rulemaking seeks comment on NRC's tentative approach to making further amendments to its uranium mill tailings regulations. The contemplated

rulemaking proceeding is intended to incorporate groundwater provisions and other requirements established by the Environmental Protection Agency for similar hazardous wastes into NRC regulations. This action is necessary to make NRC regulations consistent with EPA standards as required by the Uranium Mill Tailings Radiation Control Act, and consequently no alternatives to this action need to be considered. Comments on the ANPRM will help define the nature and scope of the action. EPA has estimated that compliance with their groundwater standards and with the stability, radon release, and other requirements recently promulgated will cost the industry from about \$310 million to \$540 million for all tailings generated by the year 2000. The range depends on the eventual cost of groundwater protection for future tailings. The EPA regulations are binding on NRC licensees in the interim. NRC resources and schedules are still being developed.

Timetable:

Action	Date	FR Cite
ANPRM	11/26/84	49 FR 48425
ANPRM Comment Period Begin	11/26/84	50 FR 2293
ANPRM Comment Period End	03/01/85	

Next Action Undetermined

Small Entity: No

Agency Contact: Kitty S. Dragonette, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, D.C. 20555, 301 427-4300

RIN: 3150-AB56

17. TECHNICAL SPECIFICATIONS FOR NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2201 CFR Citation: 10 CFR 50

Abstract: The proposed rule would amend current regulations pertaining to technical specifications for nuclear power reactors. Specifically, the proposed rule would (1) establish a standard for deciding which items derived from the safety analysis report must be incorporated into technical specifications, (2) modify the definitions of categories of technical specifications to focus more directly on reactor operations, (3) define a new category of

requirements that would be of lesser immediate significance to safety than technical specifications, and (4) establish appropriate conditions that must be met by licensees to make changes to the requirements in the new category without prior NRC approval.

The changes are needed because of disagreement among parties to proceedings as to what items should be included in technical specifications, and concern that the substantial growth in the volume of technical specifications may be diverting the attention of licensees from matters most important to the safe operation of the plant. (cont)

Timetable:

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Action	Date		FR	Cite
ANPRM	07/08/80	45	FR	45916
ANPRM	07/08/80	45	FR	45916
Comment				
Period Begin	The second			
ANPRM	09/08/80			
Comment				
Period End				
NPRM	03/30/82	47	FR	13369
NPRM Comment	03/30/82	47	FA	13369
Period Begin				
NPRM Comment	06/01/82			
Period End				

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT:

The proposed rule would improve the safety of nuclear power by placing more emphasis on those specifications of high safety significance, and provide more efficient use of NRC and licensee resources. The NRC staff has estimated that each of the affected 21 licensees should utilize the proposed method for changing supplemental specifications approximately twice a year. The total additional yearly burden to resubmit a revoked change for all 21 affected licensees would be approximately 101 staff hours.

Agency Contact: Don Beckham, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-7803

RIN: 3150-AA22

18. FITNESS FOR DUTY OF PERSONNEL WITH ACCESS TO NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2236; 42 USC 2237

CFR Citation: 10 CFR 50

Abstract: At a Commission meeting, October 17, 1984, the Commission directed the staff to draft a policy statement on programs for training and qualification in lieu of publishing this proposed "Fitness for Duty" rule and other proposed training and qualification amendments. On December 10, 1984, the NRC decided to separate the policy statement on fitness for duty from the policy statement on training and qualifications. Therefore, this proposed rule is being withdrawn. The policy is being established to allow power reactor applicants and licensees to develop and implement their own fitness-for-duty programs during a 2year period. Nothing in the policy statement limits NRC's authority or responsibility to follow up on operational events or its enforcement authority when regulatory requirements are not met.

The proposed rule would have required licensees to establish and implement controls to provide reasonable assurance that persons with unescorted and escorted access to vital areas of nuclear power plants are fit for duty. The Commission initiated the rule in response to concern by members of the public that nuclear power plant personnel, like airline pilots, should [cont]

Timetable:

Action	Date	ele	FR	Cite
NPRM	08/05/82	47	FR	33980
NPRM Comment Period Begin	08/05/82			33980
NPRM Comment Period End	10/04/82			
Final Action	04/00/85			
Con all III and				

Small Entity: No

Additional Information: ABSTRACT CONT: not be permitted to perform activities that could degrade the public health and safety while unfit for duty as a result of actions such as the consumption of alcoholic beverages. The result of the proposed rule would have been the further protection of the public health and safety by requiring persons with unescorted or escorted access to vital areas of nuclear power plants to be fit for duty.

Agency Contact: Thomas Ryan, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7619

RIN: 3150-AA27

19. SAFEGUARDS REQUIREMENTS FOR NONPOWER REACTOR LICENSEES POSSESSING FORMULA QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL

Legal Authority: 42 USC 2071; 42 USC 2073; 42 USC 2133; 42 USC 2134; 42 USC 2152; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2236; 42 USC 2239; 42 USC 2273; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50; 10 CFR 70; 10 CFR 73

Abstract: When the Commission approved the set of final physical protection requirements for fuel cycle facilities possessing formula quantities (five formula kilograms or more) of strategic special nuclear material (SSNM), they exempted nonpower reactors from these requirements and, instead specified a set of interim requirements. At that time the staff was directed to develop a set of permanent physical protection requirements for this class of nonpower reactors. This rulemaking is needed: (1) to replace current interim regulations and establish permanent physical security requirements for nonpower reactor licensees who possess a nonexempt formula quantity of SSNM, (2) to provide protection against insiders, and (3) to arrange for a response by local law enforcement or other agencies in time to prevent a theft of a formula quantity. The staff is using a performance-oriented regulatory approach which would give affected licensees flexibility in designing costeffective measures for implementing the requirements of the final rule by allowing licensees to take advantage of existing facility design features. Not more than three facilities are expected to have to implement these (cont)

Timetable:

Action	Date	FR	Cite
Interim Final Rule	11/28/79	44 FR	68199
Previous NPRM NPRM	09/18/81 07/27/83	46 FR	46333
NPRM Comment	07/27/83	48 FR	34056

Action	Date	FR	Cite
Proposed Rule limited to Part 73	07/27/83	48 FR	34056
NPRM Comment Period End	11/28/83		

Next Action Undetermined Small Entity: No

Additional Information: ABSTRACT CONT: requirements at an estimated cost increase of \$1,100 to \$5,100 for improvements and \$300 to \$7,900 for annual operating costs per facility. Public comments on the new NPRM have been received and analyzed. Further action has been deferred pending resolution of other related issues.

Public Compliance Cost: Initial Cost: \$12,000; Yearly Recurring Cost: \$21,000; Base Year for Dollar Estimates: 1983

Agency Contact: Carl J. Withee, Nuclear Regulatory Commission, Office of Nuclear Materials Safety, and Safeguards, Washington, DC 20555, 301 427-4768

RIN: 3150-AA30

20. CHANGES IN PROPERTY INSURANCE REQUIREMENTS FOR NRC LICENSED NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201 CFR Citation: 10 CFR 50

Abstract: An advance notice of proposed rulemaking requested comments on the Long Report (NUREG-0891) entitled "Nuclear Property Insurance: Status and Outlook," in order to determine the adequacy of the NRC's property insurance requirements. This report, prepared by Dr. John D. Long, Professor of Insurance at Indiana University, was written as an outgrowth of the Three Mile Island-2 accident after it became apparent that nuclear utilities may need more property insurance than has previously been required. Based on comments responding to the advance notice, the staff prepared a final rule for the Commission's approval. Upon review. the Commission directed the staff instead to develop a proposed rule that would increase the amount of insurance required and to evaluate the legal issues of Federal preemption of state prohibitions against utilities buying certain types of insurance and of a decontamination priority. The staff is

currently reviewing comment letters received in response to the recently published proposed rule.

Timetable:

Action	Date		FR	Cite
ANPRM	06/24/82	47	FR	27371
ANPRM Comment Period Begin	06/24/82	47	FR	27371
ANPRM Comment Period End	09/22/82			
NPRM	11/08/84	49	FR	44645
NPRM Comment Period Begin	11/08/84			
NPRM Comment Period End	02/07/85			
Final Action	08/00/85			

Small Entity: No

Agency Contact: Robert S. Wood, Nuclear Regulatory Commission, Office of State Programs, Washington, DC 20555, 301 492-9885

RIN: 3150-AA47

21. REVISION OF BACKFITTING PROCESS FOR POWER REACTORS

Legal Authority: 42 USC 2021; 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2239; 42 USC 4332; 42 USC 4334; 42 USC 4335; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The proposed rule is being initiated by the Nuclear Regulatory Commission to establish requirements for long-term management of its review process for the imposition of new regulatory requirements on power reactors. More specifically, the objective of the rulemaking is to address "backfitting", a process which can include both plant specific changes and generic changes as applied to one or more classes of power reactors. this rulemaking would revise 10 CFR 50.54, 50.109, 2.204, and add a conforming amendment to Appendix O. The rule is intended to reduce costs of "backfitting" for licensees through better management of this review process.

Timetable:

a session was a contract.		
Action	Date	FR Cite
ANPRM	09/28/83	48 FR 44217
ANPRM	10/28/83	
Comment Period End		
NPRM	11/30/84	49 FR 47034

Action	Date		FR	Cite
NPRM Comment Period Begin	11/30/84	49	FR	47034
NPRM Comment Period End	01/29/85			
Final Action	06/00/85			

Small Entity: No

Agency Contact: James Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, 202 634-1461

RIN: 3150-AA59

22. NOTICE AND COMMENT ON,
PROCEDURES FOR STATE
CONSULTATION ON, AND
STANDARDS FOR MAKING
DETERMINATIONS ABOUT WHETHER
LICENSE AMENDMENTS INVOLVE NO
SIGNIFICANT HAZARDS
CONSIDERATIONS

Legal Authority: 42 USC 2201; PL 97-415 CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: The NRC is publishing a single final rule that combines the proposed action of two interim final rules implementing, in part, PL 97-415. Modifications to the final rule are based on further staff review and evaluation of public comments received on the interim rules. The interim final rules were published April 6, 1983 (48 FR 14868). The two rules specify criteria for notice and public comment on, procedures for State consultation on, and standards for making determinations about whether amendments to operating licenses for certain facilities involve no significant hazards considerations. In addition, the rules specify procedures for consultation on these determinations with the State in which the facility of the licensee requesting the amendment is located. The rule permits the Commission to act expeditiously if circumstances surrounding a request for amendment require prompt response and to issue an amendment before holding any required hearing, unless a significant hazards consideration is involved.

Regarding costs for this rule, the NRC receives about 600 amendment requests each year, 98 percent of which are (cont)

Timetable:				
Action	Date		FR	Cite
Interim Final Rule	04/06/83	48	FR	14876
Final Action	06/30/85			

Small Entity: No

Additional Information: ABSTRACT CONT: deemed to involve no significant hazards consideration. This may result in an average increase in burden for the licensee preparing the amendment request of four hours per amendment. However, implementation of this rule's procedures is expected to cost the NRC approximately five professional-staff years (PSYE) each year. Expected distribution of these resources would be 3.0 PSYE to significant hazards determination, 0.5 PSYE to additional requested hearings, 0.3 PSYE to State consultations, and 1.0 PSYE to publication of monthly notices. At \$60 per PSYE of 2087 hours for each of 5 years, the total cost would be approximately \$626,160.

Agency Contact: Thomas F. Dorian. Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, 301 492-8690

RIN: 3150-AA61

23. OPERATOR'S LICENSES

Legal Authority: 42 USC 2137; 42 USC 2201; 42 USC 5841; 42 USC 10226

CFR Citation: 10 CFR 50; 10 CFR 55

Abstract: The Nuclear Regulatory Commission proposes to amend its regulations to (1) require each holder of and each applicant for a license to operate a commercial nuclear power plant to establish and use a systems approach in developing training programs and establishing qualifications requirements for civilian nuclear power plant operators, supervisors, technicians, and, as appropriate, operating personnel; (2) clarify the regulations for the issuance of licenses to operators and senior operators: (3) revise the requirements and scope of written examinations and operating tests for operators and senior operators; (4) codify procedures for the administration of requalification examinations; and (5) describe the form and content for operator license applications. The proposed rule is in response to Section 306 of the Nuclear Waste Policy Act of 1982. A regulatory analysis was performed which shows a

public risk reduction of 268,000 personrem at a cost of \$240.4 million dollars resulting in a value/impact ratio of 1,100 person/rem/ \$million. Coordinated industry objections to the rulemaking were the subject of a Commission meeting on (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/26/84	49 FR 46428
NPRM Comment Period Begin	11/26/84	
NPRM Comment Period End	02/24/85	
Final Action	12/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: April 9, 1984. Industry's proposal was for an NRC policy rather than a rule. At a Commission meeting, October 17, 1984, the Commission directed the staff to publish the portion of this proposed rule revising 10 CFR Part 55, "Operators' Licenses," and to draft a Policy Statement on programs for training and qualification of nuclear power plant personnel. The regulatory analysis is being revised to reflect only the costs and benefits of implementing the proposed revision to 10 CFR Part 55 and any significant comments received on the rule and analysis originally prepared. The Policy Statement would replace the portion of this rule adding requirements to 10 CFR Part 50 on training and qualification of plant personnel. The training programs are to be developed and implemented by industry during a two-year period. The policy statement will provide guidance regarding NRC's support of the industry-managed training accreditation program and stating NRC's continuing responsibility to independently evaluate applicant's and licensees' implementation of training improvement programs.

Agency Contact: Don Beckham, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-4868

RIN: 3150-AA88

24. PERSONNEL ACCESS
AUTHORIZATION REQUIREMENTS
FOR NUCLEAR POWER PLANTS
(PART OF INSIDER PACKAGE)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50; 10 CFR 73

Abstract: The proposed rule would require nuclear power plant licensees and applicants to establish an access authorization program for individuals requiring unescorted access to the protected and vital areas of nuclear power plants. These amendments represent the culmination of several years of development which included publication of an earlier proposed rule; public hearings; the establishment and recommendations of a Hearing Board; and establishment and recommendations of the NRC Safety/Safeguards Review Committee. Adoption of the amendments as currently proposed will result in increased assurance of the trustworthiness of licensee employees and contractor personnel. Each licensee will be required to submit for Commission approval an Access Authorization Plan which will consist of three major industry-run components: background investigation, psychological assessment, and continual behavioral observation programs.

Other alternatives considered were to maintain the status quo, endorse an ANSI Standard through an NRC Regulatory Guide, impose license conditions, and use staff position papers. The other alternatives were rejected because use of those approaches (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30726
NPRM Comment Period Begin	08/01/84	יינועל להודמום
NPRM Comment Period End	03/07/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: established for and administered by nuclear power plant licensees. The proposed rule will provide for this program and will include personnel screening to determine the suitability of an employee to be permitted unescorted access to either protected or vital areas of nuclear power plants. The screening program would cost each individual applicant and licensee approximately \$155,000 initially and \$300,000 per year thereafter.

Agency Contact: Kristina Z.
Jamgochian, Nuclear Regulatory
Commission, Office of Nuclear
Regulatory Research, Washington, DC
20555, 301 443-7687

RIN: 3150-AA90

25. PRESSURIZED THERMAL SHOCK

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would codify the NRC staff's recommended near-term actions for protection against pressurized thermal shock (PTS) events. Specifically, the provisions of the proposed rule would establish screening criteria for axial and circumferential welds; require licensees with operating plants to submit data concerning their reactor vessels to the NRC staff for review; require certain licensees to submit an analysis and schedule for implementation of flux-reduction programs; and require certain licensees with operating pressurized water reactors (PWRs) to submit a PTS safety analysis to the NRC staff for review. The issue of pressurized thermal shock arises because in PWRs, transients and accidents can occur that result in severe overcooling (thermal shock) of the reactor pressure vessel concurrent with, or followed by, repressurization. In these PTS events, rapid cooling of the reactor vessel internal surface results in thermal stress with a maximum tensile stress at the inside surface of the vessel. The provisions of the proposed rule would apply only to PWRs. The major considered alternative to the proposed rule was taking no action.(cont)

Timetable:

Action	Date		FR Cite
NPRM	02/07/84	48	FR 4498
NPRM Comment Period Begin	02/07/84	48	FR 4498
NPRM Comment Period End	05/07/84		
Final Action	08/00/85		
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Small Entity: No

Additional Information: ABSTRACT CONT:

With the possible exception of a few plants where large flux reduction options may be initiated in the near future, the only significant costs will be future analysis costs for those few plants that are expected to approach

the screening RT-NDT limit. A cost analysis will be prepared for those plant after receipt of the plant specific analysis and the resulting determination of the particular corrective regulatory action necessary and expedient for the plant. It is anticipated that the value of such identified corrective actions will be large in comparison to the relatively low cost of performing the analyses necessary to identify those actions, and therefore the presently proposed rule is justified. An estimate of the cost for performing the plant- specific analyses by the staff is four staff-weeks time 10,000 for each evaluation.

Agency Contact: Roy H. Woods, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-4714

RIN: 3150-AB05

26. PROTECTION OF CONTRACTOR EMPLOYEES

Legal Authority: 42 USC 2236; 42 USC 2282; 42 USC 5851

CFR Citation: 10 CFR 50

Abstract: The proposed rule would require 10 CFR Part 50 licensees, permittees, and applicants to ensure that procurement documents they issue or modify, specify that contractors and subcontractors post a notice to employees related to employee protection. The required notice would contain information notifying employees that an employer is prohibited from discriminating against an employee engaging in protected activities and that an employee may seek a remedy for prohibited discrimination by filing a complaint with the Department of Labor. The proposed amendment would affect licensees, permittees, applicants, and their contractors and subcontractors who are contractually responsible for construction of basic components or production and utilization facilities. Although there is no health and safety reason for addressing the issue, NRC is interested in protecting employees from discrimination. However, because Section 210 of the Energy Reorganization Act does not give the NRC direct authority over contractors and subcontractors and it clearly envisioned that the Department of Labor would be the principal agency in ensuring the rights of nuclear industry (cont)

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Action	Date	FR Cite
NPRM	07/06/83	48 FR 31050
NPRM Comment Period Begin	07/06/83	48 FR 31050
NPRM Comment Period End	09/06/83	
Final Action	04/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: employees, the NRC is considering the termination of this rulemaking action.

Agency Contact: Anthony J. DiPalo. Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7613

RIN: 3150-AB07

27. REFINEMENT OF EMERGENCY PLANNING REGULATIONS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would amend the Commission's emergency planning regulations to reflect experience gained since 1980 and reorganize the emergency planning requirements for clarity. Research studies on reactor risk and practical emergency planning experience have led to a refined portrayal of reactor risks and consequences. The proposed rule would require a graduated emergency response capability to reflect a more realistic program for dealing with radiological emergencies at nuclear power plants.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: Undetermined

Agency Contact: Michael Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7615

RIN: 3150-AB48

28. LIMITING THE USE OF HIGHLY ENRICHED URANIUM IN DOMESTIC RESEARCH AND TEST REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would require that non-power reactors use only low-enriched uranium fuel (LEU), with certain exceptions. The proposed rule is intended to reduce the highenriched uranium fuel (HEU) in the United States and thereby reduce the potential for theft or diversion. The majority of licensees affected by the proposed rule would be universities operating research and training reactors. To date, four of the 25 affected universities have made the decision to curtail the operation of their research/training reactors. Delay in the implementation of the proposed rule could have an adverse impact on the remaining affected licensees and their decisions regarding continuance or discontinuance of their respective reactor operations.

Other alternatives that have been and will continue to be considered include retaining the status quo and leaving the highly enriched uranium in place while upgrading security over the life of the facility.

The estimated identified and quantifiable costs to the affected licensees range between \$9-12 million. In addition, there will be other identifiable costs that are difficult to assess (cont)

Timetable:

Action	Date		FR	Cite
NPRM	07/06/84	49	FR	27769
NPRM Comment Period Begin	07/06/84			
NPRM Comment Period End	11/02/84			
Final Action	03/31/85			

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT: costs that are difficult to assess quantitatively, such as societal costs. The estimated impact on NRC resources is approximately \$400,000.

Agency Contact: William R. Lahs, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research. Washington, DC 20555, 301 443-7874

RIN: 3150-AB60

29. CONSIDERATION OF EARTHQUAKES IN THE CONTEXT OF EMERGENCY PREPAREDNESS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would consider the need to take into account the complicating effects of earthquakes on emergency preparedness. Existing regulations require that nuclear power plants be designed to safely shut down for most earthquakes. The probability of earthquakes large enough to cause major onsite damage that would result in a significant radiological release from the plant is low; and for large earthquakes, offsite damage could make prior offsite emergency plans premised on normal conditions marginally useful.

One alternative to the proposed rule change would be not to require that the emergency plans specifically address the impact of earthquakes. The staff believes this to be an inappropriate alternative because of the flexibility of existing emergency plans as well as the very low probability of the occurrence of an earthquake of substantial magnitude and a radiological release from the plant. Another alternative would be to adjudicate the issue on a case-by-case basis. The staff believes this to be an inappropriate alternative because it would be extremely time consuming and at the same time would necessitate the unwarranted

Timetable:

Date		FR	Cite
12/21/84	49	FR	49640
12/21/84	49	FR	49640
01/22/85			
04/00/85			
	12/21/84 12/21/84 01/22/85	12/21/84 49 12/21/84 49 01/22/85	12/21/84 49 FR 12/21/84 49 FR 01/22/85

Small Entity: No

Additional Information: ABSTRACT CONT: extensive NRC staff resources. The proposed rule change is the best alternative for achieving the specific regulatory objective. The proposed amendment will not greatly affect the industry since licensees are required to have approved emergency response plans which are flexible enough to assure that appropriate protective measures can be taken to mitigate the consequences of a nuclear emergency. The public will not be affected as adequate emergency preparedness at nuclear reactors will be assured. The staff anticipates that there will be no increase in cost to the NRC, State, and local governments and to licensees associated with the proposed rule change because it is interpretative in nature.

Agency Contact: Mike Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7615

RIN: 3150-AB75

30. EXPLANATION TO TABLE S-3 URANIUM FUEL CYCLE ENVIRONMENTAL DATA

Legal Authority: 42 USC 2011; 42 USC 4321

CFR Citation: 10 CFR 51

Abstract: The proposed rule provides a narrative explanation of the numerical values established in Table S-3, "Table of Uranium Fuel Cycle Environmental Data," that appears in the Commission's environmental protection regulations. The proposed rule describes the basis for the values contained in Table S-3, the significance of the uranium fuel cycle data in the table, and the conditions governing the use of the table. The narrative explanation also addresses important fuel cycle impacts (e.g., environmental dose commitments, health effects, socioeconomic impacts) and the cumulative impacts of the nuclear fuel cycle for the whole nuclear power industry so that it may be possible to consider these impacts generically rather than repeatedly in individual licensing proceedings. The proposed rule was published for public review and comment in 1981 (46 FR 15154, March 4, 1981) but the final rulemaking was deferred pending the outcome of a suit (Natural Resources Defense Council, et al. v. NRC, No. 74-1486) in the U.S. Court of Appeals. The U.S. Court of Appeals (D.C. Circuit) decision on April 27,1982 invalidated the entire Table S-3 rule. The Supreme Court reversed this decision (cont)

Timetable:

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Action	Date		FR	Cite	
NPRM	03/04/81	46	FR	15154	
NPRM Comment Period Begin	03/04/81	46	FR	15154	
NPRM Comment Period End	05/04/81	LUM			
Court invalidates Table S-3 rule	04/27/82				
Petition for Rehearing Denied	06/30/82				
Appeal to Supreme Court filed	09/27/82				

Action	Date	FR Cite
Supreme Court reverses the 04/27/82 court decision	06/06/83	712
Final Action	04/00/86	

Small Entity: No

Additional Information: ABSTRACT CONT: on June 6, 1983. The proposed rule to provide a narrative explanation for Table S-3 was revised to reflect new developments and the passage of time while the rulemaking was deferred. The proposed rule, SECY 84-149 was submitted to the Commission for consideration on April 6, 1984.

Agency Contact: Glenn A. Terry, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4283

RIN: 3150-AA31

31. ADDITIONAL TECHNICAL CRITERIA FOR THE DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGICAL REPOSITORIES LOCATED IN THE UNSATURATED ZONE

Legal Authority: 42 USC 2201; 42 USC 5842; 42 USC 10141

CFR Citation: 10 CFR 60

Abstract: The Nuclear Regulatory Commission (NRC) is publishing amendments related to the disposal of high-level radioactive wastes in geologic repositories within the unsaturated zone. These amendments, in addition to the existing provisions of 10 CFR Part 60 would ensure that the regulations will apply in an appropriate manner to geologic media within either the saturated or the unsaturated hydrogeologic zone. This action is necessary to ensure that the NRC regulations address considerations relevant to all geologic repositories. whether sited in the saturated or the unsaturated zone. The major benefit of the final amendments would be to provide NRC with the maximum flexibility with respect to reviewing license applications for high-level radioactive waste disposal. The cost to NRC would be approximately 1.0 staff

Timetable:				19/1
Action	Date		FR	Cite
NPRM	02/16/84	49	FR	5934
NPRM Comment Period Begin	02/16/84	49	FR	5934
NPRM Comment Period End	04/16/84			
Interim Final Rule	06/30/85			

Small Entity: No

Agency Contact: Colleen Ostrowski, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4615

RIN: 3150-AB44

32. DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGIC REPOSITORIES: PROCEDURAL AMENDMENTS

Legal Authority: 42 USC 2071; 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 5842; 42 USC 5846; 42 USC 2021a; 42 USC 5851; 42 USC 4332; 42 USC 10141; 42 USC 2273; 42 USC 2201(o)

CFR Citation: 10 CFR 60

Abstract: The proposed rule would revise procedures regarding NRC reviews of license applications for disposal of high-level radioactive wastes in geologic repositories. The procedures are being revised principally to conform to the provisions of the Nuclear Waste Policy Act of 1982. Specifically, the proposed rule would clarify that NRC begins its review in this licensing process after DOE provides NRC a site characterization plan and that usual rules of practice apply to licensing of these repositories. It would also provide that the NRC may publish a notice of receipt of a site characterization plan and a notice inviting comments on its analysis of a plan.

The proposed rule would also change some of the procedures for the participation of States and Indian tribes in the licensing process. Without the proposed rule, there would be major incongruities between the Nuclear Waste Policy Act and 10 CFR Part 60. Alternatives to the proposed rule would be changing the Nuclear Waste Policy Act or doing nothing and allowing incongruities to exist, with subsequent risk of litigation against NRC.(cont)

Timetable:

Action	Date		FR	Cite
NPRM	01/17/85	49	FR	2579
NPRM Comment Period Begin	01/17/85	49	FR	2579
NPRM Comment Period End	03/18/85			

Small Entity: No

Additional Information: ABSTRACT CONT:

State and Indian tribes will be affected in that procedures for State and Indian tribes participation in the licensing process for geologic repositories will be changed. This should not result in any additional costs or expenditures of resources on the part of the public, NRC, or the nuclear waste management system. The public, and especially States and Indian tribes, will benefit from increased clarity in procedures for licensing.

Agency Contact: Enrico F. Conti, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4616

RIN: 3150-AB47

33. MATERIAL CONTROL AND ACCOUNTING REQUIREMENTS FOR LICENSEES POSSESSING FORMULA QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL

Legal Authority: 42 USC 2201; 42 USC

CFR Citation: 10 CFR 70

Abstract: The proposed rulemaking would replace existing material control and accounting (MC&A) requirements for fuel cycle facilities that are authorized to possess and use formula quantities of strategic special nuclear material (SSNM).

It would establish a performance oriented regulation that emphasizes timely detection of formula quantity SSNM losses and provides for more conclusive resolution of discrepancies than is currently achievable. Experience with existing regulations has demonstrated weaknesses in the area of alarm resolution principally because of a lack of timely detection of anomalies and poor loss localization capabilities. The rulemaking would alleviate these liabilities by requiring tests on a more timely basis on small plant subdivisions.

An alternative to the rule would be to implement the concepts through license amendments for the four involved licensees; however, such an action would be inconsistent with the Administrative Procedures Act and the direction provided in NRC's Policy and Program Guidance document. The protection of the public health and safety will be enhanced through earlier (cont)

Timetable:

Action	Date		FR	Cite
ANPRM	11/18/81	46	FR	45144
ANPRM Comment Period Begin	11/18/81	46	FR	56625
ANPRM Comment Period End	02/09/82			
NPRM	02/02/84	49	FR	4091
NPRM Comment Period Begin	02/02/84	49	FR	4091
NPRM Comment Period End	09/05/84			
Final Action	04/00/86			

Small Entity: No

Additional Information: ABSTRACT CONT: detection and more prompt resolution of anomalies potentially indicative of an SSNM loss. In response to public comments, the staff is currently revising the earlier cost figures to reflect costs on a site-specific basis. The initial cost to the industry may be offset by the reduction or elimination of unnecessary requirements with the principal one being a reduction in the frequency of physical inventories. The cost to NRC to complete this rulemaking is estimated to be four staff years which includes time for the review of the plans submitted in response to the rule.

Public Compliance Cost: Initial Cost. \$2,300,000; Yearly Recurring Cost: -\$800,000

Agency Contact: C. W. Emeigh, Nuclear Regulatory Commission. Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4769

RIN: 3150-AA50

34. MISCELLANEOUS AMENDMENTS CONCERNING PHYSICAL PROTECTION OF NUCLEAR POWER PLANTS (PART OF INSIDER RULE PACKAGE)

Legal Authority: 42 USC 2101; 42 USC

CFR Citation: 10 CFR 73

Abstract: The proposed rule would require in Nuclear Power Plants (1) the designation of vital areas (to allow vital islands), (2) access controls to vital islands, (3) the protection of certain physical security equipment, (4) revised requirements for key and lock controls, and (5) revised searches of handcarried items at protected area entry points. The requirements will clarify policy in these areas and reduce unnecessary burden on the industry while maintaining plant protection. This rule is a revision of the proposed rule entitled "Access Controls to Nuclear Power Plant Vital Areas." Initial development of a final rule produced significant changes, particularly the criteria for personnel access controls to vital areas, resulting in the need to publish a revised proposed rule. This proposed rule and the other components of the insider rule package were reviewed by the NRC Safety/Safeguards Review Committee which considered a number of alternative approaches to vital island configurations and provided recommendations that are reflected in the proposed rule.

Since requirements for protecting vital areas have been in effect for some time, and modifications to those (cont)

Timetable:

Date		FR	Cite
08/01/84	49	FR	30726
08/01/84			
12/11/84	49	FR	48200
03/07/85			
09/00/85			
	08/01/84 08/01/84 12/11/84 03/07/85	08/01/84 49 08/01/84 12/11/84 49 03/07/85	08/01/84 49 FR 08/01/84 12/11/84 49 FR 03/07/85

Small Entity: No

Additional information: ABSTRACT CONT: requirements are needed, alternatives to this rulemaking such as revised guidance would be inappropriate in that they would carry the force of a regulation.

Costs for these improvements are estimated at \$850,000 per site. The impact on NRC operations will occur in the area of licensing review of amended licensee security plans and Inspection and Enforcement staff support time. Initial cost to the NRC is estimated to be \$299,500 and estimated annual cost in subsequent years is \$37,400.

Agency Contact: Tom R. Allen, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301

RIN: 3150-AA36

427-4910

35. MODIFICATION OF PROTECTION REQUIREMENTS FOR SPENT FUEL SHIPMENTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: The proposed rule would moderate the present interim requirements for the protection of shipments of irradiated reactor fuel cooled for 150 days or more. Recent research shows that the quantity of radioactive material that would be released as a result of successful sabotage is much smaller than was supposed at the time that the interim rule was issued. The alternatives considered during the development of the proposal were: (1) let the current interim requirements continue in force: (2) moderate the current requirements; and (3) eliminate all interim requirements. The alternative of moderating the requirements was selected because the moderated requirements would provide for (1) shipments to be accompanied by an unarmed escort, who may be driver or carrier employee and may have other duties, (2) on-board communications, and (3) immobilization capability for trucked shipments. Present interim requirements will continue to be effective for shipments of irradiated reactor fuel cooled less than 150 days. The benefit of the proposed rule would be the elimination of unnecessarily strict requirements which presently apply to spent fuel shipments. It is estimated that the (cont)

Timetable:

Action	Date		FR	Cite
NPRM	06/08/84	49	FR	23867
NPRM Comment Period Begin	06/08/84			No me
NPRM Comment Period End	09/10/84			
Final Rule to Commission	02/00/85			
Final Action	09/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT: modified requirements will

result in a savings to licensees of about \$20,000 to \$30,000 annually, assuming the present rate of 135 shipments annually. Adoption of the proposed amendments would free about 1.5 NRC staff-years annually for other assignments and would reduce NRC travel cost by about \$8,000 annually. A proposed rule has been published for public comment.

Agency Contact: Carl B. Sawyer, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4186

RIN: 3150-AA96

36. SEARCHES OF INDIVIDUALS AT POWER REACTOR FACILITIES (PART OF INSIDER PACKAGE)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: The proposed rule would revise the search requirements for individuals entering the protected area of nuclear power plants. Under the proposed requirements, all persons would be subject to equipment searches for firearms, explosives and incendiary devices. Physical searches would be required only when search equipment is not working properly or when the licensee suspects that an individual is attempting to carry into the plant prohibited devices or material. Random searches were considered as an alternative, but were dismissed as being possibly disruptive. Since licensees already possess the necessary equipment, this rule will affect only licensee procedures at negligible additional cost.

Since requirements for searches have been in effect for some time, and modifications to those requirements are needed, alternatives to this rulemaking such as revised guidance would be inappropriate in that they would not carry the force of a regulation. (cont)

Timetable:

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Action	Date	WHI.	FR	Cite
NPRM	08/01/84	49	FR	30726
NPRM Comment Period Begin	08/01/84	49	FR	30726
Comment Period Extended	12/11/84	49	FR	48200
NPRM Comment Period End	03/07/85			
Final Action	09/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT:

The estimated average annual cost to each affected licensee is \$8,000. The impact on NRC operations will occur in the area of licensing review of amended licensee security plans. Initial cost to the NRC is estimated to be \$46,100 and estimated annual cost in subsequent years is \$5,800.

Agency Contact: Tom R. Allen, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4010

RIN: 3150-AB17

ADVANCE NOTICES OF PROPOSED RULEMAKING

37. REGULATORY REFORM OF THE RULES OF PRACTICE AND RULES FOR LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: This proposed rule would amend thirty-three sections of two parts affecting the hearing process associated with the issuance of all NRC licenses. Streamlining the hearing process would ultimately provide cost savings to all participants in the process. However, intervenors may initially be required to provide more information than is now required at some added expense.

In the screening process, the most significant changes would (1) establish a screening Atomic Safety and Licensing Board (ASLB) to act as a clearing house for all requests for hearings, petitions for leave to intervene, and proposed contentions, (2) require a participant in a hearing to show that he or she has an interest to protect in the proceeding, and (3) require evidence of a factual dispute for a contention to be admitted.

During the conduct of hearings, the most significant changes would (1) not hear discovery requests requiring the staff to support positions other than its own. (2) permit the ASLB to decide the case on the basis of written material, (3) permit the ASLB to appoint a panel of technical experts if needed, (cont)

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Action	Date	13	FR	Cite
ANPRM	04/12/84	49	FR	14698
ANPRM Comment Period Begin	04/12/84	49	FR	14689
ANPRM Comment Period End	06/11/84			

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: (4) allow presiding officers to raise issues on their own motion (sua sponte) only in unusual cases, (5) allow summary disposition motions to be filed at any stage of the proceeding, (6) allow the Commission to designate a hearing examiner in lieu of a three-member ASLB, and (7) require the filing of cross examination plans.

During the decision-making process, the most significant changes would (1) remove the ASLB as an independent appeal board but place it organizationally directly under the Commission to review, as before, ASLB decisions, and give its recommendations to the Commission, (2) allow and generic issue resolved in an initial licensing proceeding to be codified, allowing a 45 day comment period (3) allow an intervenor to participate in discussing only those items he or she introduced, and (4) reinstate the immediate effectiveness of an ASLB decision on an operating license, construction permit, or work authorization. The proposals, submitted by the Commission's Regulatory Reform Task Force suggest ways to improve the reactor licensing process.

Agency Contact: James R. Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, 202 634-1461

RIN: 3150-AB04

38. RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS: ROLE OF NRC STAFF IN ADJUDICATORY LICENSING HEARINGS

Legal Authority: 42 USC 2201; 42 USC 2231

CFR Citation: 10 CFR 2

Abstract: The role of the NRC staff in initial proceedings was among the issues discussed in an enclosure to a January 2, 1985, memorandum to the

Chairman of the House Subcommittee on Energy and Water Development from Chairman Palladino. This discussion stated that the Commission has decided that the NRC's role in these proceedings should not be changed. Therefore, the action proposed by this advance notice of proposed rulemaking will be terminated. The Commission is considering amending its Rules of Practice concerning what role the NRC staff should have in adjudicatory licensing hearings to most effectively contribute to the protection of the public health and safety. This notice invites public comments and suggestions on four options and related questions, briefly described below. Option 1 would limit staff participation in contested initial licensing proceedings to only those controverted factual issues it disagrees with on a technical basis or rationale. This option is similar to the proposal of a Part 2 unpublished rule (3150-AB08). "Participation of the NRC Staff in Initial Licensing Proceedings," published in NRC's October-December 1984 agenda. Option 2 would require (cont)

Timetable:

Date		FR	Cite
11/02/83	48	FR	50550
11/02/83	48	FR	50550
01/03/84	48	FR	54243
01/03/85			
	11/02/83 11/02/83 01/03/84	11/02/83 48 11/02/83 48 01/03/84 48	11/02/83 48 FR 11/02/83 48 FR 01/03/84 48 FR

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: the NRC staff to supply the Commission and the Licensing Board with its view and analyses on every substantive issue raised in an initial licensing proceeding but would prohibit the staff's participation in any procedural matter. Option 3 would retain status quo, i.e., the NRC staff would participate as full party on all issues. Option 4 would expand public involvement in the prehearing stage of initial licensing proceedings, and this option could be used in conjunction with any of the first three options. The staff would subsequently address each substantive issue raised in the Safety Evaluation Report.

Alternatives to rulemaking could include a policy statement or no action, depending on the option chosen. The possible means of addressing this issue through rulemaking are discussed above. The effects of the rulemaking, including benefits and costs, will depend on the option chosen. NRC resources needed for this rulemaking are estimated at 500 staff hours.

Agency Contact: James R. Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, 301 492-7678

RIN: 3150-AB42

39. STANDARDS FOR PROTECTION AGAINST RADIATION

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2095; 42 USC 2111; 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2273; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 20

Abstract: Radiation protection philosophy and technology have changed markedly since the present Part 20 was promulgated nearly thirty years ago. Since Part 20 contains the NRC standards for protection against radiation which are used by all licensees and affects exposures of workers and members of the public, it should be the most basic of the NRC regulations. However, because the present Part 20 has become outdated. most radiation protection actions occur through licensing actions independent of Part 20. A complete revision is necessary to provide better assurance of protection against radiation: establish a clear health protection basis for the limits; reflect current information on health risk, dosimetry, and radiation protection practices and experience; provide NRC with a health protection base from which it may consider other regulatory actions taken to protect public health; be consistent with recommendations of world authorities (ICRP); and apply to all licensees in a consistent manner.

Alternatives to the complete revision considered were no action; delay for further guidance; and partial revision of the standards. They were rejected as ignoring scientific (cont)

Timetable:				
Action	Date	Sa	FR	Cite
ANPRM	03/20/80	45	FR	18023
ANPRM Comment Period Begin	03/20/80	45	FR	18023
ANPRM Comment Period End	06/18/80			
NPRM	12/00/85			

Small Entity: Yes

Additional Information: ABSTRACT CONT: advancements; being unresponsive to international and national guidance; and correcting only some of the recognized problems with the present Part 20. Benefits would include updating the regulations to reflect contemporary scientific knowledge and radiation protection philosophy; implementing regulations which reflect the ICRP risk-based rationale; reducing lifetime doses to individuals receiving highest exposures; implementing provisions for summation of doses from internal and external exposures; providing clearly identified dose limits for the public; providing understandable health-risk base for protection; and placing constraints on collective dose evaluations at levels where risks are trifles.

Initial estimates of the cost of implementing the revision is about \$23 million the initial year and about \$7 million in subsequent years. This cost does not include any savings which might also be realized by the revision.

Agency Contact: Robert E. Baker, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4570

RIN: 3150-AA38

40. ACCREDITATION OF PERSONNEL DOSIMETER PROCESSORS

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2095; 42 USC 2111; 42 USC 2134; 42 USC 2201; 42 USC 2273; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 20

Abstract: The notice of proposed rulemaking seeks comment on a proposal to add amendments to 10 CFR Part 20 that would improve the accuracy and consistency of reported occupational radiation dose measurement by requiring proficiency tests of dosimetry processors who perform dosimetry for NRC licensees.

The proposed amendments would require NRC licensees to have personnel dosimeters (devices carried or worn by each radiation worker to measure radiation exposure received during work) processed by a dosimetry service that is accredited by NBS/NVLAP. The Commission considered five alternatives for establishing a regulatory program intended to improve personnel dosimetry processing. These alternatives included: no change in current requirements; requiring licensees to participate in performance testing without specifying a testing laboratory; requiring licensees to participate in performance testing conducted by an NRC-specified testing laboratory; a request from Congress for the authority for NRC to license personnel dosimetry processors directly; and requiring licensees to obtain dosimetry services from an NRCoperated or contracted dosimetry service. (cont)

Timetable:

The second	The second		
Action	Date	FR Cite	
ANPRM .	03/28/80	45 FR 20493	H
ANPRM Comment Period Begin	05/12/80	45 FR 31118	
ANPRM Comment Period End	06/27/80		
NPRM	01/10/84	49 FR 1205	
NPRM Comment Period Begin	01/10/84	49 FR 1205	
NPRM Comment Period End	03/12/84		
Final Action	09/01/85		

Small Entity: Yes

Additional Information: ABSTRACT CONT:

An evaluation of estimated annual costs to the dosimetry processing industry resulting from an NRC rule requiring licensees to utilize dosimetry processors accredited under an NBS/NVLAP program was projected to be about \$717,000. This would result in an estimated net annual increase in the cost of providing monitoring for each worker per year of \$0.51, a 2.1% annual increase. The major benefit of the proposed rule would be increased accuracy and reliability of dose measurement to workers in licensed installations. Other benefits include continued assurance of personnel dosimeter processor competence with minimal NRC staff and resource

allocation; formulation of a program that can easily be utilized by other agencies; value to the industrial licensee through legal credibility of a nationally-recognized accreditation program; and value to the worker through more accurate assignment of dose. The staff is currently analyzing the comments received on the NPRM.

Agency Contact: Don Nellis, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4588

RIN: 3150-AA39

41. EMERGENCY PREPAREDNESS FOR FUEL CYCLE AND OTHER RADIOACTIVE MATERIALS LICENSEES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 70; 10 CFR 72

Abstract: The proposed rule would require about 130 fuel cycle and other radioactive materials licensees to submit an emergency plan that would among other actions, require the notification of local authorities in case of an accident and that the ligensee recommend protective actions for the public. The proposed rule is intended to further protect the public from accidental exposure to radiation. The affected licensees are those whose possession limits indicate the potential for an accident that could deliver a radiation dose offsite exceeding one rem effective dose equivalent or 5 rems to the thyroid or could cause a soluble uranium inhalation of 9 milligrams (a chemical toxicity hazard).

Based on preliminary data contained in the draft regulatory analysis for this proposed rule, the costs of emergency preparedness are expected to exceed the benefits in terms of protecting public health and safety. However, the proposed requirements may be justifiable in terms of the intangible benefit of being able to reassure the public that if an accident does occur, they will be warned and told what to do to protect themselves.

Timetable:

Action	Date		FR	Cite
ANPRM	06/03/81	46	FR	29712
ANPRM	06/03/81	46	FR	29712
Comment Period Begin				

Action	Date	FR Cite
ANPRM Comment	08/03/81	30 100
Period End NPRM	05/00/85	

Small Entity: Yes

Analysis: Preliminary RIA 06/00/81

Agency Contact: Stephen A. McGuire, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7636

RIN: 3150-AA41

42. CERTIFICATION OF INDUSTRIAL RADIOGRAPHERS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 34

Abstract: The advance notice of proposed rulemaking would have required all individuals who use byproduct material in the conduct of industrial radiography to be certified by a third party. Radiography licensees account for over 60 percent of the reported overexposures greater than five rems to the whole body. NRC regulations permit industrial radiographers to perform radiography independently. The NRC grants radiography licensees the authority to train and designate individuals competent to act as radiographers. The advance notice of proposed rulemaking sought comment on a proposal that would enable NRC to verify the effectiveness of this training, thereby assuring that all radiographers possess adequate training and experience to operate radiographic equipment safely.

Following a series of public meetings, many comments were received. The thrust of the comments was that current training programs and examination procedures administered by licensees were adequate for determining the competence of individuals to be industrial radiographers. An ad hoc Radiography Steering Committee formed to improve radiation safety in the (cont)

Timetable:

Action	Date	FF	Cite
ANPRM	05/04/82	47 FF	19152
ANPRM Comment	05/04/82	47 FF	19152
Period Begin			

Action	Date	FR Cite
ANPRM Comment Period End	09/03/82	v ordin
Final Action	07/01/85	

Small Entity: Undetermined

Additional information: ABSTRACT CONT: performance of industrial radiography agreed that the costs associated with a third party certification program would not result in significant benefits through a reduction of accidents that would not result in overexposures to individuals. Therefore, the staff is considering whether this rulemaking action should be terminated.

Agency Contact: Nathan Bassin, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-9027

RIN: 3150-AA43

43. ACCEPTANCE CRITERIA FOR EMERGENCY CORE COOLING SYSTEMS FOR LIGHT-WATER-COOLED NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 50

Abstract: The advance notice of proposed rulemaking seeks comment on several questions concerning the acceptance criteria for Emergency Core Cooling Systems (ECCS) in light-watercooled nuclear power plants. Specifically, some of the questions to be commented on are (1) under what circumstances should corrections to ECCS models be used during licensing reviews without necessitating complete reanalysis of a given plant or an entire group of plants; (2) what would be the impact of the proposed procedureoriented and certain specific technical rule changes; and (3) how should safety margins be quantified. The Commission is considering changing certain technical and nontechnical requirements within the existing ECCS rule. The technical changes would include consideration of new research information. The nontechnical changes would be procedure-oriented and would, among other things, allow for corrections to be made to vendor ECCS analysis codes during the construction

review and during construction of the plant. (cont)

Timetable:

Action	Date		FR	Cite
ANPRM	12/06/78	43	FR	57157
ANPRM Comment Period Begin	12/06/78	43	FR	57157
ANPRM Comment Period End	02/05/79			
NPRM	04/00/85			

Small Entity: No

Additional Information: ABSTRACT CONT:

The changes would provide improvements to the ECCS rule which would eliminate previous difficulties encountered in applying the rule and improve licensing evaluation in the light of present knowledge, while preserving a level of conservatism consistent with that knowledge.

Agency Contact: Morton R. Fleishman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7616

RIN: 3150-AA44

44. DESIGN AND OTHER CHANGES IN NUCLEAR POWER PLANT FACILITIES AFTER ISSUANCE OF CONSTRUCTION PERMIT

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: The proposed rule will prescribe improved approaches for reducing and better controlling the level of change in reactor design and construction. These approaches will be based on recommendations found in NUREG-1055, "Improving Quality and the Assurance of Quality in the Design and Construction of Nuclear Power Plants" (QA Report), which the NRC submitted to Congress in April 1984. The QA Report, prepared by the NRC's Office of Inspection and Enforcement (IE), cited deficiencies in the management of design changes as a key factor contributing to significant quality problems in reactor design and construction that have occurred in the past several years. The QA Report recommended that the NRC consider requiring more complete designs prior to the beginning of construction and the adoption, as a discipline, of change management (known generically as

configuration management) as approaches to overcoming the design management deficiencies. Since this rulemaking deals with issues closely related to design completion and control of changes, responsibility for this rulemaking was transferred from the NRC's Office of Nuclear Regulatory Research to IE in September 1984.(cont)

Timetable:

Action	Date		FR	Cite
ANPRM	12/11/80	45	FR	81602
ANPRM Comment Period Begin	12/11/80	45	FR	81602
ANPRM Comment Period End	02/09/81			
Final Action	11/00/87			

Small Entity: No

Additional information: ABSTRACT CONT:

Staff is working toward a refinement of the QA Report findings and the development of a regulatory analysis which will discuss the economic impact of the rulemaking on affected licensees.

Agency Contact: Wayne Scott, Nuclear Regulatory Commission, Office of Inspection and Enforcement, Washington, DC 20555, 301 492-4220

RIN: 3150-AA46

45. MODIFICATION OF THE POLICY AND REGULATORY PRACTICE GOVERNING THE SITING OF NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 5842

CFR Citation: 10 CFR 50; 10 CFR 51; 10 CFR 100

Abstract: This rulemaking is intended to review and revise the Commission's siting regulations to reflect experience gained since the Commission's current reactor siting regulations were published on April 12, 1962 (27 FR 3509). Many developments in this period including work to establish a Commission safety goal and the review of reactor accident source terms, have brought into the question both the existing regulations and their technical support. This rulemaking will resolve those questions. In the present circumstances a lack of applications for new plants argue that these changes are not needed. However, the new information that is now available and

the lead time between the decision to site and the time when a reactor begins producing power commercially make it prudent for the Commission to address these changes in a timely manner. The alternatives to rulemaking in this case are restricted to no action. If action is taken based on the new and more reliable data now becoming available, the regulations themselves must be changed. Intermediate remedies such as policy statements and regulatory guides would not have adequate authority to supplant existing regulations. (cont)

Timetable:

Action	Date	FR	Cite
ANPRM	07/29/80	45 FR	50350
NPRM	03/00/86		

Small Entity: No

Additional Information: An advance notice of rulemaking was published (45 FR 50350) seeking public comment on various approaches to this rulemaking. A proposed rule will be structured to achieve resolution of these comments and reflect recent information from the reactor accident source term review and the trial implementation period for the Safety Goal. These revised regulations will make the siting and review of power reactor sites more predictable through application of clearer requirements. There is no indication that the criteria would increase costs or have a significant adverse affect on safety. On the contrary clear requirements will allow for more informed and more efficient siting decisions. This rulemaking would require additional NRC resources of approximately two man years and minimal contract support. This rulemaking is presently in hold pending completion of the reactor accident source term review. A schedule for resumption of this activity is to be presented to the Commission in March.

Agency Contact: William R. Ott, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4631

RIN: 3150-AA49

46. SEISMIC AND GEOLOGIC SITING CRITERIA FOR NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 5842

CFR Citation: 10 CFR 100

Abstract: The advance notice of proposed rulemaking was published to solicit public comment on the need for a reassessment of the Commission's criteria for the siting of nuclear power plants. The Commission determined that this action was necessary as a result of experience gained with application of current criteria and the rapid advancement in the state of the art of earth sciences. The NRC staff was particularly interested in finding out about problems that have arisen in the application of existing siting criteria. The public was invited to state the nature of the problems encountered and describe them in detail. The public was also asked to submit proposed corrective actions. Two petitions for rulemaking filed with the Commission, PRM-50-20 and PRM-100-2 will be addressed as part of this rulemaking.

Timetable:

Action	Date	13/8	FR	Cite
ANPRM	01/19/78	43	FR	2729
NPRM	12/00/87			

Small Entity: No

Agency Contact: Leon L. Beratan, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4370

RIN: 3150-AA51

UNPUBLISHED RULES

47. REVISED RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841; 5 USC 552

CFR Citation: 10 CFR 0; 10 CFR 1; 10 CFR 2; 10 CFR 9; 10 CFR 50

Abstract: The Nuclear Regulatory
Commission is proposing an
amendment that would revise its
procedural rules governing the conduct
of all adjudicatory proceedings, with
the exception of export licensing
proceedings. The proposed rule would
comprehensively restate current
practice, retitle the hearing office, and
revise and reorganize the Commission's
procedural rules. The changes set out in
this proposed rule are intended to
enable the Commission to render

decisions in a more timely fashion and reduce the burden and expense to the parties participating in the proceedings.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: B. Paul Cotter, Jr., Nuclear Regulatory Commission, Atomic Safety and Licensing Board Panel, Washington, DC 20555, 301 492-7787

RIN: 3150-AB66

48. JURISDICTION OF ADJUDICATORY BOARDS

Legal Authority: 42 USC 2201; 42 USC 2241

CFR Citation: 10 CFR 1; 10 CFR 2

Abstract: The final rule would amend the Statement of Organization and Rules of Practice to make explicit the jurisdiction of NRC's adjudicatory boards in certain ancillary licensing matters which may arise in the course of an operating license proceeding for a nuclear power reactor. The amendments clarify the board's authority to decide issues related to a license application for the receipt of cold fuel at a reactor site prior to issuance of an operating license.

This proposed rulemaking would reduce NRC costs by eliminating the requirement that a separate adjudicatory board reconvene to rule on whether an applicant may receive cold fuel. This action would, thereby, provide the licensee a slight time savings in obtaining an operating license.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Agency Contact: William M. Shields, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, 301 492-8693

RIN: 3150-AA53

49. SEPARATION OF FUNCTIONS AND EX PARTE COMMUNICATIONS IN ON-THE-RECORD ADJUDICATIONS

Legal Authority: 5 USC 554; 5 USC 557

CFR Citation: 10 CFR 2

Abstract: The proposed rule would amend the Commission's rules of practice regarding the separation of functions and ex-parte communications in on-the-record adjudications. The proposed rule would allow the Commission greater flexibility in communicating with its staff by relaxing the restrictions on Commission-staff communications in initial licensing cases. The proposal would permit Commissioners to consult with staff members who were not personally involved in the proceeding and who did not consult privately with interested persons outside the agency. The proposed rule is intended to provide the Commission with better access to the expertise of its staff. It would conform the Commission's rules to those of the Administrative Procedures Act. It would also supersede a prior proposed rule entitled "Ex Parte Communications and Separation of Adjudicatory and Non-Adjudicatory Functions" published in the Federal Register on March 7, 1979 (44 FR 12428).

The issues encompassed in this rule were considered in the "Regulatory Reform Proposal Concerning the Rules of Practice and Rules for Licensing of Production and Utilization Facilities" (49 FR 14698). As a result of staff evaluation of comments (cont)

Timetable:

Action		Date		FR	Cite
Previous	NPRM	03/07/79	44	FR	12428

Small Entity: No

Next Action Undetermined

Additional Information: ABSTRACT CONT: received on this proposal and further staff review, a rule addressing these issues is being proposed for Commission consideration.

NRC resources needed for this rulemaking are estimated at 500 staff hours. This proposed rule and other regulatory reform hearing process should ultimately provide cost savings to all participants in the process.

Agency Contact: James R. Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, D.C. 20555, 202 634-1461

RIN: 3150-AA00

50. INDEPENDENT STORAGE OF SPENT FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

Legal Authority: 42 USC 2021; 42 USC 2071; 42 USC 2073; 42 USC 2077; 42 USC 2093; 42 USC 2095; 42 USC 2099; 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 2236; 42 USC 2237; 42 USC 2282

CFR Citation: 10 CFR 2; 10 CFR 19; 10 CFR 20; 10 CFR 21; 10 CFR 51; 10 CFR 70; 10 CFR 72; 10 CFR 73; 10 CFR 75; 10 CFR 150

Abstract: The proposed rule will revise existing regulations to cover specific licensing requirements for the storage of spent nuclear fuel and high-level radioactive waste in a monitored retrievable storage installation (MRS). This revision, required by the Nuclear Waste Policy Act, is intended to ensure that the Commission has in place the appropriate regulations to fulfill the requirements contained in the Nuclear Waste Policy Act of 1982 concerning the licensing of facilities which could be part of the MRS program. Paragraph (2) of Section 141 of the NWPA provides that any monitored retrievable storage installation pursuant to Section 141 shall be subject to licensing by the Commission. The Commission could await further development of the MRS option before proposing its MRS rules. However, this approach could result in unnecessary delay in reviewing a license application if congress authorizes construction of an MRS. The Department of Energy (DOE) is required to complete a detailed study of the need for and feasibility of a MRS installation. In a proposal to be submitted to Congress on or before June 1, 1985, DOE must include the establishment of a federal program (cont)

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	- Total
0		

Small Entity: No

Additional Information: ABSTRACT CONT: for the siting, development, construction, and operation of facilities capable of storing spent fuel and highlevel radioactive waste. Site-specific designs, specifications, and cost estimates must also be included in the proposal.

Agency Contact: William R. Pearson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7910

RIN: 3150-AB70

51. • ADJUDICATIONS - SPECIAL PROCEDURES FOR RESOLVING CONFLICTS CONCERNING THE DISCLOSURE OR NONDISCLOSURE OF INFORMATION

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The Nuclear Regulatory Commission is considering amending its rules of practice to provide special procedures for resolving conflicts concerning the disclosure or nondisclosure of information relating to an NRC investigation or inspection or provided by a confidential source and deemed relevant and material to an adjudication. Prepared at the express direction of the Commission, the proposed amendments apply to all NRC offices that have information relevant and material to an adjudication. The proposed amendments provide for in camera presentations and follow guidance contained in the Commission's recent statement of policy on investigations, inspections, and adjudicatory proceedings.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Jane R. Mapes, Nuclear Regulatory Commission, Office of the Executive Legal Director, Nuclear Regulatory Commission, Washington, DC 20555, 301 492-8695

RIN: 3150-AB78

52. © CRITERIA FOR REOPENING RECORDS IN FORMAL LICENSING PROCEEDINGS

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The Nuclear Regulatory Commission is considering amending its regulations to codify and refine NRC case law criteria for reopening a closed evidentiary record in a formal licensing proceeding. This rulemaking would affect any party who wishes to reopen an evidentiary record.

Current and Projected Rulemakings

Timetable:

Action	Date	FR Cite
NPRM	12/27/84	49 FR 50189
NPRM Comment Period Begin	12/27/84	49 FR 50189
NPRM Comment Period End	02/11/85	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Carole F. Kagan, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-1493

RIN: 3150-AB79

53. RETENTION PERIODS FOR RECORDS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 4; 10 CFR 11; 10 CFR 21; 10 CFR 25; 10 CFR 30; 10 CFR 31; 10 CFR 32; 10 CFR 34; 10 CFR 35; 10 CFR 40; 10 CFR 50; 10 CFR 60; 10 CFR 61; 10 CFR 70; 10 CFR 71; ...

Abstract: This proposed rule would establish a specific retention period for certain NRC-required records. It would also provide a uniform standard acceptable to the NRC for the condition of a record throughout a specified retention period. Further, the rule would establish throughout NRC regulations, with some exceptions, uniform retention periods of three years, five years, ten years, and the life of a license. This rule would bring NRC regulations into compliance with the Office of Management and Budget's (OMB) regulation (5 CFR 1320.6) that requires a specified retention period for each required record. It also implements NRC's 1982 commitment to OMB to establish a record retention period of determinable length for each required record. Amending twenty-one parts of NRC regulations to specify clearly what records to retain, how long to retain them, and the condition of a record useful for NRC inspection, will be mutually beneficial to applicants and licensees and to the NRC Recordkeeping labor for NRC's approximately 6,700 licensees who would be affected by the rule can be divided into four functions: (1) preparing the report, (2) storing the report, (3) maintaining the report (cont)

Timetable:		
Action	Date	FR Cite
NPRM	04/00/85	D. Visson

Small Entity: No

Additional Information: ABSTRACT CONT: files, and (4) retrieving the report information. The principal savings to the licensee, dispersed over the period licensed, would be in physical storage space and associated storage equipment and materials. The burden of recordkeeping would be reduced approximately 10 percent annually for these licensees by the proposed rule. An estimated 466,323 hours associated with recordkeeping or \$28,000,000 annually would be saved. Preparing and publishing this rule would cost NRC approximately 500 hours of staff time at \$60 per hour for an estimated total of \$30,000.

Agency Contact: R. Stephen Scott, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555, 301 492-8585

RIN: 3150-AB43

54. NONDISCRIMINATION ON THE BASIS OF SEX - TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED

Legal Authority: 42 USC 2201; 42 USC 5841; 20 USC 1681; 20 USC 1682; 20 USC 1683; 20 USC 1686

CFR Citation: 10 CFR 4

Abstract: The proposed rule would implement the provisions of Title IX of the Education Amendments of 1972, as amended, that prohibit discrimination on the basis of sex in programs and activities receiving Federal financial assistance from the Nuclear Regulatory Commission. The proposed rule sets out the requirements necessary to comply with the legislation and the procedures to be followed by appropriate officials within the NRC in enforcing the requirements. The requirements of the proposed rule would apply to each recipient of Federal financial assistance from the NRC.

Timetable:

Action	Date	FR Cite
NDDM	06/00/85	Control of the last

Small Entity: No

Analysis: Regulatory Analysis 02/00/84

Agency Contact: Edward E. Tucker, Nuclear Regulatory Commission, Office of Small and Disadvantaged, Business Utilization/Civil Rights, 301 492-7697

RIN: 3150-AB53

55. NONDISCRIMINATION ON THE BASIS OF HANDICAP IN NUCLEAR REGULATORY COMMISSION PROGRAMS

Legal Authority: 42 USC 2021; 42 USC 2001; 42 USC 5841; 29 USC 794; 29 USC 706

CFR Citation: 10 CFR 4

Abstract: The proposed rule would provide for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap, in programs or activities conducted by the Nuclear Regulatory Commission. The proposed rule would make it unlawful for the NRC to discriminate, on the basis of handicap, in employment or the conduct of its activities. The proposed rule would place the same obligations on the NRC that are placed on the recipients of Federal financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Edward E. Tucker, Nuclear Regulatory Commission, Office of Small and Disadvantaged, Business Utilization/Civil Rights, Washington, DC 20555, 301 492-7697

RIN: 3150-AB54

56. + CONFORMING AMENDMENTS TO PRENOTIFICATION, QUALITY ASSURANCE, AND PACKAGE MONITORING REQUIREMENTS

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2111; 42 USC 2232; 42 USC 2233; 42 USC 2273; 42 USC 5842

CFR Citation: 10 CFR 20; 10 CFR 71

Abstract: The proposed amendments would revise the requirement for advance notification of waste shipments to provide a more uniform level of hazard at which the report is required. The proposed level of hazard is expected to conform to the level at which the Department of Transportation imposes motor vehicle routing requirements. The proposed

amendments would also clarify which of the general licenses in 10 CFR Part 71 require quality assurance programs. The proposed amendments would also adjust the limits for package monitoring on receipt in 10 CFR 20,205 to conform to the new A1/A2 system of Part 71. The proposed amendments are expected to result in no overall net increase in costs to affected licensees.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	100

Small Entity: No

Agency Contact: Kathryn A. Bissell, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7920

RIN: 3150-AB51

57. RESIDUAL RADIOACTIVE CONTAMINATION LIMITS FOR DECOMMISSIONING

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20

Abstract: The proposed rule would establish residual radioactive contamination limits that must be met before buildings, structures, equipment, materials, and lands may be released for use on an unrestricted basis. Licensed facilities with residual levels of radioactive contamination below these limits would be eligible for unrestricted release and termination of the license. The proposed amendments are necessary to provide licensees with quantitative criteria to use in the decommissioning and cleanup of buildings, structures, equipment, materials, and lands used in NRC licensed activities. The primary alternative to rulemaking is to continue case-by-case evaluations based on regulatory guides until such time as EPA may establish such standards. The proposed rule is intended to ensure that buildings, structures, equipment, materials, and lands used in NRC licensed activities will be decommissioned and decontaminated in a consistent manner that protects public health. The cost analysis for this proposal is being completed.

Current and Projected Rulemakings

Timetable:		
Action	Date	FR Cite
NPRM	02/00/86	

Small Entity: No

Agency Contact: Don R. Harmon, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4566

RIN: 3150-AB52

58. PROPOSED REVISIONS TO THE CRITERIA AND PROCEDURES FOR THE REPORTING OF DEFECTS AND NONCOMPLIANCE

Legal Authority: 42 USC 2201; 42 USC 2282; 42 USC 5841; 42 USC 5846

CFR Citation: 10 CFR 21; 10 CFR 50

Abstract: This proposed rule would amend Part 21 and Sec. 50.55(e) of Part 50, both of which require the reporting of safety defects by licensees. This effort was prompted by TMI Action Plan Task II, J. 4 and has as its main objectives: (1) elimination of duplicate reporting among all requirements, (2) consistent reporting among all reporting requirements. (3) establishment of uniform and clear definitions for defects which need to be reported, (4) establishment of uniform time limits within which a defect must be reported and evaluated and, (5) establishment of a uniform format for reporting of defects. Approximately 300 and 5000 reports are issued annually under Part 21 and Sec. 50.55(e) respectively. The reports identify plant specific safety concerns and potential generic safety concerns for further NRC followup. These reports form the basis for numerous NRC bulletins and information notices. This proposed rulemaking will reduce the potential for duplicate reporting and evaluation that now exists and will establish a more coherent regulatory framework that is expected to reduce industry and NRC burden in this area without sacrificing safety effectiveness. Alternatives to this

Timetable:

Action	Date	FR Cite	
NPRM	05/00/85		
Small Entit	y: No		

Additional Information: ABSTRACT CONT: approach varied from establishment of a single rule for all reporting to maintaining a Status Quo for defect reporting. All alternatives were rejected since they would not result in any substantial improvement to the present regulatory framework. Current costs of reporting under Part 21 and 50.55(e) are estimated at \$5,000,000 annually for industry and \$2,600,000 annually for NRC evaluations. It is anticipated that industry reporting burden with the proposed rulemaking will be reduced by 231,750 hours or \$2,484,000 while NRC burden should be reduced by 10,950 hours or \$657,000. Additional burden to industry and NRC, while minimal, is anticipated in the areas of adherence to time schedules and enforcement, respectively.

Agency Contact: John Zudans, Nuclear Regulatory Commission, Office of Inspection and Enforcement, Washington, DC 20555, 301 492-8030

RIN: 3150-AA68

59. ACCESS TO AND PROTECTION OF NATIONAL SECURITY INFORMATION AND RESTRICTED DATA

Legal Authority: 42 USC 2165; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 25; 10 CFR 95

Abstract: The proposed rule would incorporate a recently approved exception to the personnel security background investigation requirement for access to Communications Security (COMSEC) information, provide a procedure for affected licensees to obtain NRC approval for any substantive changes a licensee may contemplate making to the approved security plan, and adopt various ministerial revisions to bring certain provisions in conformance with current policy, practice, and procedure. These amendments are necessary to incorporate experience gained under the current regulations and implement an exception to current policy recently approved by the National Communications Security Committee.

Because this rulemaking would apply only to those licensees and others who need to use, process, store, reproduce or otherwise handle classified information, it is expected that this rulemaking would have a negligent effect upon the general public. These amendments are viewed as regulatory improvements, benefitting the NRC licensees. NRC staff resources should total about 400 hours.

Timetable:

Action Date FR Cite

NPRM 03/30/85

Small Entity: No

Agency Contact: Richard A. Dopp, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555, 301 427-4549

RIN: 3150-AB67

60. ● ACCESS AUTHORIZATION FOR LICENSEE PERSONNEL

Legal Authority: 42 USC 2165; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 25

Abstract: The proposed rule would adopt revised National policy, initiated by the National Security Council and approved by the President, which prescribes that a new, standardized form titled "Classified Information Nondisclosure Agreement" (SF-189) be completed by all licensees who request NRC access authorization under this Part 25. The proposed rule also requires that a security indoctrination be given to the affected individuals prior to completing the new form. These amendments are necessary in order to comply with National Security Decision Directive (NSDD) 84, Safeguarding National Security Information."

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Richard A. Dopp, Nuclear Regulatory Commission, Office of Administration, Nuclear Regulatory Commission, Washington, DC 20555, 301 427-4549

RIN: 3150-AB80

61. LICENSING OF SOURCES AND DEVICES

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2071; 42 USC 2092

CFR Citation: 10 CFR 30; 10 CFR 32; 10 CFR 40; 10 CFR 70

Abstract: The proposed rule would require manufacturers or distributors of sealed sources or devices containing sealed sources to obtain a license from the NRC prior to the initial transfer of the sealed sources or devices to specific licensees. The rule would also require

manufacturers or distributors of sealed sources or devices to provide the NRC with information on such products relating to design, manufacture, testing, operation, safety and hazards as a condition for obtaining a license.If the proposed requirements were applied to the 800 material license applications and amendments reviewed in 1982 as a statistical base, total costs to suppliers would rise from \$148,025 under the current voluntary program to \$152,950. At the same time, the proposed rule would eliminate the \$48,000 cost to material licensees of preparing 800 license amendments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	AND THE REAL PROPERTY.

Small Entity: Yes

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AB34

62. + FINANCIAL RESPONSIBILITY OF MATERIALS LICENSEES FOR CLEANUP AFTER ACCIDENTAL AND UNEXPECTED RELEASES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 61; 10 CFR 70; 10 CFR 72

Abstract: The advance notice of proposed rulemaking (ANPRM) seeks comments on the advisability of having NRC require a mechanism to assure financial capability on the part of certain NRC materials licensees (e.g., fuel fabricators and users of sealed radiation sources) to undertake prompt cleanup of accidental releases or contamination, both on and off site. Estimates for cleanup costs in the recent past have ranged up to \$2 million for a single event. To date, cleanup has been conducted by the state or Federal government, but frequently public monies are used only after lengthy delays. Use of an alternative, i.e., the 1980 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), is effectively blocked by EPA policy. CERCLA provides funds for cleanup if the owner or operator is unable to do so and if the release is not covered by "Price-Anderson" provisions, which address liability and do not provide funds for cleanup per se. EPA maintains that NRC has full

authority to require cleanup of accidental releases by licensees; thus, CERCLA public funds should not be used for this purpose. (cont)

Timetable:

Action	Date	FR Cite
Actions	Date	rn cite
ANPRM to States	09/00/84	
NPRM	06/00/85	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: Costs to licensees of the possible different financial assurance mechanisms are based on proprietary information. Staff is inviting comments in response to the ANPRM to address costs aspects, as well as scope of coverage and availability of alternative mechanisms. The NRC resources necessary for the ANPRM are about 0.6 FTE in 1984 and 0.3 in 1985.

Agency Contact: Mary Jo Seeman, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4647

RIN: 3150-AB58

63. REGIONAL NUCLEAR MATERIALS LICENSING FOR CERTAIN FEDERAL FACILITIES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 70

Abstract: The final rule amends provisions concerning the domestic licensing of byproduct, source, and special nuclear materials. The final rule is intended to provide information about the further implementation of NRC's decentralized licensing program. This amendment implements another phase of the process by broadening the scope of the program in all regions to include licensees at certain Federal facilities. The final rule is necessary to inform present and prospective NRC licensees of current NRC practices and procedures.

Timetable:

Action	Date	FR	Cite
Final Action	04/00/85	Carried States	Cotonic
Small Entity:	Not Applicable		

Agency Contact: Donald R. Chapell, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4152

RIN: 3150-AB81

64. ● INFORMAL HEARING PROCEDURES FOR MATERIALS LICENSES PROCEEDINGS

Legal Authority: 42 USC 2201; 42 USC 2111

CFR Citation: 10 CFR 30; 10 CFR 32; 10 CFR 33; 10 CFR 34; 10 CFR 35; 10 CFR 40; 10 CFR 70; 10 CFR 71; 10 CFR 50; 10 CFR 61; 10 CFR 72

Abstract: This proposed rule, being prepared at Commission direction, would provide comprehensive treatment of hearing procedures to be implemented by the Commission for materials licensing proceedings. It would clarify the obligations of each participant in the proceeding. There are no reasonable alternatives to rulemaking for implementing these procedures. The informal hearing procedures are expected to reduce the economic burden imposed on a participant in a proceeding.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	111111111111111111111111111111111111111

Small Entity: No

Agency Contact: Marjorie Nordlinger, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-3214

RIN: 3150-AB83

65. RADIATION SURVEYS AND IN-HOUSE INSPECTION SYSTEMS IN RADIOGRAPHY

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5841

CFR Citation: 10 CFR 34

Abstract: The proposed rule would require that the in-house inspection description in a radiography license application specify a method for inspecting each radiographer and radiographer's assistant's knowledge of applicable regulations, license conditions, and performance of established procedures at intervals not exceeding three months. This action is intended to further ensure that

radiographic operations are conducted safely.

The cost of performing the inspection is estimated to be \$120.00 per worker or \$432,960 per year for the entire industry. There is no impact on the NRC staff. The proposed rule would also require a licensee to perform and record a radiation survey of a radiographic exposure device made when storing the device after use instead of recording the results of the radiation survey made after the last exposure. This action, which is taken in response to petition for rulemaking (PRM-34-3) is intended to provide an acceptable procedure for assuring that the sealed source has been properly stored within the device. Alternatives to rulemaking were considered including preparation of guidance recommending a time-ofstorage survey or (cont)

Timetable:

Action	Date		FR	Cite
Petition for Rulemaking (PRM-34-3)	11/23/82	47	FR	52722
NPRM	10/04/84	49	FR	39168
NPRM Comment Period Begin	10/04/84	49	FR	39168
NPRM Comment Period End	11/18/84			
Final Action	10/00/85			

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: license condition. These approaches would not have a regulatory basis and also would not be adaptable by agreement states. Requiring an additional radiation survey at the time of storage provides additional assurance that accidental exposures will not occur to members of the public as well as workers. The cost of this survey requirement to the entire industry is estimated to be \$541,200 annually (\$150.00 per radiographer). There are no additional recordkeeping costs. Impact on NRC staff is negligible since inspectors will review the time-ofstorage survey record rather than the last use survey record. NRC staff time for processing this rule to final publication is estimated to be 0.4 staff years.

Agency Contact: Donald O. Nellis, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4588

RIN: 3150-AB12

66. + MEDICAL USE OF BYPRODUCT MATERIAL

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 35

Abstract: The proposed rule would revise Part 35 to modify the process for licensing and regulating the medical use of radioactive byproduct material. Requirements that apply to medical licensees are scattered in the regulations, license conditions, the individual licensee's application, and licensing branch policy statements. The purpose of the proposed rule is to consolidate and codify the requirements in the regulation. This rule will result in a clearer understanding of NRC requirements for all medical licensees. This revision is necessary in order to provide a clear consolidated statement of requirement. The only way to impose requirements on all licensees is by license condition or regulation; therefore no alternative action was considered. Because most of the requirements contained in this regulation are currently imposed by regulation or license condition, there will be no significant cost savings or additional burden; the industry and NRC will benefit by having a clear, concise, complete regulation. The proposed revision is currently before the Commission for their consideration. (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: The NRC will use about 0.3 staff-year to complete the proposed revision and forward it to the Commissioners for their consideration in the fall.

Analysis: Preliminary RIA 03/00/83

Agency Contact: Norman L. McElroy, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4108

RIN: 3150-AA73

67. + PHYSICIAN'S USE OF RADIOACTIVE DRUGS

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5841

CFR Citation: 10 CFR 35

Abstract: As new uses for FDA approved drugs are developed, NRC proposes to amend its regulations to provide physicians an exception from its requirement to only use a radiopharmaceutical for the methods of use listed on the package label. This rule will facilitate potentially beneficial new uses of approved drugs. The only alternative to the rulemaking would be to amend individual licenses to authorize these new methods of use which would consume an inordinate amount of staff time. The proposed rule would allow NRC licensed physicians to use certain currently available diagnostic radiopharmaceuticals for some recently developed methods of use that are not listed on the respective package labels.

Timetable:

Action	Date	FR	Cite
NPRM	04/00/85	-	

Small Entity: No

Agency Contact: Norman L. McElroy, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4108

RIN: 3150-AB72

68. + LICENSES AND RADIATION SAFETY REQUIREMENTS FOR WELL-LOGGING OPERATIONS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 39

Abstract: The proposed rule would establish specific radiation safety requirements applicable to licensees who perform operations such as welllogging, mineral-logging, radioactive markers, and subsurface use of radioactive materials in tracer studies. The proposed rule is necessary because current NRC regulations address these operations in a general way without providing the specific guidance necessary to ensure that these operations are performed safely. As an alternative to the status quo, the proposed rule would adopt the requirements in the suggested State Regulations for Control of Radiation Part W as new NRC regulations. The potential costs for industry to implement these requirements would be about \$1,300,000/yr. However, because most of the requirement is already

imposed by license conditions, the net increase in cost would be about \$350,000 per year for the industry or about \$2000 per licensee. The proposed rule would establish a consistent, comprehensive set of requirements that would minimize the effort required to obtain reciprocity for NRC licensees to operate (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	THE RESERVE

Small Entity: No

Additional Information: ABSTRACT CONT: in Agreement States or vice versa. The proposed rule would require about one professional staff-year effort by NRC.

Agency Contact: Anthony N. Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7901

RIN: 3150-AB35

69. ● + MATERIAL BALANCE REPORTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40; 10 CFR 70; 10 CFR 150

Abstract: The proposed rule would amend the requirements applicable to the submission of source material and special nuclear material inventory reports. The proposed rule would eliminate the requirement to report inventories on Form 742 for all licensees except those reporting under the US/IAEA Safeguards Agreement. The proposed rule would also eliminate the requirement to report inventories for all licensees except those for nuclear reactors and those reporting under the agreement. The NRC would generate an equivalent inventory report, based on the data submitted by each affected licensee; and the licensee would verify the accuracy of the report. This amendment would reduce the reporting burden imposed on the licensee without adversely affecting the domestic safeguards program on the ability to satisfy international commitments. The proposed reduction would result in a total cost savings of \$39,000 for affected licensees.

Timetable:

Action	Date	FR	Cite	K	
NPRM	05/00/85	WEST STATE			

Small Entity: No

Agency Contact: June Robertson, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC, 301 427-

RIN: 3150-AB82

70. EXTENSION OF CRIMINAL PENALTIES

Legal Authority: 42 USC 2201 CFR Citation: 10 CFR 50

Abstract: The proposed rule, in accordance with the provisions of the NRC Authorization Act for Fiscal Year 1980, would extend the application of the criminal penalties provision of the Atomic Energy Act (AEA) of 1954, as amended, to any individual director, officer, or employee of a firm constructing or supplying the components of a nuclear power plant who knowingly and willfully violates any NRC regulation, order, or license condition during construction of a nuclear power plant. Section 223(b) of the AEA essentially directs the Commission to establish a limit for potential unplanned off-site releases of. radioactive material which would trigger consideration of possible criminal penalties. As directed in Section 223(b)(3), the proposed rule establishes, in its definition of a "basic component," the limits for potential unplanned releases of radioactive material that could trigger application of criminal penalties.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	THE PERSON

Small Entity: No

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AA80

71. + CODES AND STANDARDS FOR NUCLEAR POWER PLANTS (1983 EDITION, WINTER 1982 THROUGH SUMMER 1984 ADDENDA)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would incorporate by reference the Winter 1982 Addenda, Summer 1983 Addenda, Winter 1983 Addenda, Summer 1984 Addenda, and the 1983 Edition of Section III, Division I, of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), and the Winter 1982 Addenda, Summer 1983 Addenda, and the 1983 Edition of Section XI, Division I, of the ASME Code. The ASME Code sets standards for the construction of lightwater-reactor nuclear power plant components in Section III, Division 1. and specifies requirements for the inservice inspection of those components in Section XI, Division I. The proposed rule would update the existing reference to the ASME Code and would thereby permit the use of improved methods for the construction and inservice inspection of nuclear power plant components.

Incorporating by reference the latest edition and addenda of the ASME Code will save applicants/licensees and the NRC staff both time and effort by providing uniform detailed criteria against which the staff can review any single submission. Revisions to the ASME code are achieved through the (cont)

Timetable:

Action	LUIA C	Date	FR	Cite
NPRM		04/00/85		700

Small Entity: No

Additional Information: ABSTRACT CONT: process to which the NRC contributes. This consensus process ensures a proper balance between utility, regulatory, and other interests concerned with the code and ensures that the value of any revisions to the code is consistent with its impact.

Agency Contact: Gilbert C. Millman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7860

RIN: 3150-AA83

72. PRIMARY REACTOR CONTAINMENT LEAKAGE TESTING FOR WATER-COOLED POWER REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would update and revise the 1973 criteria for preoperational and periodic pressure testing for leakage of primary and secondary containment boundaries of water-cooled power reactors. Problems have developed in application and interpretation of the existing rule. These result from changes in testing technology, test criteria, and a relevant national standard that needs to be recognized. It is proposed to revise the rule as noted to make it current and improve its usefulness. The benefits anticipated include elimination of inconsistencies and obsolete requirements, and the addition of greater usefulness and a higher confidence in the leak-tight integrity of containment system boundaries under post-loss of coolant accident conditions. The majority of the effort needed by NRC to issue the rule has already been expended. Still remaining are resolution of issues peripheral to, but important to, the rule, presentation of the proposed rule for public comment and integration of appropriate public comments.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	TOTAL STREET

Small Entity: No

Agency Contact: Gunter Arndt, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7860

RIN: 3150-AA86

73. + RADON 222 ESTIMATE FOR TABLE S-3

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 50; 10 CFR 51

Abstract: In a Federal Register notice published on April 14, 1979 (43 FR 15613) the Commission deleted the radon-222 value from Table S-3 because it was recognized to be underestimated. Pending rulemaking action to provide a new estimate for radon-222 in Table S-3, the environmental effects of radon are subject to litigation in individual nuclear power plant licensing proceedings. The purpose of the proposed rule would be to deal with this question generically for all nuclear power plants, thus saving the time and cost of repetitive consideration of the effects of radon-222 in individual nuclear power plant licensing

proceedings. The only alternative to generic treatment of the environmental impact of radon-222 is to continue to allow these environmental impacts to be brought into litigation in individual licensing cases. By the proposed rulemaking action, new estimates for the environmental releases of rn-222 will be added to Table S-3, and the narrative explanation of Table S-3 will be modified accordingly. This will complete Table S-3 and will remove all environmental impacts of the uranium fuel cycle from further consideration and litigation in individual nuclear power (cont)

Timetable:

Action	Date	FR Cite
U.S. Court of Appeals D.C. Circuit Invalidates Table S-3	04/27/82	
EPA's New Standards promulgated	10/01/84	
New Estimates for Table S-3	12/31/84	
NPRM	12/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: plant licensing cases.

This rulemaking action will not impose additional work or requirements on the public, the industry, license applicants, or the Commission staff. It will reduce the time required and the effort needed to complete nuclear power plant licensing proceedings. NRC resources to develop the rulemaking are estimated to be 0.5 FTE scientific staff, with no contractual support.

Agency Contact: William E. Thompson, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-9024

RIN: 3150-AA87

74. GENERAL DESIGN CRITERION ON HUMAN FACTORS

Legal Authority: 42 USC 2201; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The proposed rule would establish a new general design criterion on human factors considerations. The specific factors to be addressed include operability, surveillance, maintainability, and human engineering criteria. The revised human factors criterion is necessary because post-TMI reviews and operating experience indicate that the human factors discipline is rarely applied when needed at the design and construction stage.

Alternatives to the proposed criterion are described in the Regulatory
Analysis and include (1) continuation of the current ad hoc requirements; (2) modification to specific existing criteria in 10 CFR Part 50, Appendix A; and (3) delaying action until the development of an industry standard and preparing a regulatory guide to document the NRC position.

Alternative I may not meet the objective of timely incorporation of sound human factors principles into the design, construction and operation of nuclear power plants; alternative 2 would probably prove more costly and less efficient to implement, and alternative 3 may not implement the human factors principles in the time frame recommended by TMI investigative groups. (cont)

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT:

When all effects of the proposed Human Factors General Design Criterion are quantitatively evaluated, a net benefit is expected. The results indicate that the nuclear industry will experience an overall cost increase as a result of applying human factors principles to the design, installation and operation of an average system. However, new plants that have human factors principles applied throughout the entire design, construction, and operations phases can expect a net savings of \$1.1 million on each system. Operating plants or plants with an already approved design that apply human factors principles to new or replacements systems may experience a net cost increase of about \$3.1 million.

A qualitative analysis for this proposed rule showed that benefits will accrue in the areas of occupational exposure, public health, regulatory efficiency and economic risks to onsite and offsite property.

Agency Contact: James P. Jenkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7657

RIN: 3150-AB13

75. STATION BLACKOUT

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: NRC is proposing to amend its regulations to require light water nuclear power plants to be capable of withstanding a total loss of alternating current (AC) electrical power, called Station Blackout, to the essential and nonessential switchgear buses for a specified duration. A proposed regulatory guide, to be issued at the same time as the proposed rule, would provide guidance on how to determine the duration.

The proposed requirements were developed in response to information generated by the Commission's study of Unresolved Safety Issue A-44, Station Blackout. The proposed rule is intended to provide further assurance that a loss of both off-site and emergency on-site electric AC power systems will not adversely affect the public health and safety.

A regulatory analysis has been prepared for the proposed rule. The estimated public risk reduction is 80,000 person-rem over 25 years, and the estimated total cost for industry to comply with the proposed rule is \$40 million. This results in an overall cost benefit ratio of about 2,000 person-rem per million dollars.

The alternatives to this proposed rulemaking are to (cont)

Timetable:

Action	Date	FR Cite
NIDDM	00/00/85	

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT: take no action or to provide only guidance for plants to be able to cope with a station blackout period. To take no action would not yield any reduction in public risk from station blackout events. To provide guidance only, since there is presently no requirement for nuclear power plants to be able to cope with a total loss of AC power, would not result in any basis for enforcement. The proposed rule is the

recommended alternative based on its enforceability and, in part, on the favorable cost/benefit ratio.

Agency Contact: Alan Rubin, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-8303

RIN: 3150-AB38

76. + COMMUNICATIONS PROCEDURES AMENDMENTS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: This proposed rule would amend the regulations which establish the procedures for submitting correspondence, reports, applications, or other written communications pertaining to the domestic licensing of production and utilization facilities.

The proposed amendments are expected to resolve confusion regarding submittal procedures and improve the communication process with the affected applicants and licensees.

The proposed amendments would (1) simplify the procedures for making Part 50 submittals to the NRC; (2) facilitate the timely dissemination of Part 50 submittals to NRC staff; (3) reduce postage and copying costs for applicants and licensees by requiring fewer copies of submittals; (4) establish a central NRC receipt point for Part 50 submittals; (5) include the NRC Resident Inspectors in the formal communications; and (6) supersede all outdated submittal directions contained in other sources of submittal guidance, such as Regulatory Guide 10.1 (Revision 4) and NRR Generic Letter 82-14. Although these documents addressed the problem, they did not entirely resolve the confusion. Moreover, subsequent changes in the (cont)

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
C		

Small Entity: No

Additional Information: ABSTRACT CONT: organizational structure of NRC were not reflected in the guidance documents.

The current regulations also cause unnecessary delays in the dissemination of information to NRC staff. For example, any document submitted to an NRC Regional Office

will not usually be disseminated to NRC Headquarters staff until two weeks later.

These problems can be resolved only by amending 10 CFR Part 50, since the current regulations are the source of the problems. The proposed rule is expected to reduce postage and copying costs for licensees and applicants subject to 10 CFR Part 50. An annual savings of \$140,000 is estimated. In addition, the NRC is expected to realize a small savings in postage costs. Preparing and publishing this rule would cost NRC approximately 320 hours of staff time at \$60 per hour for a total of \$19,200.

Agency Contact: Steve Scott, Nuclear Regulatory Commission, Office of Administration, Nuclear Regulatory Commission, 301 492-8585

RIN: 3150-AB61

77. • + MODIFICATIONS TO GDC 4 REQUIREMENTS FOR PROTECTION AGAINST POSTULATED PIPE RUPTURES

Legal Authority: 42 USC 2201; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The proposed rule would permit licensees to use newly developed analytical methods involving widely accepted advanced fracture mechanics theories for determining that certain pipe ruptures need not be treated in the design basis for dynamic effects. Implementation of the rule would facilitate the removal of unnecessary pipe whip restraints and jet shields from existing nuclear power plants. This would reduce inservice inspection cost and, in addition, would reduce inspector radiation exposure. The need and urgency for addressing the issue stems from the widespread acceptance of the analysis results and the research findings pertaining to pipe rupture coupled with increasing confidence in its applicability. Prior to the last few years, there was no sound technical basis for excluding certain pipe ruptures from the design basis. Now it is clear that it is possible to defend the exclusion of PWR primary loop double-ended guillotine pipe ruptures, and that the scope may be extended to other piping. A benefit derived from the rule would be avoidance of extensive exemptions to General Design Criterion 4 which would

NRC

be the only acceptable alternate to the proposed rule. (cont)

Timetable:

 Action
 Date
 FR Cite

 NPRM
 07/00/85

Small Entity: No

Additional Information: ABSTRACT CONT: The rule may only require minimum addition and for modification of the existing text of GDC 4. Two staff years will be needed to complete this rulemaking.

Agency Contact: John A. O'Brien, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7860

RIN: 3150-AB76

78. O DELETION OF THE UNUSUAL EVENT EMERGENCY CLASSIFICATION

Legal Authority: 42 USC 2133; 42 USC 2234; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would delete the "Unusual Events" emergency class from the Commission's emergency classification scheme. The current emergency classifications are: (1) notification of unusual events, (2) alert, [3] site area emergency and (4) general emergency. This emergency classification scheme has been used by the NRC, FEMA, licensees and State and local governments for at least four years. During this time, the Commission has noted that the reporting of unusual events not only significantly strains the NRC resources, but tends to establish a 'cry wolf' syndrome with State and local governments. The NRC emergency operations center receives approximately 20 notifications of unusual events per week. The purposes of the unusual events offsite notifications are to (1) assure that the first step in any response later found to be necessary has been carried out, (2) bring the operating staff to a state of readiness, and (3) provide systematic handling of unusual events information and decisionmaking. All of these purposes are redundant to the purposes and required licensee actions associated with the "alert" classification. (cont)

Timetable:

Action Date FR Cite
NPRM 04/00/85

Small Entity: No

Additional Information: ABSTRACT CONT: One alternative to the proposed rule would be to not remove the unusual events classification. Another alternative simply would be to delete the unusual event from NUREG-0654. These alternatives would not satisfactorily accomplish the staff's objectives. The staff believes that the deletion of the "unusual events" classification would not impair or decrease the state of preparedness at nuclear power plants. The proposed change would require the NRC to approve revised emergency plans. However, the staff believes that the deletion of "unusual events" will represent a substantial savings to the industry both in dollars and in human resources, approximately one-half staff year per plant. The NRC resources expended through 1985 in order to develop this rulemaking will be approximately two staff-years per year.

Agency Contact: Michael Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7615

RIN: 3150-AB84

79. UPDATE OF TABLE S-4, PART 51

Legal Authority: 42 USC 2201; 42 USC 4332

CFR Citation: 10 CFR 51

Abstract: Table S-4 helps provide a means for meeting the NEPA requirements for an environmental assessment at the construction permit stage of a new reactor. The technical basis for this table, WASH-1238, was published in 1972. A revised and updated version of WASH-1238 (NUREG/CR-2325) that includes current transportation data and impacts was published in December 1983. In addition, staff calculations are available on the impacts of the higher burnups and increased enrichments currently in use in many reactors. The proposed rule would amend Table S-4 to include the impacts from these two studies and ensure that the table reflects the current environmental impacts. Prior to developing this rule, an Environmental Impact Assessment will be developed to satisfy the

requirements of the National Environmental Policy Act of 1969. This proposed rule would probably have no impact on licensees but would require one to two NRC professional staff years to develop.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: William R. Lahs, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7874

RIN: 3150-AB36

80. FINANCIAL RESPONSIBILITY STANDARDS FOR LONG TERM CARE FOR LOW LEVEL WASTE DISPOSAL SITES

Legal Authority: 42 USC 10171

CFR Citation: 10 CFR 61

Abstract: The proposed rule is designed to provide standards to ensure that each licensee responsible for the disposal of low-level radioactive waste possesses an adequate bond, surety, or other financial arrangement to insure completion of all requirements established by the Commission for decontamination, decommissioning, and site closure. Section 151 of the Nuclear Waste Policy Act authorizes the NRC to develop standards for financial arrangements for low-level radioactive waste site closure. Comments on the ANPRM will help define the nature and scope of the action. NRC resource scheduling is being developed.

Timetable:

Action Date FR Cite
NPRM 09/00/85

Small Entity: No

Agency Contact: Mary Jo Seeman, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4647

RIN: 3150-AB57

81. + MATERIAL STATUS REPORTS

Legal Authority: 42 USC 5841

CFR Citation: 10 CFR 70

Abstract: The NRC is amending its regulations in section 70.53 to require

affected licensees to report data summarizing the results of physical inventories of special nuclear material (SNM). The affected licensees are required by section 70.51 to conduct the physical inventories but would be required by section 70.53 to report the summary of the results. In the past, licensees voluntarily provided this information, which is used to determine compliance with NRC regulations and to provide data for NUREG- 0430, "Licensed Fuel Facility Status Report." Without a regulatory requirement or without licensee's voluntary submittals, NRC would have to conduct inspections to acquire SNM physical inventory data. In conjunction with this rulemaking, the form that licensees use to report summaries of SNM physical inventory data has been modified to include definitions of required data elements.

Since the affected licensees are already supplying this information voluntarily, there will be no additional costs to these licensees.

Timetable

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Action	Date	FR Cite
NPRM	10/30/85	10 24 5 P

Small Entity: No

Agency Contact: Sandra Frattali, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, 301 443-7890

RIN: 3150-AB26

82. RULE TO AMEND THE TRANSPORTATION PROVISIONS PERTAINING TO THE SHIPMENT OF LOW SPECIFIC ACTIVITY (LSA) MATERIAL

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2111; 42 USC 2232; 42 USC 2233; 42 USC 2273; 42 USC 5842

CFR Citation: 10 CFR 71

Abstract: The proposed rule would define two classes of LSA materials with specified shipping or packaging requirements. The two classes represent a consolidation of five classes of LSA materials and solid contamination objects (SCO) now in the 1985 regulations of the International Atomic Energy Agency (IAEA). In addition, the proposed rule provides special consideration for the inherent safety associated with the shipment of solid, nonflammable objects which are not dispersible in water. A new

requirement of the amended rule would impose a dose rate limit on LSA materials. This requirement, which is philosophically consistent with the proposed IAEA regulations, is considered necessary to keep current and future LSA shipments within the envelope of safety originally conceived for such materials. This proposed rule would be responsive to PRM-71-1, PRM-71-2 and PRM-71-4. A regulatory analysis is currently being developed by the staff.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Constitution		

Small Entity: Yes

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AB33

83. + PHYSICAL PROTECTION REQUIREMENTS FOR INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS (ISFSIS)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: Requirements for the physical protection of spent nuclear fuel at independent storage sites are currently contained in 10 CFR 73.50. Those requirements were originally developed for a broad range of materials and facilities, and were not developed specifically for independent spent fuel storage installations. (ISFSIs). Preliminary studies, some of which are related to transportation and require extrapolations to fixed installations, indicate that some of the current requirements for ISFSIs may not be at the appropriate level. If ongoing assessments confirm that existing regulations should be changed to be more commensurate with the consequences of a sabotage attack, a proposed performance-oriented rule would be developed to allow licensees the flexibility of using the most costeffective measures available to meet the regulatory requirements. The necessity and urgency of addressing this issue is to have safeguards requirements in place that are commensurate with the risk of storing spent nuclear fuel in dry casks at reactor sites. An alternative to

rulemaking is to continue use of the existing regulations, issuing exemptions and adding license (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	

Small Entity: No

Additional Information: ABSTRACT CONT: conditions as necessary.

In accordance with NRC Policy and Planning Guidance, rulemaking is to be utilized when numerous licensees are affected. As work on resolution of the technical issues continues, analyses regarding the effects of the rule on the public, industry and NRC will be developed. It will take about one year to publish a final rule after the Commission approves the proposed rule for publication. The estimated resources needed from now until a final rule is prepared are approximately 1-1/2 staff years.

Agency Contact: Frank Davis, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4765

RIN: 3150-AB27

84. + REPORTING REQUIREMENTS FOR SAFEGUARDS EVENTS

Legal Authority: 42 USC 2201; 42 USC 5842

CFR Citation: 10 CFR 70; 10 CFR 73

Abstract: The proposed rule would amend reporting requirements of section 73.71 for reports of unaccounted for shipments, suspected thefts, unlawful diversion, and other safeguards events. The staff has found the present requirements confusing to licensees and, therefore, difficult for licensees to properly implement. These difficulties have contributed to safeguards event reports that lack uniformity and contain insufficient data for NRC analysis purposes. Safeguards event reporting requirements are necessary to permit timely response by the NRC to safeguards incidents and to identify possible generic deficiencies in safeguards systems. Until the requirements for reporting are clarified and simplified, the problems identified above will continue to exist. This is considered to be a matter of moderate urgency. An alternative to rulemaking is issuance of additional or revised

guidance on the present requirement. However, such guidance would lack regulatory authority. Since the problems have arisen over the abstract nature of the present requirement, it appears the best solution is to correct the source of the problem by amending the existing rule. The proposed amendments redefine, in (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: clearer terms, the events to be reported and classify certain of these events into different reporting categories. The current 24 hour telephonic notification is deleted. All events would be either telephonically reported within one hour or logged in licensee records to be submitted to the NRC quarterly. Concurrent with the rule revision, a revised regulatory guide is being developed which provides a format for reporting to the NRC and gives examples of what types of events

should be reported and under what category.

There is expected to be no cost impact to the public. Benefits to licensees will be clearer, simpler regulations, and a reduction in telephonic and written report making. While the proposed regulations will require more detailed, standardized written reports, the reduction in the number of telephone and written reports is expected to result in a net cost decrease to industry of \$641.6K incurred on an annual basis.

Agency Contact: Priscilla A. Dwyer, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4773

RIN: 3150-AB46

85. CRITERIA FOR AN EXTRAORDINARY NUCLEAR OCCURRENCE

Legal Authority: 42 USC 2201; 42 USC 2210; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 140

Abstract: The proposed rule would revise the criteria the Commission

currently follows in determining an extraordinary nuclear occurrence (ENO), in order to overcome the problems that were encountered following the Three Mile Island (TMI) accident when the present criteria were applied. The proposed criteria would focus on items that can be readily counted or estimated within a relatively short time following an accident (i.e., substantial release of radioactive material or radiation offsite and substantial exposure levels). The revised criteria will provide for speedy satisfaction of legitimate claims in the event of an ENO. Because ENO criteria are administrative criteria for use by the Commission, they do not impose any requirement upon a licensee.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	and a sent of

Small Entity: No

Agency Contact: Harold Peterson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4578

RIN: 3150-AB01

NUCLEAR REGULATORY COMMISSION (NRC)

Completed Actions

COMPLETED RULEMAKINGS 86. EXPORT/IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL

Legal Authority: 42 USC 2073; 42 USC 2074; 42 USC 2077; 42 USC 2092; 42 USC 2094; 42 USC 2111; 42 USC 2112; 42 USC 2139; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 110

Abstract: The final rule simplifies licensing requirements for the export of nuclear equipment and material that does not have significance from a nuclear proliferation perspective by expanding or establishing general licenses for nuclear reactor components, gram quantities of special nuclear material, and certain kinds of source or byproduct material. The general licenses ease current licensing restrictions by removing the requirement to obtain a specific export or import license for certain material and equipment. The general licenses include a policy of facilitating nuclear cooperation with countries sharing U.S. non-proliferation goals. The final rule should increase international commerce and reduce the regulatory burden on

the public and the NRC without increasing the risk to public health and safety or the common defense and security. The final rule reduces NRC's minor case licensing workload by about 75%. The information collection burden is approximately 35% annually for licensees affected by this final rule. An estimated 212 hours annually associated with the filing of export license applications and other (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/01/84	49 FR 7572
NPRM Comment Period Begin	03/01/84	49 FR 7572
NPRM Comment Period End	04/17/84	
Final Action	12/03/84	49 FR 47191
Final Action Effective	01/02/85	49 FR 47191

Small Entity: No

Additional Information: ABSTRACT CONT: information collection requirements is saved (12,730). Preparing and publishing this rule will cost NRC approximately 450 hours of staff time \$60 per hour for an estimated total of \$27,000.

Agency Contact: Marvin R. Peterson, Nuclear Regulatory Commission, Office of International Programs, Washington, DC 20555, 301 492-4599

RIN: 3150-AB00

87. ELIMINATION OF REVIEW OF FINANCIAL QUALIFICATIONS OF ELECTRIC UTILITIES IN OPERATING LICENSE REVIEWS AND HEARINGS FOR NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: In response to a remand by the U.S. Court of Appeals for the D.C. Circuit, the Nuclear Regulatory Commission has issued a rule that would eliminate financial qualifications review and findings for electric utilities that are applying for operating licenses for utilization facilities if the utility is a regulated public utility or is authorized to set its own rates. This final rule would not affect financial qualification

Completed Actions

review of a medical utilization, research and development, or a testing facility. The NRC is seeking comment on an alternative proposal that would eliminate financial qualification reviews for all NRC license or permit applicants.

Timetable:

Action	Date	FR Cite
NPRM	04/02/84	49 FR 13044
NPRM Comment Period Begin	04/02/84	49 FR 24748
NPRM Comment Period End	06/28/84	
Final Action	09/12/84	49 FR 35747
Final Action Effective	09/12/84	49 FR 35747

Small Entity: No

Agency Contact: Carole F. Kagan, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-1493

RIN: 3150-AB69

88. CHANGES IN RADIATION DOSE-LIMITING STANDARDS

Legal Authority: 42 USC 2111; 42 USC 2201

CFR Citation: 10 CFR 19; 10 CFR 20

Abstract: The issues addressed in this proposed rule will be dealt with in, and the notice of proposed rulemaking published 2/20/79 will be superseded by, the comprehensive revision of Part 20. As a result, this rulemaking was terminated by the EDO on February 1, 1985. The proposed rule was published because of the desire of the Commission to reduce the risk of occupational radiation doses in Commission-licensed activities. In particular, the Commission desired to cut off individual exposures greater than 5 rems/year that are permitted by the 5 (N-18) dose averaging provisions in section 20.101 (b). Other considerations included the Commissions's continuing systematic assessment of exposure patterns, and recommendations in Publication 26 of the International Commission on Radiological Protection for controlling radiation dose. The Commission took into account recently published interpretations of epidemiological data and associated recommendations for lower dose standards, PRM-20-6 and PRM-20-6a. The proposed rule would have eliminated the accumulated dose averaging formula and the associated

Form NRC-4 "Occupational External Radiation Exposure History" and (cont)

Timetable:

Action	Date	FR	Cite
NPRM	02/20/79	44 FR	10388
Withdrawn	02/01/85		

Small Entity: Yes

Additional Information: ABSTRACT CONT: imposed annual dose-limiting standards while retaining quarterly standards. In addition, the proposed rule contained provisions that would have expressed in terms of new annual standards, the standard for dose to minors, and the requirements for control of total dose to all workers, including transient and moonlighting workers.

Agency Contact: William A. Mills, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4353

RIN: 3150-AA08

89. + AUTHORITY FOR THE COPYING OF RECORDS AND RETENTION PERIODS FOR SECURITY RECORDS

Legal Authority: 42 USC 2073; 42 USC 2207

CFR Citation: 10 CFR 19; 10 CFR 21; 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 70; 10 CFR 71; 10 CFR 73; 10 CFR 110

Abstract: The purpose of this proposed rule was to define more clearly the authority of an NRC inspector to copy and take away a licensee record that is needed for inspection and enforcement activities. It also specified the period that a licensee physical security record must be maintained. Due to licensee cooperation I&E no longer sees the need for explicit authority to copy and take away records. The rulemaking is therefore being withdrawn. For that portion of the rule which codifies licensee practice for retention of physical security records a new rulemaking will be initiated.

Timetable:

Small Entity: No

Action	Date		FR	Cite
NPRM	11/22/82	47	FR	52452
NPRM Comment Period Begin	11/22/82	47	FR	52452
NPRM Comment Period End	01/21/83		In	
Withdrawn	07/00/85			

Agency Contact: Sandra Frattali, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7680

RIN: 3150-AA63

90. + GENERAL DESIGN CRITERIA FOR FUEL REPROCESSING PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 50

Abstract: On January 22, 1985, the Office of the Executive Director For Operations issued a memorandum directing the staff to discontinue development of this rule. The proposed rule would have established general criteria for designing fuel reprocessing plants in order to provide reasonable assurance that fuel reprocessing plants can be operated without undue risk to the health and safety of the public. The general criteria contain the minimum requirements that an applicant must use in the selection of principal design criteria for a fuel reprocessing plant. The principal criteria would have established design, fabrication, construction, testing, and performance requirements for structures, systems, and components important to the safety of the facility.

Timetable:

Action	Date	FR Cite
NPRM	07/18/74	39 FR 26293
Withdrawn	01/22/85	

Small Entity: No

Agency Contact: Charles W. Nilsen, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7910

RIN: 3150-AA15

91. INTERIM REQUIREMENTS RELATED TO HYDROGEN CONTROL

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2152; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 2236; 42 USC 2239; 42 USC 2273; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The final rule improves hydrogen control capability for boiling water reactors (BWRs) with MARK III containments and for pressurized water reactors (PWRs) with ice condenser containments. The amendments require

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improved hydrogen control systems that can handle large amounts of hydrogen during and following an accident. For those of the affected reactors not relying upon an inerted atmosphere for hydrogen control, the rule requires that certain systems and components be able to function during and following hydrogen burning. The rule is needed to improve the capability of the PWRs and BWRs to withstand the effects of a large amount of hydrogen generation and release to containment from an accident, as occurred at Three Mile Island. The new requirements will result in greater assurance that nuclear power reactor containments and safety systems and components will continue to function properly so that the reactors can be safely shut down following a Three Mile Island-type of accident.

Timetable:

Action	Date		FR	Cite
NPRM	12/23/81	46	FR	62281
NPRM Comment Period Begin	12/23/81	46	FR	62281
NPRM Comment Period End	02/22/82			
Final Action	01/25/85	50	FR	3498
Final Action Effective	02/25/85	50	FR	3498

Small Entity: No

Additional Information: ABSTRACT CONT:

An alternative to the final rule was to maintain the status quo with licensing decisions being treated on a case-by-case basis. However, this alternative would not result in any savings to NRC or the industry, since the requirements of the rule would still be implemented. Because of the potential for time-consuming and costly litigation for each case, maintaining the status quo would have resulted in additional costs.

The estimated cost to the affected licensees is \$9 million (for the assumed "4 plants that would be affected). The additional cost to the NRC is estimated to be \$280,000.

Agency Contact: Morton R. Fleishman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7616

RIN: 3150-AA21

92. REQUIREMENTS FOR LICENSEE ACTION REGARDING THE DISPOSITION OF SPENT FUEL UPON EXPIRATION OF THE REACTORS' OPERATING LICENSE

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5842; 42 USC 4332; 42 USC 4334; 42 USC 4335

CFR Citation: 10 CFR 50: 10 CFR 51

Abstract: The final amendment to Part 50 provides procedures to be followed by nuclear reactor operating licensees to ensure the continued safe management of spent fuel beyond the expiration date of the reactor operating license. It requires licensees to submit plans concerning how spent fuel at these sites will be managed to NRC for review and approval five years before their operating licenses expire. The final amendment to Part 51 addresses the environmental aspects of extended spent fuel storage past the expiration date of reactor operating licenses; licensing for storage at the reactor site: or storage at an independent spent fuel storage installation.

Timetable:

Action	Date		FR	Cite
NPRM	10/25/79	44	FR	61372
NPRM	05/20/83	48	FR	50746
NPRM Comment Period Begin	05/20/83	48	FR	50746
NPRM Comment Period End	12/06/83			
Final Action	08/31/84	49	FR	34658
Final Action Effective	08/31/84	49	FR	34658

Small Entity: No

Agency Contact: Dennis Rathbun or Clyde Jupiter, Nuclear Regulatory Commission, Office of Policy Evaluation, Washington, DC 20555, 301 634-3295

RIN: 3150-AB20

93. ENVIRONMENTAL QUALIFICATION OF SAFETY-RELATED ELECTRICAL EQUIPMENT

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 50

Abstract: The Commission approved on September 4, 1984 a final rule which deletes from NRC regulations a June 30, 1982 deadline for environmental qualification of safety-related electrical equipment imposed upon certain nuclear power plant licensees by previous Commission order.

Timetable:

Action	Date	FR Cite
NPRM	03/07/84	48 FR 8445
NPRM Comment Period Begin	03/07/84	48 FR 8445
NPRM Comment Period End	08/13/84	
Final Rule Approved	09/04/84	
Final Action	11/19/84	49 FR 45571
Final Action Effective	11/19/84	49 FR 45571

Small Entity: Not Applicable

Agency Contact: William Shields, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, 301 492-8693

RIN: 3150-AB40

94. CRITERIA AND PROCEDURES FOR DETERMINING THE ADEQUACY OF AVAILABLE SPENT NUCLEAR FUEL STORAGE CAPACITY

Legal Authority: 42 USC 2011; 42 USC 2092; 42 USC 2201; 42 USC 4332; 42 USC 5801; 42 USC 5841; 42 USC 5847; 42 USC 10152; 42 USC 10155

CFR Citation: 10 CFR 53

Abstract: The final rule implements procedures and criteria that the update NRC will use to determine whether a person owning and operating a civilian nuclear power plant is able to store the spent nuclear fuel generated at the plant. This determination is necessary before the Secretary of the Department of Energy may enter into a contractual arrangement with the owner of the plant to provide interim Federal storage for limited amounts of spent fuel that the owner is unable to store. Alternative procedures considered for the NRC to determine a licensee's need to use interim Federal storage were that (1) the licensee, without NRC guidance, provide sufficient information for the NRC to make this determination; (2) the Commission itself, rather than the EDO relving on the technical staff's review, make the determination; or (3) the NRC restate the statutory criteria for making the determination without providing further guidance as to how the Commission would make its determination.

It is anticipated that a licensee will expend an average of nine (9) months of professional staff resources to

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prepare a request for a Commission determination. (cont)

Timetable:

Action	Date		FR	Cite
NPRM	04/29/83	48	FR	19382
NPRM Comment Period Begin	04/29/83	48	FR	19382
NPRM Comment Period End	06/28/83			
Final Action	02/11/85	50	FR	5548
Final Action Effective	03/13/85	50	FR	5548

Small Entity: No

Additional Information: ABSTRACT CONT: This is equivalent to \$75,000 per request. A maximum of seven requests is expected in the 1984-1989 time period, for a maximum industry cost of \$525,000. NRC will be required to expend approximately two (2) months of staff time per request. This is equivalent to \$19,200. With not more than seven requests anticipated in the 1984-1989 time period, total NRC costs should not exceed \$135,000.

The Nuclear Waste Policy Act of 1982 assigned the responsibility for this determination to the NRC.

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AB22

95. + MATERIAL CONTROL AND ACCOUNTING REQUIREMENTS FOR LOW ENRICHED URANIUM FUEL CYCLE FACILITIES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 70; 10 CFR 74

Abstract: Under currently applicable regulations, material control and accounting (MC&A) requirements for low enriched uranium (LEU) and strategic special nuclear material (SSNM) differ very little. However, both NRC-sponsored and independent studies have concluded that safeguards risks associated with LEU are far less significant than risks associated with SSNM. Current requirements do not sufficiently reflect this fact. The objective of this rule is to eliminate unnecessarily burdensome regulatory requirements. Because of the generic application of this action, it should be accomplished through rulemaking rather than through individual license

conditions. This rulemaking action establishes more cost effective MC&A requirements for LEU and reduces these requirements to a level commensurate with the material's low safeguards significance.

Although MC&A requirements for LEU are reduced by this rulemaking, the public will not be affected since the new requirements provide appropriate protection for the public health and safety consistent with the low strategic significance of the material. The total estimated savings for the industry is (cont)

Timetable:

Action	Date		FR	Cite	
NPRM	12/14/82	47	FR	55951	
NPRM Comment Period Begin	12/14/82	47	FR	55951	
NPRM Comment Period End	02/14/83				
Final Action	02/25/85	50	FR	7575	
Final Action	03/27/85	50	FR	7575	

Small Entity: No

Additional Information: ABSTRACT CONT: \$3.2 million per year with an additional potential gain of \$725,000 resulting from additional operating time from the elimination of one inventory per year. Since the rule has been completed, the bulk of NRC resources yet to be expended will be approximately 0.5 staff year for review of the fundamental nuclear material control plans submitted in response to the new requirements.

Agency Contact: Carl J. Withee, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4768

RIN: 3150-AA93

96. SEVERE ACCIDENT DESIGN CRITERIA

Legal Authority: 42 USC 2201 CFR Citation: 10 CFR 50

Abstract: The Executive Director approved termination of the advance notice of proposed rulemaking on February 1, 1985. This rulemaking activity has been supplanted by the Severe Accident Policy Statement (SECY-84-370) now before the Commission. The advance notice of proposed rulemaking would have provided the nuclear industry and the

public an opportunity to submit advice and recommendations to the Commission on what should be the content of a regulation requiring improvements to cope with degraded core cooling and with accidents not covered adequately by traditional design envelopes.

Date

FR Cita

Timetable:

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ANPRM	10/02/80	45	FR	65474
ANPRM Comment Period Begin	10/02/80	45	FR	65474
ANPRM Comment Period End	12/31/80			
Policy Statement Comment Per. Beg	04/13/83	48	FR	16014
Policy Statement Comment Per. Ends	07/09/83	48	FR	16014
Withdrawn	02/01/85			

Small Entity: No

Agency Contact: Morton R. Fleishman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7616

RIN: 3150-AA45

97. LOWER RADIATION EXPOSURE LEVELS FOR FERTILE WOMEN

Legal Authority: 42 USC 2111; 42 USC 2201

CFR Citation: 10 CFR 19; 10 CFR 20

Abstract: The issue addressed in this proposed rule and the notice of proposed rulemaking published 01/03/75 (40 FR 799) will be superseded by, the comprehensive revision of Part 20. As a result, this rulemaking was terminated by the EDO on February 1. 1985. The proposed rule would have recognized that an embryo/ fetus is especially radiosensitive during critical states of embryogenesis in the early months of a pregnancy. Consideration was given to several alternative means of assuring protection for the unborn including lower dose limits for fertile women, pregnant women, all women, of for all workers. There was concern regarding sociolegal questions including the potential for invasion of privacy. the potential impact on the employability of women and other discriminatory actions against women, and concern regarding the impact on licensees of a lower limit for all workers. The proposed amendments

NRC

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would have incorporated the intent of the recommendations of the National Council of Radiation Protection and Measurements (NCRP) in Report No. 39 that the radiation exposure to an embryo or fetus be minimized. It would help provide assurance that radiation exposures (cont)

Timetable:

Action	Date	FR Cite
NPRM	01/03/75	40 FR 799
Withdrawn	02/01/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: of fertile women and fetuses will be kept well within the limit of 0.5 rem during the entire pregnancy as recommended by NCRP without undue restriction on activities involving radiation and radioactive material. The proposed rule would have implemented a policy of informed consent, requiring licensees to instruct workers regarding health protection problems associated with exposure to radiation and radioactive materials by providing information about biological risks to embryos and fetuses. Regulatory Guide 8.13, "Instruction Concerning Prenatal Radiation Exposure", provides the information considered necessary for this instruction. The proposed rule would also have contained a Commission statement that licensees should make particular efforts to keep the radiation exposure of an embryo or fetus to the very lowest practicable level during the entire gestation periods as recommended by the NCRP.

Agency Contact: William A. Mills, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4353

RIN: 3150-AA07

98. PERFORMANCE TESTING OF BIOASSAY LABS

Legal Authority: 42 USC 5841 CFR Citation: 10 CFR 20

Abstract: The Executive Director for Operations approved termination of the proposed rule on February 1, 1985. The rulemaking was terminated because the Health Physics Society Standards Committee is preparing Standard on Performance Testing of Bioassay Labs, which will be completed in about two years. Following an evaluation of the performance of bioassay labs against

the standard, a decision will be made regarding the necessity of rulemaking. The proposed rule would have required licensees, who provide bioassay services for individuals to assess internal radiation exposure, to use accredited laboratories after an accreditation program is established. An expert, primarily industry-based. committee of the Health Physics Society wrote a draft standard. The draft standard was revised to take into account early comments that the NRC solicited and received from industry. The NRC, in cooperation with the DOE. established a performance testing study to test the standard, and to design and set up and accreditation program. Results of Phase I measuring radioactivity in human excretion samples, showed that ways must be found for more uniform quality control of analytical methods, or that some criteria (cont)

Timetable:

Action	Date	FR Cite
Withdrawn	02/01/85	THE PERSON NAMED IN

Small Entity: No

Additional Information: ABSTRACT CONT: of the standard may be more restrictive than appropriate for these kinds of analyses. The majority of persons in the affected industry still appear to favor a rule requiring accreditation (with testing) of laboratories providing radiobioassay services to NRC licensees.

Agency Contact: Allen Brodsky, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4394

RIN: 3150-AA67

99. + PERIODIC AND SYSTEMATIC REEVALUATION OF PARTS 30 AND 32

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 5846

CFR Citation: 10 CFR 30; 10 CFR 32

Abstract: On November 6, 1984, the Office of the Executive Director for Operations issued a memorandum directing the staff to discontinue development of this rule. The NRC has met the objective of this Agenda entry through amending or proposing to amend 10 CFR Parts 30 and 32. The proposed rulemaking would have provided an editorial revision of the regulations governing the domestic

licensing of byproduct material and the exemptions from domestic licensing requirements. The proposed rule would have reflected the application of good regulatory drafting practices. The proposed rule would have simplified and clarified the format of the present regulations so that persons subject to byproduct material regulations can conveniently use and understand them.

Timetable:

Action	Date	FR Cite
Withdrawn	11/00/84	The same of the sa

Small Entity: No

Agency Contact: James J. Henry, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7614

RIN: 3150-AA70

100. + REVISION OF CONSUMER PRODUCT APPROVAL CRITERIA AND REGULATIONS

Legal Authority: 42 USC 2093; 42 USC 2111; 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 40

Abstract: The Executive Director for Operations approved the termination of this rule on February 6, 1985. The purpose of the proposed rule was to reevaluate the policy, criteria, and regulations that govern the use of radioactive material in consumer products. This action was taken in order to determine whether a proposed rule was needed to: (1) codify the NRC policy on consumer product approval criteria; (2) review and revise regulations in Part 30 providing exemptions for consumer products; (3) review, revise, and reorganize regulations in Part 40 providing exemptions for consumer products. The NRC terminated this rulemaking effort because (1) the consumer product approval criteria, although not codified, has been used satisfactorily for nearly 20 years, and (2) consumer product regulations appear in most cases, to be adequate. However, the need for a proposed rule in this area will be considered after one year.

Timetable:

Date	FR Cite
02/06/85	The same of
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Small Entity: No

NRC

Agency Contact: Anthony N. Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7902

RIN: 3150-AB37

101. GLASS ENAMEL AND GLASS ENAMEL FRIT CONTAINING SMALL AMOUNTS OF URANIUM

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40

Abstract: The Nuclear Regulatory Commission is issuing an amendment that removes provisions to its regulations that exempt the possession and use of glass enamel and glass enamel frit containing uranium from the licensing requirements applicable to source material. These materials are used as a glaze to produce brightly colored surfaces on consumer products such as cloisonne jewelry. The final amendment is necessary to prevent the unnecessary exposure to radiation that might be received by artists who use the materials or by consumers who use products containing the materials. The final rule will accomplish this by prohibiting the future domestic manufacture or importation of glass enamel and glass enamel frit containing small amounts of uranium unless specifically approved by the NRC. (cont)

Timetable:

Action	Date		FR	Cite
NPRM	04/30/84	49	FR	18308
NPRM Comment Period Begin	04/30/84	49	FR	18308
NPRM Comment Period End	06/29/84			
Final Action	09/11/84	49	FR	35611
Final Action Effective	09/11/84	49	FR	35611

Small Entity: No

Additional Information: ABSTRACT CONT: On July 25, 1983 (48 FR 33697), the Nuclear Regulatory Commission suspended a portion of its regulations that provide an exemption from the licensing requirements applicable to the possession and use of source material. The suspended exemption covers glass enamel and glass enamel frit containing small amounts of source material. The suspension is superseded by the completion of this rulemaking.

Agency Contact: Anthony N. Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7902

RIN: 3150-AB49

102. EXTENSION OF CONSTRUCTION COMPLETION DATE

Legal Authority: 42 USC 2235

CFR Citation: 10 CFR 50

Abstract: The Office of Executive Legal Director has recommended that the staff discontinue development of this rule. The proposed rule would have clarified the provision of Section 50,55 (b) which describes both the procedure for renewal of a construction permit for a nuclear power plant following its expiration (a showing of "good cause") and the circumstances under which the Commission will consider granting a request for an extension of a construction completion date. The proposed rule would have also addressed two essentially identical petitions for rulemaking filed with the Commission by the State of Illinois (PRM-50-25) and the Porter County Chapter of the Izaak Walton League of America, et al. The petitioners requested that Section 50.55 (b) be amended or rescinded, and that the Commission promulgate a regulation which would not limit a "good cause" showing to the reasons why construction was not completed before the latest completion date specified in the construction permit.

Timetable:

		Cite
02/00/85		
	02/00/85	02/00/85

Small Entity: No

Agency Contact: Linda S. Gilbert, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, 301 492-7678

RIN: 3150-AB06

103. ADDITIONAL SCRAM SYSTEM REQUIREMENT FOR WESTINGHOUSE NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The Commission issued a decision directing the staff not to publish a proposed rule on ATWS that

would require diverse SCRAM system for Westinghouse plants. The proposed rule would have required an improvement in the design of lightwater-cooled nuclear power plants manufactured by Westinghouse. A specific provision contained in the proposed rule requires the installation of a diverse scram system from sensor output to interruption of power to the control rods. The NRC staff estimates that the proposed scram system would cost all affected licensees and CP holders combined a total of \$50 million. The benefit of the proposed action is that the diverse scram system would have reduce the likelihood of an accident if the existing reactor protection system fails to shut down the reactor following an anticipated transient.

Timetable:

Withdrawn

Action	Date	FR Cite

12/03/84

Small Entity: No

Analysis: Preliminary RIA 08/00/83

Agency Contact: David W. Pyatt, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7631

RIN: 3150-AB29

104. EXPERIENCE REQUIREMENTS FOR SENIOR OPERATORS AT NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5843; 42 USC 10152; 42 USC 10155; 42 USC 10226

CFR Citation: 10 CFR 50

Abstract: On October 17, 1984, the Commission reconsidered the need for this rule. Following the reconsideration. W.J. Dircks, Executive Director for Operations, NRC, wrote J.H. Miller, Chairman, Nuclear Utility Management and Human Resources Committee stating that the Commission had directed the staff to discontinue development of this rule and preferred that industry implement its own initiatives in this matter. The proposed rule would have amended the NRC regulations to require (1) that all applicants for a senior operator's license to have been licensed as an operator for at least one year, including 250 hours at the controls of an operating commercial nuclear power plant; and (2) that each shift have at least one senior operator who has

NRC

Completed Actions

served as a licensed senior operator at an operating commercial nuclear power plant for one year.

Timetable:

Action	Date	FR Cite
Withdrawn	11/00/84	here the

Small Entity: No

Agency Contact: Jennifer Koontz, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-8682

RIN: 3150-AB64

105. REQUIREMENTS FOR SENIOR MANAGERS AT NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5843; 42 USC 10152; 42 USC 10155; 42 USC 10226

CFR Citation: 10 CFR 50

Abstract: On November 5,1984, the Commission met to reconsider the need for this rule. The Commission directed the staff to discontinue development of the rule and indicated a preference for industry's implementation of its own initiatives in this matter.

The proposed rule would have amended NRC regulations to require that licensees of nuclear power plants have on each shift a senior manager responsible for integrated management of shift operations who holds a bachelor's degree in engineering or a related physical science from an accredited institution, has five years nuclear power operating experience, and holds a senior operator's license. The objective of the new senior manager position was to increase onshift management involvement for all aspects of plant operations (e.g., maintenance, health physics, chemistry operation, security).

Timetable:

Action	Date	FR Cite
Withdrawn	11/05/84	1100
Small Entity-	No	

Agency Contact: Clare Goodman, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-4894

RIN: 3150-AB31

106. + CLARIFICATION OF GENERAL PHYSICAL PROTECTION REQUIREMENTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: The general physical protection requirement for fixed sites (Sec. 73.40(a)) is being amended to clarify that the threat of either radiological sabotage or theft, or both, must be treated in a licensee's physical security plan in accordance with the more detailed requirements of other sections of 10 CFR Part 73 which apply to specific classes of licensees or specific types of material. This action is being taken because an Atomic Safety and Licensing Board, in a recent ruling, has made an interpretation of the general requirement which differs from the interpretation currently being applied. This action will clarify the Commission's policy regarding the rule's intent and will codify present application of the general physical protection requirement. No economic impact on a licensee will result from this action.

In a memorandum dated June 13, 1984, the Commission declined staff's request to initiate a rulemaking proceeding which was made by the staff following the Licensing Board's interpretation of 10 CFR 73.40(a) which the staff stated was contrary to NRC licensing practice. The disputed interpretation arose (cont)

Timetable:

Action	Date	FR Cite
Withdrawn	06/13/84	
Small Entitue	No	200

Small Entity: No

Additional Information: ABSTRACT CONT: out of the license renewal of UCLA's Argonaut research reactor (LBP-83- 25A, 17 NRC 927 (1983) and LBP-83-67, 18 NRC 802 (1983)).

Agency Contact: Carl J. Withee, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4040

RIN: 3150-AB45

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

107. ● MINOR CORRECTING AMENDMENTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 1; 10 CFR 20; 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 55; 10 CFR 70; 10 CFR 73

Abstract: The NRC is amending its regulations to indicate a change in the mailing address for NRC's Region II Office, to correct the zip code for NRC's Region IV Office, and to correct the address of a location where IEEE Std 83-1983 may be inspected. This action is necessary to inform the public of these administrative changes to NRC regulations.

Timetable:

Action	Date	FR	Cite
Final Action	12/07/84	49 FR	47823
Final Action Effective	12/07/84	49 FR	47823

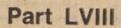
Small Entity: No

Agency Contact: John Philips, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555, 301 492-7086

RIN: 3150-AB77 [FR Doc. 85-6481 Filed 04-28-85; 8:45 am] BILLING CODE 7590-01-T



Monday April 29, 1985



Securities and Exchange Commission

Semiannual Regulatory Agenda



SECURITIES AND EXCHANGE COMMISSION

17 CFR Ch. II

[Release No. 33-6567, 34-21796, 35-23616, 39-964, IC-14395, and IA-957; File No. S7-8-85]

Regulatory Flexibility Agenda and Rules Scheduled for Review

AGENCY: Securities and Exchange Commission.

ACTION: Publication of regulatory flexibility agenda and rules scheduled for review.

SUMMARY: The Securities and Exchange Commission is today publishing an agenda of its open and anticipated rulemaking actions, pursuant to Chapter Six of the Administrative Procedure Act and Office of Management and Budget Bulletin 85-6. The agenda is a general announcement to the public intended to provide advance notice of rulemaking actions which may have a significant economic impact on a substantial number of small entities. The Commission is also publishing a list of rule reviews anticipated to be completed during the next twelve months. The Commission invites questions and public comment on individual agenda entries.

DATE: Public Comments are due by June 30, 1985.

ADDRESSES: Persons wishing to submit written views should file three copies with John Wheeler, Secretary, Securities and Exchange Commission, 450 5th Street, N.W., Room 6184, Stop 6-9, Washington, D.C. 20549. All submissions should refer to File No. S7-8-85, and will be available for public inspection at the Commission's Public Reference Room. Room 1026, at the same address.

FOR FURTHER INFORMATION CONTACT:
Joseph A. Meiburger, Jr., Directorate of
Economic and Policy Analysis.

Economic and Policy Analysis, Securities and Exchange Commission, 450 5th Street, N.W., Room 7169, Stop 7-6, Washington, D.C. 20549 (202-272-7110). Additional names of persons to contact are identified with each entry.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act ("RFA") (Pub. L. No. 96-354, 94 Stat. 1164 [September 19, 1980]) requires each federal agency during April and October of each year to publish in the Federal Register a regulatory flexibility agenda identifying rules which the agency expects to propose, adopt or review which are likely to have a significant economic impact on a substantial number of small entities (the "significant impact criterion"). Part I of this agenda contains 52 entries for all open and anticipated rulemaking actions which may meet this criterion.

The RFA also requires the review of existing rules.2 The Commission published in June 1981 a plan for the periodic review of all rules issued by the agency which may meet the significant impact criterion.3 The plan provides for the review of all such rules in effect on January 1, 1981 within ten years of that date and for the review of such rules adopted thereafter within ten years of their adoption as final rules. The RFA further requires publication each year of a list of those rules which are to be reviewed during the succeeding twelve months. 4 Part II of the agenda contains 15 of these entries. The Commission's continuing review of its rules, begun before the effective date of the statute (January 1, 1981), extends beyond the requirements of the RFA. Consequently, some rules listed in this part of the agenda may not be required to be reviewed. The Commission is identifying them here in order to inform the public of its intention to review them. Part III of the agenda identifies the 22 rulemaking actions and rule reviews which have been completed since the last RFA release was approved by the Commission on September 5, 1984. The agenda relies on the definitions of the term "small entity" for purposes of the RFA which were adopted by the Commission for the various categories of regulated entities.

The statute specifically provides that the agenda does not preclude the Commission from considering or acting on any matter not included, nor is the Commission required to consider or act on any matter which is included. ⁷ Furthermore, the inclusion of a rule in the Commission's agenda reflects only the staff's preliminary judgment that the rule, if adopted or as it exists, may have a significant economic impact on a substantial number of small entities. This preliminary judgment may be changed upon further analysis.

Below is an index and the text of the Commission's entries to this April 1985 Unified Agenda of Federal Regulations. The agenda contains new entries as well as items carried over from the October 1984 publication. New entries are marked with a bullet. Copies of this preamble and a list of the entries (including next action dates and identifying a staff contact) are available from the Commission's Office of Public Affairs (Room 1015). The entries themselves are also available for inspection and copying in the Public Reference Room (Room 1026) (File S-8-85), as noted above.

The Commission invites public comment on the individual entries in its agenda of rulemaking actions and rules scheduled for review in 1985. By the Commission.

February 27, 1985. John Wheeler, Secretary.

^{&#}x27;5 U.S.C. 602(a).

²⁵ U.S.C. 610(a).

³ Securities Act Release No. 6362 (June 24, 1981) (46 FR 33287).

⁴⁵ U.S.C. 610(c).

Securities Act Release No. 6547 (September 5, 1984) (49 FR 42518).

Securities Act Release No. 6380 (January 28, 1982) (47 FR 5215).

⁷⁵ U.S.C. 602(d).

Current and Projected Rulemakings

Se- quence Number	Title	Regulation Identifier Number
1	17 CFR Not yet determined Allocation of Expenses and Related Disclosure in Financial Statements of Subsidiaries.	
10000	Divisions or Lesser Business Components of Another Entity	3235-AB17
2	17 CFR 210 Synopsis of Impairment Tests Under the Successful Efforts Method	3235-AB67
3	17 CFR 210 Off-Balance Sheet Financing Arrangements	3235-AB68
4	17 CFR 210.1-02(v)(3) Rescission of Obsolete Rules and Technical Revisions and Corrections	3235-AA74
5	17 CFR 210.5-02 Proposals Regarding Industry Segment and Other Interim Financial Reporting Matters, Manage-	The state of the s
	ment's Discussion and Analysis, and Off Balance Sheet Financing Disclosures.	3235-AB15
6	17 CFR 210.9 Specific Disclosure Requirements for Savings and Loan Holding Companies	3235-AB65
7	17 CFR 210.9-03(7)(e) Financial Statement Disclosure by Bank Holding Companies About Loans to Related Parties	3235-AB45
8	17 CFR 229.304 Disagreements With Accountants on Accounting and Financial Disclosure	
9	17 CFR 231 Standards for Disclosure Regarding Foreign Public Sector Debt.	3235-AB69
10	00 CFR Not yet determined Small Issuer Periodic Reports	3235-AA91
12	17 CFR 230.100 to 230.180 General Rules under the Securities Act of 1933-The "100 Series"- Rules 100	3235-AB47
16	through 180 (excluding Rules 137, 138 and 139)	3235-AA52
13	17 CFR 230.134 Rule 134 under the Securities Act of 1933.	3235-AB80
14	17 CFR 230.501 Form D of Regulation D	3235-AB77
15	17 CFR 239.16b Form S-8 Registration Statement under the Securities Act of 1933	3235-AB79
16	17 CFR 239.25, (New) Proposed Form S-4 and Other Rules	3235-AA01
17	17 CFR 239.34 Proposed Form F-4 and Other Rules	3235-AB76
18	17 CFR 240.14a-1 to 240.14a-12 Regulation 14A Rules Relating to Proxy Contests	3235-AA03
19	17 CFR 240.14a-1 to 240.14a-12 Regulation 14A Solicitation of Proxies	3235-AA23
20	17 CFR 240.14a-13 Regulation 14A: Solicitation of Proxies - Rule 14a-13 Obligation of registrants. Rule 14b-1	
~	Obligation of registered brokers	3235-AB78
21	17 CFR 240.14c-1 to 240.14c-7 Regulation 14C Distribution of Information Pursuant to Section 14(c)	3235-AA24
23	17 CFR 240.14d-1 to 240.14d-101 Proposed Tender Offer Rule Amendments	3235-AA50
24	17 CFR 240.16a-1 to 240.16a-11 Reports of Directors, Officers and Pfincipal Stockholders.	3235-AB14
25	17 CFR 240.3a4-1 Rule 3a4-1 - Associated Persons of an Issuer Deemed Not to be Brokers	3235-AB43 3235-AB53
26	17 CFR 240.3a12-9 Rule 3a12-9	3235-AB51
27	17 CFR 240.3b-9 Proposed Rule 3b-9: Applicability of Broker-Dealer Registration to Banks	3235-AB49
28	17 CFR 240.10b-10 Rule 10b-10 - Confirmation Disclosure for Reported Securities.	
29	17 CFR 240.11A-1 Proposed Rule 11A-1 Customer Order Exposure	3235-AA39
30	17 CFR 240.15c2-4 Rule 15c2-4 Transmission or Maintenance of Payments Received in Connection with	
	Underwritings	3235-AB57
31	17 CFR 240.17Ad-5 Rule 17Ad-5 Response to Inquiries	3235-AB12
32	17 CFR 230.180 Amendment to Rule 180 - Exemption from Registration of Certain Interests and Participations in	
33	Certain H.R. 10 Plans	3235-AA08
34	17 CFR 239.15A Revisions to Expense-Related Disclosure Requirements of Form N-1A	3235-AB40
35	17 CFR 239.16 Simplification of Registration Statements Filed by Unit Investment Trusts	3235-AB73 3235-AA47
36	17 CFR 210.3-05 Registration of Investment Company Securities Issued in Business Combination Transactions	3235-AB42
37	17 CFR 240.13a-12 Rules 30b1-(T) and 27d-4(T) under the Investment Company Act of 1940, temporary	DECO PIDAZ
	suspension of quarterly reporting obligation of certain investment companies	
38	17 CFR 240.14a-1 to 240.14a-102 Revision of Investment Company Proxy Rules.	
39	17 CFR 249.325 Simplification of Procedures for Managers Requesting Confidential Treatment for Open Risk	
1	Arbitrage Positions Reported on Form 13F	3235-AB72
40	17 CFR 250.45 (b)(6), (New) Loans, Extensions of Credit, Donations and Capital Contributions to Associate	
44	Companies	3235-AB98
41	17 CFR 250.70 Exemptions from Section 17(c) of the Act.	3235-AB99
43	00 CFR Not yet determined Mutual Fund Governance	3235-AA44
79	00 CFR Not yet determined Proposed Rule 2a-41 (formerly designated Rule 2a-9) under the Investment Company	2225 4720
44	Act 17 CFR 270.3a-4 Proposed Rule 3a-4 Individualized Investment Management Services.	3235-AB38 3235-AA12
45	17 CFR 270.11a-3 Proposed Rules 11a-3 and 11a-4 Under the Investment Company Act.	3235-AA14
46	17 CFR 270.17g-1 Proposed Amendment to Rule 17g-1 Under the Investment Company Act	3235-AA16
47	17 CFR 270.17j-1 Rule 17j-1 under the Investment Company Act of 1940.	3235-AA68
48	17 CFR 270.22c-1 Pricing of Redeemable Securities for Distribution, Redemption and Repurchase	3235-AB58
49	17 CFR 215.205-3 Proposed Rule 205-3 Under the Investment Advisers Act of 1940	3235-AB70
50	17 CFR 206(3)-3 Method for Compliance with Section 206(3) of the Investment Advisers Act of 1940 with respect	
-	to Certain Transactions	3235-AB74
51	17 CFR 279.1 Amendments to Form ADV	3235-AB71

^{*}Indicates priority regulation.

Existing Regulations Under Review

Se- quence Number	Title	Regulation Identifier Number
THE STATE		
52	17 CFR 240.7c2-1 7c2-1 Exemption from Section F (c) (2) of Certain Securities Exempted from Registration or	
100	Admitted to Trading on Exchanges Exempted from Registration	3235-AB9
53	17 CFR 240.10b-16 Disclosure of Credit Terms in Margin Transactions	3235-AB9
54	17 CFR 240.12d1-1 Rule 12a-4 - Exemption of Certain Warrants from Section 12(a)	3235-AB8
55	17 CFR 240.12d1-1 Rule 12a-5 Temporary Exemption of Substituted or Additional Securities	3235-AB8
56	17 CFR 240.3b-1 Rule 12a-6 Exemption of Securities Underlying Certain Options from Section 12(a)	3235-AB8
57	17 CFR 240.12d1-1 Rule 12f-1 - Applications for Permission to Extend Unlisted Trading Privileges	3235-AB8
58	17 CFR 240.12d1-1 Rule 12f-2 Changes in Securities Admitted to Unlisted Trading Privileges	3235-AB8
59	17 CFR 240 12f-1 Rule 12f-3 Termination or Suspension of Unlisted Trading Privileges	3235-AB8
60	17 CFR 240.121-1 Rule 12f-4 - Exemption of Securities Admitted to Unlisted Trading Privileges from Sections 13,	
00	14 and 16	3235-AB9
61	17 CFR 240.12f-1 Rule 12f-6 - Continuance of Unlisted Trading Privileges on Merged Exchanges	3235-AB9
62	17 CFR 240.17Ab2-1 Rule 17Ab2-1 - Registration of Clearing Agencies	3235-AB8
63	17 CFR 240.19c-1 Rule 19c-1 Governing Certain Off-Board Agency Transactions by Members of National	
03	Securities Exchanges	3235-AB9
64	17 CFR 240.12f-2 Form 27 - Changes in Securities Admitted Unlisted Trading Privileges	3235-AB9
65	17 CFR 240.12f-3 Form 28 Notification of Changes in Securities Admitted to Unlisted Trading Privileges	3235-AB9
66	17 CFR 240.17Ab2-1 Form CA-1 Application For Registration or For Exemption from Registration as a Clearing	
00	Agency and for Amendment to Registration Pursuant to The Securities Exchange Act of 1934	3235-AB8

Completed Actions

Se- quence Number	Title	Regulation Identifier Number
67	17 CFR 210.5-04 Proposed Rules and Guide for Disclosures Concerning Reserves for Unpaid Losses and Loss	0005 1475
	Adjustment Expenses for Property-Casualty Underwriters	3235-AA75
68	17 CFR 229.401(f) Directors, Executive Officers, Promoters, and Control Persons	3235-AB50
69	17 CFR 230 Consents to Service.	3235-AA56
70	17 CFR 230.137 Rule 137, 138, & 139 - Definition of "Offer for Sale" and "Offer to Sell" in Sections 2(10) and 5(c)	3235-AB10
	in Relation to Certain Publications	3235-AB10
71	*17 CFR 230.499 Temporary Rules and Forms for the Pilot Electronic Disclosure System	3233-AA//
72	17 CFR 239.35 Proposed Form F-5 and Other Rules Relating to Disclosure in Connection with Business	3235-AB59
	Combinations Involving Foreign Companies	3235-AB55
73	17 CFR 240.12d1-3 Securities Exchange Act Hule 30-1 Desirition of Listens	3235-AB52
74	17 CFR 240.11Aa2-1 Rule 11Aa2-1 - Designation of National Market System Securities - Programme of Chapterians Without	3233-AD32
75	17 CFR 240.15c2-11 Securities Exchange Act Rule 15c2-11Initiation or Resumption of Quotations Without	3235-AA48
100	Specified Information	3235-AB13
76	17 CFR 240.17Ad-2(e) Hule 17Ad-2(e)	3235-AB18
77	00 CFR Not yet determined Utilizing Private Entities in Investment Company Examinations and Imposing Examina-	DEGO TIDIO
78	tion Fees	3235-AA42
70	17 CFR 270.7d-1,(Revision) Exemption for Custody of Investment Company Assets Outside the United States	3235-AB48
79	17 CFR 270.2a-5 Rule 2a19-1 Certain Persons Not Deemed Interested Persons; Definition of Regular Broker or	
80	Dealer	3235-AA11
81	17 CFR 270.3a-5 Rule 3a-5 (proposed as a revision to Rule 6c-1) Exemption for Subsidiaries Organized to Finance	
81	the Operations of Domestic or Foreign Companies.	3235-AA13
82	17 CFR 270.10b-1 Rule 10b-1- Definition of Regular Broker or Dealer	3235-AB39
83	17 CFR 270.22d-6 Proposed Rule 22d-6 Under the Investment Company Act	3235-AA17
84	17 CFR 275.204-2 Rule 204-2 Under Investment Advisers Act of 1940 ("Adviser's Act") Books and Records to	
04	be Maintained by Investment Advisers	3235-AA18
85	17 CFR 240.3a12-5 Rule 3a12-5 - Exemption of Certain Investment Contract Securities from Sections 7(c) and	
00	11(d)(1)	3235-AB56
86	17 CFR 240.11d1-1 Rule 11d1-1 - Exemption of Certain Securities from Section 11(d)(1)	3235-AB54
87	17 CFR 240.15c2-4 Rule 15c2-4 - Transmission or Maintenance of Payments Received in Connection with	
0,	Underwritings	3235-AB57
88	17 CFR 210.1-01 Rule 1-01. Application of Regulation S-X	3235-AB64
89	17 CFR 210.1-02 Rule 1-02. Definition of Terms Used in Regulation S-X	3235-AB66

^{*}Indicates priority regulation.

SECURITIES AND EXCHANGE COMMISSION (SEC)

Current and Projected Rulemakings

Accounting Rules

1. ALLOCATION OF EXPENSES AND RELATED DISCLOSURE IN FINANCIAL STATEMENTS OF SUBSIDIARIES, DIVISIONS OR LESSER BUSINESS COMPONENTS OF ANOTHER ENTITY

Priority: Undetermined

Legal Authority: 15 USC 77t; 15 USC 77g; 15 USC 77h; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77a(25); 15 USC 77a(26); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78o(d); 15 USC 78w(a)

CFR Citation: 17 CFR Not yet determined

Abstract: The staff is considering whether to recommend that the Commission propose rules regarding the allocation of expenses and related disclosure in financial statements of subsidiaries, divisions or lesser business components of another entity.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert Lavery, Staff Accountant, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB17

2. O SYNOPSIS OF IMPAIRMENT TESTS UNDER THE SUCCESSFUL EFFORTS METHOD

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 77aa(25); 15 USC 77aa(26); 15 USC 78h; 15 USC 78m; 15 USC 78h; 15 USC 78w(a); 15 USC 79e; 15 USC 79n; 15 USC 79t; 15 USC 80a-8; 15 USC 80a-29

CFR Citation: 17 CFR 210

Abstract: The Commission plans to consider whether to propose amendments to require oil and gas producing companies following the successful efforts accounting methods to provide for impairment of proved properties in financial statements. The purpose of such a requirement would be to achieve greater comparability in financial reporting by oil and gas producers. Oil and gas producers following the full cost accounting method are presently required to make provisions for impairment.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: John W. Albert, Assistant Chief Accountant, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2130

RIN: 3235-AB67

3. O OFF-BALANCE SHEET FINANCING ARRANGEMENTS

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78i; 15 USC 78m; 15 USC 78n; 15 USC 78w(a); 15 USC 79e; 15 USC 79n; 15 USC 79t; 15 USC 80a-8; 15 USC 80a-29

CFR Citation: 17 CFR 210

Abstract: The staff is considering whether to recommend that the Commission propose rules calling for increased disclosure of off-balance sheet financing arrangements. During recent years off-balance sheet financing arrangements have increased in number and complexity, and disclosure of such arrangements may currently appear in various places throughout the financial statement footnotes. The identification and analysis of the aggregate impact of the various types of arrangements may therefore be difficult. The staff is considering various alternatives including possible centralized footnote disclosure - to provide for improved disclosure of the effects of off-balance sheet financing arrangements. The concept for such improved disclosure was announced in Securities Act Release No. 6514 (49 FR 6737; February 23, 1984).

Timetable:

Action	Date	FR Cite
ANPRM	02/15/84	49 FR 7637
ANPRM	02/15/84	
Comment Period Begin		
ANPRM	05/15/84	
Comment		
Period End		

Next Action Undetermined Small Entity: Undetermined Agency Contact: John W. Albert, Assistant Chief Accountant, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-

RIN: 3235-AB68

2130

4. RESCISSION OF OBSOLETE RULES AND TECHNICAL REVISIONS AND CORRECTIONS

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78h; 15 USC 78m; 15 USC 78m; 15 USC 78m; 15 USC 78m; 15 USC 79n; 15 USC 79n; 15 USC 79t; 15 USC 80a-8; 15 USC 80a-30; 15 USC 80a-37(a)

CFR Citation: 17 CFR 210.1-02(v)(3); 17 CFR 210.3-15(a); 17 CFR 210.4-08(j); 17 CFR 210.4-08(k); 17 CFR 210.4-08(k); 17 CFR 210.4-08(k); 17 CFR 210.5A-01 to 5A-03; 17 CFR 210.8-01 to 8-03

Abstract: The Commission may consider whether to propose the rescission of various obsolete rules, such as Articles 5A and 8 and related rules of Regulation S-X, and the amendment of other rules to make technical revisions and corrections or update the rules to reflect current financial reporting experience. These rules will be reviewed concurrently with any rulemaking action.

Timetable:

Action Date FR Cite
Final Action 06/00/85

Small Entity: Undetermined

Agency Contact: Dorothy Walker, Professional Accounting Fellow, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AA74

5. PROPOSALS REGARDING
INDUSTRY SEGMENT AND OTHER
INTERIM FINANCIAL REPORTING
MATTERS, MANAGEMENT'S
DISCUSSION AND ANALYSIS, AND
OFF BALANCE SHEET FINANCING
DISCLOSURES

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77h; 15 USC 77s(a); 15 USC 77aa(25) and (26); 15 USC 78l; 15 USC 78m; 15 USC 78o(d); 15 USC 78w(a); 15 USC 79e(b); 15 USC 79n; 15 USC 79t(a); 15 USC 80a-8; 15 USC 80-29

CFR Citation: 17 CFR 210.5-02; 17 CFR 210.10-01; 17 CFR 210.11-02; 17 CFR 229.303

Abstract: The Commission proposed amendments to require (1) presentation of certain industry segment information for interim periods; (2) a discussion of reportable segments in management's discussion and analysis; and (3) modifications of other miscellaneous interim reporting requirements. The release also provides advance notice of possible future rulemaking regarding (1) additional segment reporting disclosures and (2) uniform disclosure of off balance sheet financing arrangements. The proposals are designed to enhance analysis of financial information. They may entail some new recordkeeping but any such costs have not been determined. The Commission's interim reporting rules will be reviewed as a part of this action.

Timetable:

Action	Date	FR Cite
NPRM	02/15/84	49 FR 6737
NPRM Comment Period Begin	02/15/84	
NPRM Comment Period End	05/15/84	
Final Action	09/00/85	

Small Entity: Undetermined

Additional Information: This entry replaces the following three entries from the October 1983 agenda. RIN 3235-AA53 -- Off Balance Sheet Obligations. RIN 3235-AA54 -- Segment Information. RIN 3235-AA55 -- Quarterly Financial Reporting.

Agency Contact: John W. Albert, Assistant Chief Accountant, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB15

6. SPECIFIC DISCLOSURE REQUIREMENTS FOR SAVINGS AND LOAN HOLDING COMPANIES

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77aa(25); 15 USC 77aa(26); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78w(a); 15 USC 79e; 15 USC 79n; 15 USC 79t; 15 USC 80a-29

CFR Citation: 17 CFR 210.9; 17 CFR 231; 17 CFR 241

Abstract: The staff is considering whether to propose amendments to Industry Guide 3, statistical disclosure by bank holding companies and Article 9 of Regulation S-X. The formation of savings and loans holding companies has increased during the past several years to the point where approximately 60 savings and loan holding companies file with the Commission. In addition, a number of other registrants own savings institutions. The Commission's regulations do not specifically address the filing requirements for savings and loans, which have certain practices peculiar to the industry. The amendments, if proposed, would focus on disclosure requirements to enhance the comparability among registrants.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	09/00/85	

Small Entity: Undetermined

Agency Contact: Michael McLaughlin. Professional Accounting Fellow, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2130

RIN: 3235-AB65

7. FINANCIAL STATEMENT DISCLOSURE BY BANK HOLDING COMPANIES ABOUT LOANS TO RELATED PARTIES

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77h; 15 USC 77s; 15 USC 77s(a); 15 USC 77a(25); 15 USC 77a(26); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78o(d); 15 USC 78w(a)

CFR Citation: 17 CFR 210.9-03(7)(e)

Abstract: The staff is considering whether to recommend that the Commission propose amendments to its rules in Article 9 of Regulations S-X requiring disclosure by bank holding companies about loans to related parties. Assertions have been made that accumulation of the required information may be unreasonably costly.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Michael McLaughlin, Professional Accounting Fellow, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB45

8. • DISAGREEMENTS WITH ACCOUNTANTS ON ACCOUNTING AND FINANCIAL DISCLOSURE

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 77aa(25); 15 USC 78n; 15 USC 78n; 15 USC 78m; 15 USC 78n; 15 USC 78w(a); 15 USC 79t(a); 15 USC 80a-38; 15 USC 80b-11

CFR Citation: 17 CFR 229.304; 17 CFR 239.28; 17 CFR 240.14a-101; 17 CFR 240.14c-101; 17 CFR 249.308; 17 CFR 249.308a

Abstract: The Staff is considering whether to recommend that the Commission propose amendments to Item 304 of Regulation S-K and related forms and schedules to remove the dependence of that item on the prior filing of a Form 8-K. Presently, certain registrants who had no Form 8-K filing requirement at the time a change in accountants occurred are not specifically required to provide Item 304 disclosure regarding disagreements with their former accountants. The amendments, if proposed, would provide for such disclosure in initial public offerings among other filings.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert Burns, Chief Counsel, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W.. Washington, D.C. 20549, 202 272-2130

RIN: 3235-AB63

Current and Projected Rulemakings

SEC

9. © STANDARDS FOR DISCLOSURE REGARDING FOREIGN PUBLIC SECTOR DEBT

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 77aa(25); 15 USC 77aa(26); 15 USC 78l; 15 USC 78m; 15 USC 78m; 15 USC 78w(a)

CFR Citation: 17 CFR 231: 17 CFR 241

Abstract: The staff is considering whether to propose an amendment to Industry Guide 3, statistical disclosure by bank holding companies. Since 1982, a number of foreign countries have restructured significant portions of their debt owed to multinational consortiums of financial institutions. These restructurings can impact individual bank holding companies differently because of the relative exposures to these foreign countries. The amendment, if proposed, would focus on uniform disclosures of the terms of the restructurings and the impact to the bank holding company. This disclosure would enhance the comparability between registrants.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Michael McLaughlin, Professional Accounting Fellow, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2130

RIN: 3235-AB69

10. SMALL ISSUER PERIODIC REPORTS

Legal Authority: 15 USC 77s(a) CFR Citation: Not yet determined

Abstract: The Securities Exchange Act of 1934 (the "Exchange Act") imposes periodic reporting requirements on companies subject to Sections 13(a) and 15(d) of the Exchange Act. Because these reporting requirements may not be entirely appropriate for companies of all sizes, the Commission plans to review the Exchange Act reporting system as it pertains to small businesses, with a view toward relieving certain small businesses from some of the requirements therein. The

Commission has not yet determined the alternatives available or the costs of revising these requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	

Small Entity: Undetermined

Agency Contact: Steve Holtzman, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2644

RIN: 3235-AA91

11. REGISTRATION OF PARTNERSHIP INTERESTS

Priority: Agency Determination

Legal Authority: 15 USC 77g; 15 USC 77j; 15 USC 77s; 15 USC 77s(a)

CFR Citation: 17 CFR Not yet determined

Abstract: Currently, there are no disclosure requirements specially tailored for issuers of partnership interests. Thus, they currently must refer to requirements which have been designed for use by corporations. Special disclosure requirements have developed as a matter of administrative practice. These requirements differ depending upon the type of partnership interest involved. This project will involve development of uniform disclosure requirements for all varieties of partnership offerings, with a focus on those characteristics common to all or most limited partnerships, such as tax implications. It also will involve codification of informal practices and streamlining of registration to the extent appropriate. These efforts are expected to facilitate the preparation of registration statements concerning such interests and to improve the disclosure provided to investors.

Timetable:

Action	Date	FR Cite		
NPRM	04/30/85			
NPRM Comment Period Begin	04/30/85			
NPRM Comment Period End	07/31/85			
Final Action	10/31/85			
Final Action Effective	11/30/85			

Small Entity: Yes

Agency Contact: Leslie Murphy, Attorney-advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AB47

12. GENERAL RULES UNDER THE SECURITIES ACT OF 1933—THE "100 SERIES"— RULES 100 THROUGH 180 (EXCLUDING RULES 137, 138 AND 139)

Priority: Undetermined

Legal Authority: 15 USC 77s Securities

Act

CFR Citation: 17 CFR 230.100 to 230.180

Abstract: The Commission is conducting a "sunset" review of the thirty-nine rules contained in the "100 series" of general rules under the Securities Act. Generally, these rules define key terms used in the Securities Act. The object of this review is to eliminate any inconsistencies, to delete unnecessary, outmoded or duplicative rules and to update and revise the remaining provisions. This project is in addition to the separate project to review Rules 137, 138 and 139.

Timetable:

Action	Date	FR Cite
NPRM	08/31/85	

Small Entity: Undetermined

Additional Information: CFR cite excludes 17 CFR 230.137, .138 and .139.

Agency Contact: Thomas E. Sweeney, Jr., Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA52

13. • RULE 134 UNDER THE SECURITIES ACT OF 1933

Priority: Undetermined

Legal Authority: 15 USC 77b(10); 15 USC 77s(a)

CFR Citation: 17 CFR 230.134

Abstract: The rule is being examined in response to informal requests from the public that its scope be broadened. The Commission is considering changes which would permit the inclusion in communications under the rule of information that is relevant in informing

investors of the existence of certain types of securities, while ensuring that any efforts to sell such securities are conducted by means of a prospectus meeting the requirements of Section 10 of the Securities Act of 1933. In the context of this rule-making action, Rule 134 is being fully reviewed.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Ann M. Glickman, Special Counsel, Securities and Exchange Commission, Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2573

RIN: 3235-AB80

14. FORM D OF REGULATION D

Priority: Undetermined

Legal Authority: 15 USC 77c(b); 15 USC 77d(2); 15 USC 77s(a); 15 USC 77c(3)

CFR Citation: 17 CFR 230.501; 17 CFR 230.502; 17 CFR 230.503; 17 CFR 230.504; 17 CFR 230.505; 17 CFR 230.506; 17 CFR 239.500

Abstract: The Securities Act of 1933 ("Securities Act") requires securities to be registered with the Securities and Exchange Commission ("SEC") prior to an offer or sale unless an appropriate exemption from registration exists. Section 3(b) and 4(2) of the Securities Act provide for exemption from registration and Regulation D was promulgated thereunder. Regulation D requires the filing of a Form D 15 days after the first sale pursuant to the Regulation D exemption. The Commission plans to revise Form D to eliminate certain information currently required by the Form and to clarify other questions therein in order to minimize the filing burdens on issuers using the Regulation. In the context of this rulemaking, Form D will be fully reviewed for purposes of the Regulatory Flexibility Act.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 06/30/85

Small Entity: Yes

Agency Contact: Mary M. Jackley, Special Counsel, Securities and Exchange Commission, Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2644

RIN: 3235-AB77

15. FORM S-8 REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78w(a)

CFR Citation: 17 CFR 239.16b

Abstract: The Commission intends to revise the disclosure requirements under the federal securities laws relating to registration under the Securities Act of 1933 of securities to be offered to employees of an issuer pursuant to certain plans. Such registration currently is made on Form S-8 (17 CFR 239.16b). The Commission has found that the extensive disclosures required under Form S-8 are burdensome to issuers and may not produce benefits to employees, who already have access to much of the required information under ERISA and reports under the Securities Exchange Act of 1934. The Commission is developing proposals in this area and considering alternative approaches to the problem of reducing burdens while ensuring the availability of sufficient information to employees.

In the context of this rulemaking, Form S-8 will be fully reviewed for purposes of the Regulatory Flexibility Act.

Timetable:

Action Date FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Thomas E. Sweeney, Jr., Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AB79

16. PROPOSED FORM S-4 AND OTHER RULES

Priority: Undetermined

Legal Authority: 15 USC 77f Securities Act; 15 USC 77g Securities Act; 15 USC 77g Securities Act; 15 USC 77s(a) Securities Act; 15 USC 78l Exchange Act; 15 USC 78m Exchange Act; 15 USC 78m Exchange Act; 15 USC 78w(a) Exchange Act

CFR Citation: 17 CFR 239.25, (New)

Abstract: As part of its review of proxy rules, regulations, and schedules, the Commission intends to revise the disclosure requirements under the federal securities laws relating to mergers, acquisitions, and other business combinations, focusing primarily on Form S-14 (17 CFR 239.23). Form S-14 is used for the registration of securities in business combination transactions under Rule 145 (17 CFR 230.145). The Commission has found that in many cases the sheer volume of disclosure in connection with mergers, acquisitions and other business combinations tends to be confusing to security holders and burdensome for registrants to prepare. The Commission intends to revise the existing disclosure requirements of Form S-14 to provide streamlined, comprehensible disclosure to shareholders and to reduce compliance burdens on issuers consistent with the protection of investors. In developing proposals in this area and considering alternative approaches to the problem of reducing burdens while ensuring that sufficient information is available to security holders, the Commission will attempt to apply the techniques used in its integrated disclosure system, such as incorporation (cont)

Timetable:

Action	Date	TOTAL	FR	Cite
NPRM	03/30/84	Citizen .		
NPRM Comment Period Begin	05/18/84	49	FR	20833
NPRM Comment Period End	08/17/84			
Final Action	02/14/95			

Small Entity: Yes

Additional Information: ABSTRACT CONT: by reference and multiple document delivery. The proposed revisions are expected to benefit both issuers and investors and are not expected to result in significant additional burdens. A review of the

rules and forms will be included in any rulemaking actions. In connection with this initiative, the Commission will propose to amend rules governing exchange offers pursuant to certain recommendations made by the Commission's Advisory Committee on Tender Offers.

Agency Contact: Patricia B. Magee, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA01

17. PROPOSED FORM F-4 AND OTHER RULES

Priority: Undetermined

Legal Authority: 15 USC 77e; 15 USC 77f; 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78n(c); 15 USC 78w(a)

CFR Citation: 17 CFR 239.34

Abstract: The Commission intends to develop special forms and rules for the disclosure requirements for mergers, acquisitions and other business combinations involving foreign issuers. The Commission intends to revise the existing disclosure requirements of Form S-14 (17 CFR 239.23) to provide streamlined, comprehensible disclosure to shareholders and to reduce compliance burdens on issuers consistent with the protection of investors. In developing proposals in this area and considering alternative approaches to this problem, the Commission will attempt to apply the techniques used in its integrated disclosure system, such as incorporation be reference and multiple document delivery. The proposed revisions are expected to benefit both issuers, and investors and are not expected to result in significant additional burdens. A review of the rules and forms will be included in any rulemaking actions. In connection with this initiative, the Commission will propose to amend rules governing exchange offers pursuant to certain recommendations made by the Commission's Advisory Committee on Tender Offers.

Inflictable.			
Action	Date	FR Cite	
NPRM	03/30/84 49	FR 20852	
NPRM Comment	05/18/84		

NPRM Comment 08/17/84 Period End Final Action 03/14/85

Small Entity: Yes

Agency Contact: Martin L. Meyrowitz, Special Counsel, Securities and Exchange Commission, OICF, Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-3250

RIN: 3235-AB76

18. REGULATION 14A -- RULES RELATING TO PROXY CONTESTS

Priority: Undetermined

Legal Authority: 15 USC 78n(a) Exchange

Act

CFR Citation: 17 CFR 240.14a-1 to 240.14a-12; 17 CFR 240.14a-101; 17 CFR 240.14a-102

Abstract: As part of its proxy review program, the Commission intends to review the rules governing proxy contests, which are contained in Regulation 14A, promulgated under Section 14(a) of the Exchange Act. Regulation 14A regulates the solicitation of proxies in regard to securities registered under Section 12 of the Exchange Act. In general, Regulation 14A specifies the information required to be disclosed to security holders to enable them to make informed decisions concerning authorization of proxies. This review focuses only on regulations concerning proxy contests. Rules 14a-3 through 14a-10 prescribe certain filing, dissemination and disclosure requirements with respect to all proxy solicitations, including proxy contests. Rule 14a-11 prescribes special requirements relating only to contested elections of directors. The number of proxy contests has risen in recent years and the rules relating to them have not been reexamined in some time. The Commission's goal in this review is to make sure that the rules pertaining to proxy contests still operate effectively in addressing this dynamic area, thus benefiting shareholders and issuers.

Timetable:

Action	Date	FR Cite
NPRM	01/31/85	in a port

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Thomas E. Sweeney, Jr., Attorney, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA03

19. REGULATION 14A -SOLICITATION OF PROXIES

Priority: Undetermined

Legal Authority: 15 USC 78n(a) Exchange Act; 15 USC 78w(a) Exchange Act

CFR Citation: 17 CFR 240.14a-1 to 240.14a-12; 17 CFR 240.14a-101; 17 CFR 240.14a-102

Abstract: Regulation 14A specifies the information required to be disclosed to security holders to enable them to make informed decisions concerning authorization of proxies. Regulation 14A consists of twelve rules and Schedules 14A and 14B. These provisions contain requirements regarding disclosures in. and dissemination and filing of, proxy solicitations with respect to a security registered pursuant to Section 12 of the Exchange Act, opposition solicitations with respect to the election of directors and annual reports to security holders accompanying or preceding a proxy solicitation with respect to a security registered pursuant to Section 12 of the Exchange Act. This regulation is being reviewed in conjunction with the Commission's examination of its proxy rules and will encompass any provisions not specifically covered in other related proxy review projects. The review will attempt to identify ineffective or outmoded rules and, as appropriate, rescind or replace such rules with alternatives designed to maximize shareholder protection while minimizing burdens on registrants.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	-

Small Entity: Undetermined

Agency Contact: Sarah A. Miller, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-

RIN: 3235-AA23

20. PREGULATION 14A:
SOLICITATION OF PROXIES - RULE
14A-13 OBLIGATION OF
REGISTRANTS. RULE 14B-1
OBLIGATION OF REGISTERED
BROKERS

Priority: Undetermined

Legal Authority: 15 USC 78n; 15 USC 78w(a)

CFR Citation: 17 CFR 240.14a-13; 17 CFR 240.14b-1

Abstract: Proposed Rule 14a-13 and 14b-1 are designed to improve the process by which registrants communicate with the beneficial owners of securities registered in the name of a broker- dealer or other nominee.

In the context of this rulemaking Rule 14b-1 will be fully reviewed for purposes of the Regulatory Flexibility

Timetable:

Action	Date	FR Cite
NPRM	03/28/85	

Small Entity: Undetermined

Agency Contact: Sarah A. Miller, Attorney - Adviser, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AB78

21. REGULATION 14C DISTRIBUTION OF INFORMATION PURSUANT TO SECTION 14(C)

Priority: Undetermined

Legal Authority: 15 USC 78n(a) Exchange Act; 15 USC 78w(a) Exchange Act

CFR Citation: 17 CFR 240.14c-1 to 240.14c-7; 17 CFR 240.14c-101

Abstract: Regulation 14C consists of seven rules and Schedule 14C, which contain requirements as to the dissemination, content and filing of information statements in connection with annual or other meetings of holders of securities registered pursuant

to Section 12 of the Exchange Act and annual reports to security holders accompanying or preceding such information statements. The Rules are intended to enable security holders to make informed voting decisions in any matters to be acted upon at annual or other meetings in those situations where proxies are not being solicited. This regulation is being reviewed in conjunction with the Commission's examination of its proxy rules. The review will attempt to identify ineffective or outmoded rules and, as appropriate, rescind or replace such rules with alternatives designed to maximize shareholder protection while minimizing burdens on issuers. The review also will update rules where necessary to accord with changes in state law.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	La La Contrada

Small Entity: Undetermined

Agency Contact: Sarah A. Miller, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA24

22. PROPOSED TENDER OFFER RULE AMENDMENTS

Priority: Undetermined

Legal Authority: 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78c(b); 15 USC 78n(d); 15 USC 78n(e); 15 USC 78w(a)

CFR Citation: 17 CFR 240.14d-1 to 240.14d-101: 17 CFR 240.14e-1 to 240.14e-3

Abstract: The Advisory Committee on Tender Offers conducted an extensive examination of the tender offer process and other techniques for acquiring control of public companies. It recommended to the Commission legislative and regulatory changes necessary or appropriate to the current regulatory scheme. On July 8, 1983, the Committee submitted to the Commission its Report of Recommendations. Among other things. the Committee made recommendations with respect to the economic implications of tender offers and other acquisition techniques, the need for, nature and objectives of such activities and appropriate statutory and regulation modifications. The

Commission intends to promulgate proposed regulatory changes related to the recommendations of the Committee.

Timetable:

Action	Date		FR	Cite
ANPRM	06/29/84	49	FR	26751
ANPRM Comment Period Begin	06/29/84	49		26751
ANPRM Comment Period End	09/26/84			

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Thomas E. Sweeney, Jr., Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA50

23. REPORTS OF DIRECTORS, OFFICERS AND PRINCIPAL STOCKHOLDERS

Legal Authority: 15 USC 78m(d); 15 USC 78p(a); 15 USC 78p(b); 15 USC 78p(c); 15 USC 78p(e); 15 USC 78w(a)

CFR Citation: 17 CFR 240.16a-1 to 240.16a-11; 17 CFR 240.16b-1 to 240.16b-11; 17 CFR 240.16c-1 to 240.16c-3; 17 CFR 240.16c-1; 17 CFR 240.13d-3; 17 CFR 240.14d-1; 17 CFR 229.403; 17 CFR 249.103; 17 CFR 249.104

Abstract: The Commission will review the existing rules and reporting forms intended to implement the provisions of Section 16 of the Securities Exchange Act. Section 16 seeks to deter misuse of inside information by imposing certain periodic and transactional reporting requirements on the officers, directors and principal beneficial shareholders of companies registered under that Act as well as certain limitations on equity transactions by those persons. Over the years the Commission has adopted a number of rules and forms to clarify the applicability of Section 16's requirements to particular circumstances. The Commission will examine their current suitability in light of the purposes of the statute. The Commission also will examine the concept of beneficial ownership for purposes of Sections 13, 14 and 16 of the Securities Exchange Act. Section 13 provides notice of possible changes in control of a registrant by imposing certain reporting requirements on persons acquiring beneficial ownership

of 5% or more of a registrant's equity securities. Section 14, which regulates the proxy solicitation process, contains a (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: requirement calling for disclosure of the extent of beneficial ownership by certain persons. In 1978, the Commission, after a series of public hearings, adopted a definition of beneficial ownership for purposes of Section 13 and Section 14. That standard was not applied to Section 16 in view of its distinct purpose. This has resulted in some confusion as well as reporting and interpretive difficulties. The Commission will review the area to determine whether a single comprehensive definition can be adopted. The Commission believes that these actions will result in savings to persons subject to these provisions with no reduction in investor protection. This initiative is a consolidation of five projects that were previously listed separately in the October 1983 agenda.

Agency Contact: Elliot M. Pinta. Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW (Stop 2-10), Washington, DC 20549, 202 272-2589

RIN: 3235-AB14

24. TRUST INDENTURE ACT RULES

Legal Authority: 15 USC 77s

CFR Citation: 17 CFR 260

Abstract: The Trust Indenture Act and the rules promulgated thereunder are being examined comprehensively in order to update their requirements in light of current commercial and business practices. The Commission is considering both rule changes and proposed amendments to the Act itself. The primary areas of the Commission's focus are the qualifications for eligibility of, the duties imposed on and the procedures for qualification of indenture trustees.

EN		

Action	Date	FR Cite
NPRM	12/31/84	Secretary.

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William Morley, Chief Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2573

RIN: 3235-AB43

Securities Markets and Securities Industry Rules

25. RULE 3A4-1 - ASSOCIATED PERSONS OF AN ISSUER DEEMED NOT TO BE BROKERS

Priority: Undetermined

Legal Authority: 15 USC 240.3a4-1

CFR Citation: 17 CFR 240.3a4-1

Abstract: The proposed rule would provide a non-exclusive safe harbor from liability under the broker-dealer provisions of the Securities Exchange Act of 1934 to associated persons of an issuer who participate in sales of the issuer's securities and who meet the conditions of the rule. Over the years, the question of whether a issuer's employees who participate in sales of the issuer's securities must register as brokers has generated numerous requests for interpretive advice. Rule 3a4-1 would codify past positions and provide guidance to future issuers. As an alternative, the staff could continue to provide advice on a case by case basis. Rule 3a4-1 is designed to strike a balance between the compelling need of issuers, particularly small issuers, to raise inexpensive capital and the Commission's statutory responsibility to protect investors. The rule should reduce the number of interpretive requests received by the staff with a corresponding reduction in costs to issuers of requesting such advice.

Timetable:

Action	Date		FR	Cite
NPRM	05/09/84	49	FR	20512
NPRM Comment Period Begin	05/15/84	49	FR	20512
NPRM Comment Period End	06/29/84			

Next Action Undetermined Small Entity: Undetermined Analysis: Draft RFA 05/09/64 (49 FR 20512)

Agency Contact: Susan J. Walters, Branch Chief, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AB53

26. RULE 3A12-9

Priority: Undetermined

Legal Authority: 15 USC 78c(a)(12); 15 USC 78g; 15 USC 78k

CFR Citation: 17 CFR 240.3a12-9

Abstract: Proposed Rule 3a12-9 would provide an exemption from Sections 7(c) and 11(d)(1) of the Exchange Act for public offerings of direct participation interests with installment payment features. This rule is being proposed, in part, as a response to a proposal made by the National Association of Securities Dealers and has the concurrence of the staff of the Federal Reserve Board. If adopted, the rule would enhance investor protection by encouraging registration of interests in direct participation programs that are sold on an installment basis and by requiring that these programs become subject to and remain in compliance with the reporting requirements of Section 12(g) of the Exchange Act until the total purchase price of the program security is discharged.

Timetable:

Action	Date		FR	Cite
NPRM NPRM Comment Period Begin	11/27/84 02/21/85	49	FR	46556

Next Action Undetermined

Small Entity: No

Agency Contact: Kathryn V. Natale, Attorney-Adviser, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW. Washington, DC 20549, 202 272-2848

RIN: 3235-AB51

27. PROPOSED RULE 3B-9: APPLICABILITY OF BROKER-DEALER REGISTRATION TO BANKS

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c; 15 USC 78o; 15 USC 78w(a)

CFR Citation: 17 CFR 240.3b-9

Abstract: Under proposed Rule 3b-9, a bank could not rely on the exclusion for banks in Sections 3(a)(4) and 3(a)(5) of the Securities Exchange Act of 1934 when it: (i) publicly solicits brokerage business; (ii) receives transaction related compensation for providing brokerage services for trust, managing agency accounts or other accounts to which the bank provides investment advice; or (iii) deals in or underwrites (on either a firm commitment or best efforts basis) securities other than exempted or municipal securities.

Timetable:

Action	Date		FR	Cite
NPRM	11/15/83	48	FR	51930
NPRM Comment Period Begin	11/15/83	48	FR	51930
NPRM Comment Period End	02/15/84			

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Mary Chamberlin, Chief Counsel, Division of Market Regulation, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AB49

28. • RULE 10B-10 - CONFIRMATION DISCLOSURE FOR REPORTED SECURITIES

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c; 15 USC 78i; 15 USC 78i; 15 USC 78k; 15 USC 78k; 15 USC 78k; 15 USC 78q; 15 USC 78w

CFR Citation: 17 CFR 240.10b-10

Abstract: The amendment to Rule 10b-10 would require broker-dealers to report to customers on confirmations, the trade prices and mark-ups on principal transactions in reported securities.

Timetable:

Action	Date		FR	Cite
NPRM	02/04/85			
NPRM Comment Period Begin	02/04/85	50	FR	5766
NPRM Comment Period End	03/29/85			

Small Entity: Undetermined

Agency Contact: Leland Goss, Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2827

RIN: 3235-AB81

29. PROPOSED RULE 11A-1--CUSTOMER ORDER EXPOSURE

Priority: Undetermined

Legal Authority: 15 USC 78b Exchange Act; 15 USC 78c Exchange Act; 15 USC 78f Exchange Act; 15 USC 78f Exchange Act; 15 USC 78j Exchange Act; 15 USC 78change Act; 15 USC 78w Exchange Act

CFR Citation: 17 CFR 240.11A-1

Abstract: In connection with the partial removal of exchange off-board trading restrictions through Rule 19c-3, the Commission has proposed a revised rule, Rule 11A-1, to address order exposure concerns. Proposed Rule 11A-1 would require exchange and over-thecounter market makers in Rule 19c-3 securities, prior to executing an order as principal, to hold the order out for 30 seconds, thereby allowing other market makers to compete for that order. Alternatively, the proposed rule would permit the market maker to compete for orders by maintaining competitive quotations in the National Association of Securities Dealers' Computer Assisted Execution System or the Cincinnati Stock Exchange's National Securities Trading System, and routing orders to those systems. The proposed rule also contains a number of specific exceptions to order exposure requirements. The Commission will consider public comment on the impact of the proposed rule on small brokerdealers in connection with its final rulemaking.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	12/23/82	
NPRM	12/30/82	47 FR 58287
NPRM Comment Period End	03/01/83	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: The Commission deferred adopting the Rule on an indefinite basis on July 28, 1983.

Agency Contact: Andrew E. Feldman, Staff Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2388

RIN: 3235-AA39

30. • RULE 15C2-4 -- TRANSMISSION OR MAINTENANCE OF PAYMENTS RECEIVED IN CONNECTION WITH UNDERWRITINGS

Priority: Undetermined

Legal Authority: 15 USC 780; 15 USC

CFR Citation: 17 CFR 240.15c2-4

Abstract: Rule 15c2-4 applies to bestefforts distribution of securities that are conducted on any basis where payment will no be made to the issuer until some further event or contingency occurs. It requires a broker-dealer participant either promptly to deposit investor's funds into a separate bank account, or promptly to transmit such funds to a bank escrow agent, pending the occurrence of the contingency. The purpose of the rule is to insulate offering proceeds from unlawful activities by, or the financial reverses of, the broker-dealer, pending the occurrence of the contingency. Amendments to the rule are being considered that would resolve ambiguities and to codify interpretive positions taken by the staff since the rule's adoption in 1962. An interpretive release is being considered as an alternative. Neither action would increase the costs of complying with the rule since either action would simply clarify, not change, the application of the rule. The benefits of either action would be eliminating confusion and ambiguity, more clearly defining a broker-dealer's responsibilities under the rule, and greater uniformity in industry practice.

Timetable:

Action	Date	FR Cite
All residence and the second		

Next Action Undetermined Small Entity: Undetermined Agency Contact: Nancy J. Burke, Branch Chief, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2848

RIN: 3235-AB57

31. RULE 17AD-5 -- RESPONSE TO INQUIRIES

Priority: Undetermined

Legal Authority: 15 USC 78q-1(d) Ex-

change Act

CFR Citation: 17 CFR 240.17Ad-5

Abstract: The proposed amendment to Rule 17Ad-5 would require registered transfer agents to respond to securityholder inquiries respecting dividend and interest claims within five business days of receipt. The registered transfer agent would not be required, however, to pay those claims within the time frame set forth in the proposed amendment. This amendment is designed to accelerate the time frame within which dividend claims are researched and settled. The proposed amendment will be evaluated in light of the relative costs and benefits to the public and the transfer agent industry.

Timetable:

Action	Date		FR	Cite
NPRM	06/10/83	48	FR	28109
NPRM Comment Period Begin	06/10/83	48	FR	28109
NPRM Comment Period End	09/01/83			
Reproposed Amendments	09/30/84			DIG TO
Final Action Effective	05/00/85			

Small Entity: Undetermined

Agency Contact: Sandra Sciole, Branch Chief, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549, 202 272-2775

RIN: 3235-AB12

Investment Management Rules
32. AMENDMENT TO RULE 180 -EXEMPTION FROM REGISTRATION
OF CERTAIN INTERESTS AND
PARTICIPATIONS IN CERTAIN H.R. 10
PLANS

Priority: Undetermined

Legal Authority: 15 USC 77c(a)(2); 15 USC 77s(a)

CFR Citation: 17 CFR 230.180

Abstract: Rule 180 provides an exemption from the registration requirements of the Securities Act for interests and participations issued in connection with certain qualified H.R. 10 plans. In order for interests in funding media issued to plans established by financially inexperienced employers to qualify for the rule's exemption, the rule, as adopted, requires those employers to obtain financial advice from an independent expert prior to adopting the H.R. 10 plan. Among other things, the Commission is considering proposing an amendment to Rule 180 that would codify a present "no-action" position regarding the situation where a financially unsophisticated employer has already established a plan for its employees without obtaining advice from an independent expert, and intends either to change the funding medium or add another funding medium to the choices already available to employees. The issuer of the funding medium in such a case would be in compliance with the rule if the issuer has reasonable grounds to believe and. after having made reasonable inquiry. does believe, that an independent financial expert reviewed the funding medium prior to the investment of the (cont)

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: plan's assets in that funding medium. The type of amendment being considered would impose no additional compliance cost, and would increase the flexibility of existing plans and the number of investment choices available to participating employees.

Agency Contact: Elizabeth M. Knoblock, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3036

RIN: 3235-AA08

33. PROSPECTUS SIMPLIFICATION AMENDMENTS TO FORM N-2

Legal Authority: 15 USC 80a-8 Investment Company; 15 USC 77g Securities Act; 15 USC 77j Securities Act CFR Citation: 17 CFR 239.14; 17 CFR 274.11a-1

Abstract: Form N-2 is the registration statement form under the Investment Company Act of 1940 and the Securities Act of 1933 for closed-end management investment companies other than small business investment companies and companies which issue periodic payment plan certificates or which are sponsors or depositors of companies issuing such certificates. Included within the registration statement are the companies' prospectuses used in offering their securities to the public. The Commission believes a simplified prospectus is necessary because current prospectuses have become too cumbersome for the average investor to understand and because current requirements result in the disclosure of much information that is not necessarily material to an investment decision. Simplification will, therefore, make disclosure easier for investors to understand and reduce the costs and burdens of of preparing and distributing prospectuses. Accordingly, the Commission is proposing a new form N-2A that most likely would be structured as a three-part form, one part of which would be a new simplified prospectus. There does not currently exist (cont)

Timetable:

Action Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: a basis upon which to quantify the reduced costs and burdens of such action on those registrants affected. The contemplated amendments are still in the developmental stage and have not yet been formally proposed by the Commission. Thus, the extent of the simplification of investment companies' prospectuses actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are expected to reduce the cost of registration for both the industry and government.

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3040

RIN: 3235-AB40

34. • REVISIONS TO EXPENSE-RELATED DISCLOSURE REQUIREMENTS OF FORM N-1A

Legal Authority: 15 USC 77g; 15 USC 77j; 15 USC 77s

CFR Citation: 17 CFR 239.15A; 17 CFR 274.11A

Abstract: On November 9, 1984, the Commission issued a release (Investment Company Act Release No. 14230; 49 FR 45172) soliciting public comment on proposed revisions to Item 5, Management of the Fund, of Form N-1A, the registration form under the Securities Act of 1933 and the Investment Company Act of 1940 used by open-end, management investment companies other than registered separate accounts of insurance companies. The revised Item 5 would require a consolidation of all narrative information in the prospectus concerning significant expenses of the registrant and would add a tabular presentation setting forth the major types of expenses, the names of the payees, and the amount of the expense, expressed as a percentage of average net assets.

Timetable:

Action	Date		FR	Cite
NPRM	11/09/84	49	FR	45172
NPRM Comment Period End	01/14/85			
Final Action	06/00/85			

Small Entity: No

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-3040

RIN: 3235-AB73

35. SIMPLIFICATION OF REGISTRATION STATEMENTS FILED BY UNIT INVESTMENT TRUSTS

Priority: Undetermined

Legal Authority: 15 USC 80a-8; 15 USC 77g; 15 USC 77j

CFR Citation: 17 CFR 239.16; 17 CFR 274.12

Abstract: Forms S-6 and N-8b-2 are the registration statement forms under the Securities Act of 1933 and the Investment Company Act of 1940, respectively, for unit investment trusts. Included within Form S-6 is the trust's prospectus used in offering securities to the public. A substantial amount of the

information required by Form N-8b-2 is also required by Form S-6. Consequently, one goal of the Commission with regard to simplification of registration statements for unit investment trusts is the integration of the disclosure requirements of Forms S-6 and N-8b-2. The Commission also believes that current prospectuses for unit investment trusts have become too cumbersome for the average investor to understand and that current disclosure requirements result in the dissemination of much information that is not necessarily material to an investment decision. Simplification of prospectus requirements for unit investment trusts will, therefore, make disclosure easier for investors to understand and reduce the costs and burdens on those registrants affected. Since the action will apply to all unit investment trust registrants it is expected to have a significant economic impact on a (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: substantial number of small entities. However, the contemplated amendments are still in the developmental stage and have not been formally proposed by the Commission. Thus, the extent of the simplification of unit investment trust prospectuses actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are anticipated to be significant.

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3040

RIN: 3235-AA47

36. REGISTRATION OF INVESTMENT COMPANY SECURITIES ISSUED IN BUSINESS COMBINATION TRANSACTIONS

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78n; 15 USC 78w; 15 USC 80a-20; 15 USC 80a-37

CFR Citation: 17 CFR 210.3-05; 17 CFR 230; 17 CFR 240.14a-3; 17 CFR 240.14a-6; 17 CFR 239; 17 CFR 274

Abstract: Rule 145 under the Securities Act of 1933 states that certain mergers and business combination transactions involve an offer or sale of securities subject to separate registration under section 5 of the Act. Transactions subject to the rule must either be registered on Form S-14 or, in the case of open-end investment companies, the registrant may register on its usual form as long as the disclosure requirements of Form S-14 are satisfied. The filing of the registration statement satisfies the requirement for filing a proxy statement and form of proxy or information statement and the transmittal of such material to security holders satisfies the requirements of the Securities Act for the furnishing of a prospectus. Included within Form S-14 is the company's prospectus used in offering the securities issued in the transaction. The disclosure required by Form S-14 results in prospectuses that are too long and complex, particularly with regard to business combination transactions that involve relatively small acquired companies. Moreover, the separate registration requirement does not permit (cont)

Timetable:

Action	Date	FR Cite
Final Action	03/31/85	THE TOTAL
NPRM	04/30/85	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: registrants to supply their current prospectus or other filed documents to satisfy any of the information requirements. Proposed Form N-14 would reduce and simplify the amount of information required in the prospectus and reduce the cost and burden on investment company registrants by permitting those companies to substitute documents currently on file with the Commission in place of certain information required to be contained in the prospectus. The action is expected to have a significant economic impact of a substantial number of small entities but the extent of this impact is unknown at this time.

Agency Contact: Mary Podesta, Chief. Securities and Exchange Commission. Office of Disclosure and Adviser Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2107

RIN: 3235-AB42

Current and Projected Rulemakings

37. • RULES 30B1-(T) AND 27D-4(T) UNDER THE INVESTMENT COMPANY ACT OF 1940, TEMPORARY SUSPENSION OF QUARTERLY REPORTING OBLIGATION OF CERTAIN INVESTMENT COMPANIES

Legal Authority: 15 USC 78m; 15 USC 78o(d); 15 USC 78w(a); 15 USC 80a-8; 15 USC 80a-29; 15 USC 80a-37

CFR Citation: 17 CFR 240.13a-12; 17 CFR 240.15d-12; 17 CFR 270.27d-3; 17 CFR 270.30b1-1; 17 CFR 270.30b1-2; 17 CFR 240.13a-1; 17 CFR 240.13a-16; 17 CFR 240.15d-13; 17 CFR 240.15d-16; 17 CFR 274.106; 17 CFR 274.127d-2

Abstract: In Release No. IC-14299 (January 11, 1985), the Commission proposed for public comment the withdrawal of Form N-1Q, the quarterly report form for management investment companies; Form N-27D-2, the quarterly report form for investment companies that are issuers of periodic payment plan certificates; and Rule 30b1- 2 under the Investment Company Act, which prescribes the quarterly report for wholly-owned registered investment companies. Form N-27D-2 is no longer necessary. Questions serving the same purpose as Rule 30b1-2 and the items of Form N-1 Q have been incorporated into form N-SAR in connection with adoption of the new semi-annual report for investment companies. The release also adopts Rule 27d-4(T), which suspends temporarily the obligation to file Form N-27D-2; and Rule 30b1-5 (T), which suspends temporarily the obligation to file Form N-1Q. Withdrawal of the quarterly reports was proposed to eliminate costly, burdensome, and unnecessary filing requirements.

Timetable:

Action	Date		FR	Cite
NPRM	01/11/85	50	FR	1442
NPRM Comment Period Begin	01/11/85	50	FR	1442
Interim Final Rule	01/11/85	50	FR	1442
NPRM Comment Period End	03/05/85			

Small Entity: Yes

Agency Contact: Elizabeth K.
Norsworthy, Chief, Office of Regulatory
Policy, Securities and Exchange
Commission, Investment Management,
450 5th Street, N.W. (Stop 5-2),
Washington, D.C. 20549, 202 272-2048

RIN: 3235-AB75

38. REVISION OF INVESTMENT COMPANY PROXY RULES

Priority: Undetermined

Legal Authority: 15 USC 78n; 15 USC 78w; 15 USC 80a-20; 15 USC 80a-37

CFR Citation: 17 CFR 240.14a-1 to 240.14a-102; 17 CFR 240.14b-1; 17 CFR 240.14c-1 to 240.14c-101; 17 CFR 270.20a-1; 17 CFR 270.20a-2; 17 CFR 270.20a-3

Abstract: Absent an exception, every solicitation of a proxy, authorization or consent in respect of any security with respect to which a registered investment company is the issuer, is subject to rules adopted pursuant to the Securities Exchange Act of 1934 and the Investment Company Act of 1940 concerning solicitations of proxies. Solicitations to which the rules apply may not commence unless each person solicited is furnished or has previously been furnished with a proxy statement containing specified information prepared in accordance with certain rules and the material has been filed with the Commission. The existing proxy rules were adopted in piecemeal fashion and have been the subject of frequent changes. This has led to certain duplicative and, in certain cases, complex requirements. To the extent that a proxy statement contains repetitive material or is overly complicated and difficult to read, it may not effectively perform its intended function of communicating meaningful information to security holders in order that they may make informed voting decisions. In order to update the proxy regulations and, in doing so, improve the (cont)

Timetable:

Action	Date	FR	Cite
Action	Date	rn	CHE

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: readability of proxy statements and eliminate unnecessary disclosure costs, the Commission has commenced a comprehensive review of the proxy regulations as they relate to investment

companies. There does not currently exist a basis upon which to quantify the reduced costs and burdens of such action on those registrants affected. Since the action will apply to all registered investment companies soliciting proxies, unless the solicitation is excepted, the Action is expected to have a significant impact on a substantial number of small entities. However, the contemplated revisions are still in the developmental stage and have not yet been formally proposed by the Commission. Thus, the extent of the revision actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are anticipated to be significant.

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3040

RIN: 3235-AA69

39. • SIMPLIFICATION OF PROCEDURES FOR MANAGERS REQUESTING CONFIDENTIAL TREATMENT FOR OPEN RISK ARBITRAGE POSITIONS REPORTED ON FORM 13F

Legal Authority: 15 USC 78c(b); 15 USC 78m(f); 15 USC 78(w)

CFR Citation: 17 CFR 249.325

Abstract: On December 5, 1984, The Commission proposed for public comment amendments to the instructions to Form 13F under the Securities Exchange Act of 1934. The amendments would simplify the procedures for requesting confidential treatment of certain risk arbitrage positions filed on the form, and place time limitations on confidential treatment requests for securities holdings where the holdings constitute confidential commercial information. It is estimated that the proposed amendment will reduce the time necessary to prepare Form 13F with a related confidential treatment request of open risk arbitrage positions by 75%.

Timetable:

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Action	Date	FR Cite
NPRM	12/05/84	49 FR 48318
NPRM Comment Period Begin	12/05/84	
NPRM Comment Period End	01/14/85	
Final Action	03/15/85	

Small Entity: No

Agency Contact: Susan P. Hart, Attorney, Securities and Exchange Commission, Investment Management, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2098

RIN: 3235-AB72

40. © LOANS, EXTENSIONS OF CREDIT, DONATIONS AND CAPITAL CONTRIBUTIONS TO ASSOCIATE COMPANIES

Legal Authority: 15 USC 79 (I)(b)

CFR Citation: 17 CFR 250.45 (b)(6), (New)

Abstract: Section 12 (b) of the Public Utility Holding Company Act of 1935 makes it unlawful for a registered holding company or subsidiary company to lend or in any manner extend its credit to or indemnify any company in the same system in contravention of rules, regulations and orders of the Commission. Rule 45(a) provides that such extensions and indemnifications will be determined on a case by case basis pursuant to application and Commission order. Rule 45(b) grants certain limited exceptions to 45(a). Increasingly the parent company has been seeking Commission approval to act as surety guarantor or indemnifier for its subsidiaries because this avoids such subsidiaries from either having to pay to third party premiums or to pay greatly reduced premiums. A rule exempting from prior Commission approval would save the holding company system companies the filing fees and other expenses such as attorney fees. Staff time would be saved because staff would no longer have to process applications.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: No

Agency Contact: Michael L. Haase, Special Counsel, Securities and Exchange Commission, Office of Public Utility Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-7686

RIN: 3235-AB98

41. C EXEMPTIONS FROM SECTION 17(C) OF THE ACT

Legal Authority: 15 USC 79q(c) CFR Citation: 17 CFR 250.70 Abstract: Under Section 17(c) of the Public Utility Holding Company Act of 1935 officers or representatives of certain financial institutions are disqualified from serving as officers or directors of registered holding company system companies. Current Rule 70 provides certain exemptions. The registered holding companies have indicated that too many otherwise qualified persons are excluded because of Section 17(c). The rule is presently being re-evaluated to determine if it is possible to broaden the current exemptions. In dollar terms there will be no costs or benefits. In non-dollar terms, there will be a greater number of persons eligible to serve on the boards or registered holding company system companies.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: No

Agency Contact: Michael L. Haase, Special Counsel, Securities and Exchange Commission, Office of Public Utility Regulation, 450 5th Street, N.W., Washington, D.C., 20549, 202 272-7686

RIN: 3235-AB99

42. MUTUAL FUND GOVERNANCE

Priority: Undetermined

Legal Authority: 15 USC 80a-16(c); 15 USC 80a-35; 15 USC 80a-6(c)

CFR Citation: Not yet determined

Abstract: On December 10, 1982, the Commission issued an advance concept release (Investment Company Act Release No. 12888, (47 FR 56509)) soliciting public comment on whether the Commission should propose rules or recommend legislation which would provide for an alternative form of mutual fund governance. Specifically, this release requests comment on whether mutual funds should be exempted from shareholder voting and/or director requirements under the Investment Company Act of 1940 (the "Act") and, if so, whether conditions could be fashioned which would adequately insure against loss of investor protection. Although such changes might be effected through rulemaking, the Commission has indicated that, in its preliminary judgment, changes of this magnitude should be effected through legislative rather than administrative action. Since

the costs and benefits of providing for an alternative scheme of mutual fund governance cannot be estimated at the present time, the release solicits specific comment on the costs and benefits which would result from such changes. Extension of comment period until April 18, 1983 was announced in Investment Company Act Release No. 13012 (cont)

Timetable:

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Action	Date		FR	Cite
ANPRM	12/10/82	47	FR	56509
Ext'n of Comment Period to 4/18/83	02/07/83	48	FR	6354
ANPRM Comment Period End	04/18/83	48	FR	6354

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: (February 7, 1983) 48 FR 6354.

Agency Contact: Elizabeth M. Knoblock, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street NW (Stop 5-2), Washington, DC 20549, 202 272-3036

RIN: 3235-AA44

43. PROPOSED RULE 2A-41 (FORMERLY DESIGNATED RULE 2A-9) UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

Legal Authority: 15 USC 80a-6c; 15 USC 80a-6c; 15 USC

CFR Citation: Not yet determined

Abstract: The Commission is considering whether to propose a rule that would permit investment companies to acquire standby commitments solely for the purpose of facilitating portfolio liquidity and to value such commitments in a fashion consistent with their limited purpose. Such a rule would obviate the need for investment companies to file applications for exemptive relief from sections 2(a)(41) and 12(d)(3) of the Investment Company Act.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	DUNE VI

Small Entity: Undetermined

Current and Projected Rulemakings

Agency Contact: Elizabeth Norsworthy. Attorney, Securities and Exchange Commission, 450 5th Street NW (Stop 5-2), Washington, DC 20549, 202 272-2048

RIN: 3235-AB38

44. PROPOSED RULE 3A-4 --INDIVIDUALIZED INVESTMENT MANAGEMENT SERVICES

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c): 15 USC 80a-37(a); Investment Company Act, Sec 6(c); Investment Company Act, Sec 38(a)

CFR Citation: 17 CFR 270.3a-4

Abstract: In Investment Company Act Release No. 11391 (October 10, 1980) [45 FR 69479) the Commission proposed for public comment Rule 3a-4, which would deem investment management services providing their clients with individualized treatment not to be investment companies for purposes of the Act. The rule provides a "safe harbor" for any investment manager providing its clients with treatment based on the needs and goals of each client. Under such circumstances, regulation of investment management services under the Act appears unnecessary. The proposed rule was intended to clarify the Commission's position on the question of "miniaccounts" by providing a safe harbor for certain investment management services and thereby provide some certainty to the public. The Commission does not expect any final action taken on the proposal to significantly affect the cost of providing investment management services. The public comment letters on the proposal have been reviewed and alternatives for final action are being formulated.

Timetable:

Action	Date	min.	FR	Cite
NPRM Comment Period Begin	10/10/80	45	FR	69479
NPRM	10/21/80	45	FR	69479
NPRM Comment Period End	01/31/81			

Next Action Undetermined

Small Entity: Undetermined

Additional Information: NPRM is Release No. IC-11391 (10/10/80)

Agency Contact: William C. Gibbs. Esq., Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2147

RIN: 3235-AA12

45. PROPOSED RULES 11A-3 AND 11A-4 UNDER THE INVESTMENT **COMPANY ACT**

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c): 15 USC 80a-11(a); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.11a-3; 17 CFR

270.11a-4

Abstract: The Commission is considering whether to propose a Rule 11a-3 and a Rule 11a-4 which would exempt certain persons from the requirements of Section 11(a) of the Investment Company Act. That section generally prohibits any registered openend investment company and the principal underwriter of its shares from making an offer to a shareholder to exchange his security for another security on any basis other than the net asset values of the securities to be exchanged without approval of the Commission. Section 11(c) extends the prohibitions of Section 11(a) to offers of the securities of unit investment trusts. The Commission has issued numerous orders permitting open-end management companies and the principal underwriter(s) of their shares to make exchange offers on the basis of the relative net asset value of the securities being exchanged plus a sales load equal to the difference between the sales load which would otherwise be charged on the securities to be acquired and on the securities to be exchanged. The Commission has also issued orders permitting unit investment trusts and their sponsors to make offers of exchange based on the relative net asset (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	han to say

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: value of the respective securities plus a fixed fee to cover expenses. The proposed rules would codify such orders (Rule 11a-3 for management companies; Rule 11a-4 for unit investment trusts) thereby

eliminating the cost for small companies of preparing applications seeking the orders. Thus, the proposed rules would have a beneficial economic impact on such companies. The proposed rules would contain several conditions to assure the protection of investors. Any such conditions would be included in the rule in order to adequately protect investors against the abuses addressed by Section 11.

Agency Contact: Elizabeth M. Knoblock, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549. 202 272-3036

RIN: 3235-AA14

46. PROPOSED AMENDMENT TO RULE 17G-1 UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c): 15 USC 80a-17(g); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270,17g-1

Abstract: The Commission is considering whether to adopt an amendment to Rule 17g-1 under the Investment Company Act. The amendment was proposed for public comment in Investment Company Act Release No. 11193 (June 2, 1980) (45 FR 38407). Rule 17g-1 requires every registered investment company to provide and maintain a bond against larceny and embezzlement covering officers and employees of the company. In some circumstances, the officers and employees of a company's depositor, trustee, investment adviser or other manager and various affiliates of such persons, because they have access to the company's assets, function as officers and employees of the investment company. The proposed amendment to the rule would clarify the scope of the rule by explicitly requiring the bonding of such persons. The principal cost associated with this rule would be the cost of a bond. That cost would vary according to the persons required to be bonded by the rule. In this regard, before adopting any amendment to the rule, the Commission will carefully consider what persons should be bonded to protect investors adequately, weighing the benefits of the protection against the cost of a bond.

Timetable:			Henry L	
Action	Date		FR	Cite
NPRM	06/02/80	45	FR	38407
NPRM Comment Period Begin	06/02/80	45	FR	38407
NPRM Comment Period End	07/18/80			
Final Action	06/30/85			

Small Entity: Undetermined

Agency Contact: William C. Gibbs, Esq., Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2147

RIN: 3235-AA16

47. RULE 17J-1 UNDER THE INVESTMENT COMPANY ACT OF 1940

Priority: Undetermined

Legal Authority: 15 USC 80a-17(j); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.17j-1

Abstract: Rule 17j-1 requires every access person of a registered investment company, or of an investment adviser of or principal underwriter for the investment company to report to the investment company certain of his securities transactions. The Commission is considering whether to propose an amendment to this rule which would reduce the reporting requirement for investment company directors who are interested persons with respect to the investment company by reason of their affiliation with a registered brokerdealer. Members of the industry have characterized these reporting requirements as unnecessarily burdensome in some instances. Any such rule amendment would have the effect of lessening the reporting requirements currently imposed by the rule. As a result, the staff believes that the costs, which should be insignificant, of complying with any amendment would be significantly less than the benefits it would provide. The staff is concurrently reviewing similar reporting requirements for investment advisers under Rule 204-2(a)(12) and (13) under the Investment Advisers Act, in order to (cont)

Timetable:

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Action	Date	FR Cite	関し
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NPRM 10/31/85
Small Entity: Undetermined

Additional Information: ABSTRACT CONT: harmonize the provisions of Rule 17j-1 and Rule 204-2 to the extent possible.

Agency Contact: Elizabeth M. Knoblock, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-3036

RIN: 3235-AA68

48. PRICING OF REDEEMABLE SECURITIES FOR DISTRIBUTION, REDEMPTION AND REPURCHASE

Priority: Undetermined

Legal Authority: 15 USC 80a-22c; 15 USC 37(a)

CFR Citation: 17 CFR 270.22c-1

Abstract: On November 21, 1984, The Commission proposed for comment an amendment to Rule 22c-1(b) and a new Rule 22e-2 under the Investment Company Act of 1940. The amendment to Rule 22c-1(b) would require investment companies subject to its provisions to compute the current net asset value of their redeemable securities at least every weekday (Monday through Friday) except for: (i) days which are customary United States business holidays that are stated in the prospectus, (ii) days on which no security is tendered for redemption and no customer order is received, or (iii) days when the degree of trading in the investment company's portfolio securities is such that the current net asset value of the investment company's redeemable securities will not be affected by changes in the value of the portfolio securities. New Rule 22e-2 would make it clear that an investment company would not be required to price redemption requests on days on which pricing would not be required under Rule 22c-1.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	11/27/84	49 FR 46558
NPRM Comment Period End	01/28/85	
Final Action	05/31/85	

Small Entity: No

Agency Contact: Jay B. Gould, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW, Washington, DC 20549, 202 272-2107

RIN: 3235-AB58

49. PROPOSED RULE 205-3 UNDER THE INVESTMENT ADVISERS ACT OF 1940

Priority: Undetermined

Legal Authority: 15 USC 806-6a

CFR Citation: 17 CFR 215.205-3

Abstract: Section 205 prohibits, with certain limited exceptions registered investment advisers from being compensated on a basis of a share of capital gains upon, or capital appreciation of, the kinds or any portion of the funds of a client. The Commission will consider whether to propose for comment a rule under Section 205 of the Advisers Act which would allow investment advisers to receive performance-based advisory fees under certain circumstances. The effect of a rule, if adopted, would be to allow advisers greater flexibility in striking their compensation arrangements than is now permitted. The staff is of the opinion that the benefits of complying with the proposed rule would far outweigh the costs and believes the costs, if any, associated with compliance would be insignificant.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	

Small Entity: Yes

Agency Contact: Forrest R. Foss, Special Counsel, Securities and Exchange Commission, Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-7318

RIN: 3235-AB70

50. METHOD FOR COMPLIANCE WITH SECTION 206(3) OF THE INVESTMENT ADVISERS ACT OF 1940 WITH RESPECT TO CERTAIN TRANSACTIONS

Legal Authority: 15 USC 80b-11(a)

CFR Citation: 17 CFR 206(3)-3

Abstract: Section 206(3) of the Investment Advisers Act of 1940 makes

Current and Projected Rulemakings

it unlawful for any investment adviser, by use of the mail or any means or instrumentality of interstate commerce, directly or indirectly, knowingly to effect a securities transaction (a) with a client while acting as principal or (b) for a client while acting as broker for a person other than such client, without disclosing in writing to such client before the completion of the transaction the capacity on which he is acting and obtaining the consent of the client to the transaction. The Commission is considering whether to propose a rule that would provide a nonexclusive method for compliance with the provisions of Section 206(3) of the Investment Advisers Act of 1940 in connection with purchases of securities from an underwriting syndicate for an advisory client under specified conditions. Because the proposed rule is still in the developmental stages, its potential effect on small entities and its potential costs and benefits as a whole are unknown at this time.

Timetable:

 Action
 Date
 FR Cite

 NPRM
 09/00/85

Small Entity: Undetermined

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-3040

RIN: 3235-AB74

51. • AMENDMENTS TO FORM ADV

Priority: Undetermined

Legal Authority: 15 USC 80b-3; 15 USC 80b-4; 15 USC 80b-11(a)

CFR Citation: 17 CFR 279.1

Abstract: The Commission and The North American Securities Administrators Association (NASAA) are working on developing a uniform registration system for investment advisers to be used by the Commission and those states which require advisers to register such. NASAA and members of the Commission staff have undertaken to develop uniform requirements for the filing of adviser forms, amendments and annual reports and a uniform approach to a "brochure" rule governing the kinds of disclosure advisers must make to clients and prospective clients. It is expected that a uniform registration form, based on the

Commission's Form ADV, will be presented to the NASAA membership for adoption in April 1985 and that, if adopted, it will be considered by the Commission in mid-1985. Because the form, if adopted, would provide greater uniformity in the registration process, it is expected to relieve investment advisers of significant burdens and costs. However, the extent to which a uniform Form ADV would provide cost savings and relieve burdensome requirements is unknown at this time.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Undetermined

Agency Contact: Mary Podesta, Chief, Office of Disclosure and Adviser Reg., Securities and Exchange Commission, Investment Management, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2107

RIN: 3235-AB71

SECURITIES AND EXCHANGE COMMISSION (SEC)

Securities Markets and Securities Industry Rules

52. • 7C2-1 EXEMPTION FROM SECTION F (C) (2) OF CERTAIN SECURITIES EXEMPTED FROM REGISTRATION OR ADMITTED TO TRADING ON EXCHANGES EXEMPTED FROM REGISTRATION

Priority: Undetermined

Legal Authority: 15 USC 78c(a)(12); 15 USC 78c(b); 15 USC 78w(a)

CFR Citation: 17 CFR 240.7c2-1

Abstract: The Rule exempts securities from the provisions of Section 7(c) (2) of the Securities Exchange Act which are listed on a National Securities Exchange and are exempt from the operation of Section 12(a) of the Securities Exchange ACt pursuant to a rule which specifically states that the Rule 7c2-1 will be applicable to the security. In addition, Rule 7c2-1 provides that securities which have listed or unlisted trading privileges on exchanges exempt from registration as a National Securities Exchange are

eligible for the extension of credit to the same extent under Section 7(c)(2) of the Securities Exchange Act as are securities registered on a National Securities Exchange.

Timetable:

Action	Date	FR Cite
End Review	12/31/85	S. ALLINY SI
Small Entity:	Undetermined	

Agency Contact: Edward L. Pittman, Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2848

RIN: 3235-AB97

53. ● DISCLOSURE OF CREDIT TERMS IN MARGIN TRANSACTIONS

Priority: Undetermined

Legal Authority: 15 USC 78b CFR Citation: 17 CFR 240.10b-16

Abstract: Rule 10b-16 requires brokerdealers who extend credit to customers

Existing Regulations Under Review

to finance securities transactions to furnish specified information with respect to the amount of and reasons for the credit charges. Rule 10b-16 is the Commission's response to an instruction from Congress to develop, to the extent practicable, rules implementing the policies of the Truthin-Lending Act. The Rule deals with disclosure of both interest charges and collateral requirements. The Rule requires specific disclosure in the case of changes in the rate of interest which a broker- dealer may put into effect without notice to the customer. If the rate of interest is subject to change without notice, the broker must specify the particular conditions under which it may be changes. The provision is aimed at the general practice in the industry under which interest rates changes on margin accounts change with shifts in call money rates. The broker must also describe any other credit changes that may be imposed, the method of determining them, and must disclose its requirements with respect to additional collateral.

Timetable:

Action

Date FR Cite

End Review

12/31/85

Small Entity: Undetermined

Agency Contact: Edward L. Pittman, Attorney Adviser, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2848

RIN: 3235-AB96

54. © RULE 12A-4 — EXEMPTION OF CERTAIN WARRANTS FROM SECTION 12(A)

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c(b); 15 USC 78w

CFR Citation: 17 CFR 240.12d1-1; 17 CFR 240.12d1-3; 17 CFR 240.12d1-5; 17 CFR 240.12d2-1(a); 17 CFR 240.12d2-2; 17 CFR 240.12f-1; 17 CFR 240.12f-2; 17 CFR 240.12f-3; 17 CFR 240.12f-4; 17 CFR 240.12f-6

Abstract: Rule 12a-4 ("rule") addresses the problem of registration under Section 12(a) of the Securities Exchange Act of 1934 ("Act") of temporary warrants that are admitted to trading on the national securities exchange. The rule provides an exemption from the operation of Section 12(a) of the Act, to the extent necessary to render legal transactions on a national securities exchange, for any warrant admitted to trading on such national securities exchange where such warrant by its terms will expire within 90 days of its issuance. No alternatives are being considered.

Timetable:

Action Date FR Cite

End Review 12/31/85

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB84

55. © RULE 12A-5 -- TEMPORARY EXEMPTION OF SUBSTITUTED OR ADDITIONAL SECURITIES

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c(b); 15 USC 78w

CFR Citation: 17 CFR 240.12d1-1; 17 CFR 240.12d1-3; 17 CFR 240.12d1-5; 17 CFR 240.12d2-2; 17 CFR 240.12d2-1(a); 17 CFR 240.12d2-2; 17 CFR 240.12f-1; 17 CFR 240.12f-2; 17 CFR 240.12f-3; 17 CFR 240.12f-4; 17 CFR 240.12f-5; 17 CFR 240.12f-6

Abstract: Rule 12a-5 addresses the problem of an additional issuance of or substitution for a class of securities (as by a security distribution or a corporate takeover and issuance of another security) that are admitted to trading on a national securities exchange, where the additional or substituted securities would not be registered under Section 12 of the Securities Exchange Act of 1934 ("Act"). Under Rule 12a-5 such additional or substituted securities would be exempt from the operations of Section 12(a) of the Act, to the extent necessary to render legal transactions on any national securities exchange, for up to 120 days which ordinarily would allow time for registration of or the granting of unlisted trading privileges for the additional or substituted securities. No alternatives are being considered.

Timetable:

Action Date FR Cite
End Review 12/31/85

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB85

56. PRULE 12A-6 -- EXEMPTION OF SECURITIES UNDERLYING CERTAIN OPTIONS FROM SECTION 12(A)

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c(b); 15 USC 78w

CFR Citation: 17 CFR 240.3b-1; 17 CFR 240.12-6

Abstract: Rule 12a-6 ("rule") addresses the problem of registration under Section 12(a) of the Securities Exchange Act of 1934 ("Act") for securities underlying options listed on a national securities exchange. The rule (1) defines the terms "option" and "underlying security" and (2) provides an exemption from the registration provisions of Section 12(a) of the Act for securities that underlie options where: (i) the option itself is registered on a national securities exchange, (ii) the only

transactions on such exchange with respect to such underlying securities consist of delivery and payment for the underlying security pursuant to the terms of the options, and (iii) the underlying security is registered and listed on another national securities securities exchange. Accordingly, the rule relieves such a national securities exchange from the need to register the underlying securities. No alternatives are being considered.

Timetable:

Action Date FR Cite
End Review 12/31/85

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB86

57. © RULE 12F-1 -- APPLICATIONS FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c(b); 15 USC 78l(e); 15 USC 78l(f)

CFR Citation: 17 CFR 240.12d1-1; 17 CFR 240.12d1-3; 17 CFR 240.12d1-4; 17 CFR 240.12d2-1; 17 CFR 240.12d2-1; 17 CFR 240.12d2-2; 17 CFR 240.12f-2; 17 CFR 240.12f-3; 17 CFR 240.12f-4; 17 CFR 240.12f-6

Abstract: Rule 12f-1 under the Securities Exchange Act of 1934 ("Act") which was originally adopted by the Commission in 1934 pursuant to Section 12(f) and 23(a) of the Act sets forth the information which an exchange must include in an application for unlisted trading privileges. An application must provide the name of the issuer, the title of the security, the names of any national securities exchange, if any, on which the security is listed or admitted to unlisted trading privileges, whether transaction information concerning the security is reported in the consolidated transaction reporting system, and any other pertinent information. This information is designed to enable the Commission to make findings required by the Act, to grant applications for unlisted trading privileges and, to make information available to members of the public who may wish to comment on the application. Without this information collection, the Commission

would be unable to make such findings. The operational costs of processing a typical Rule 12f-1 application are approximately \$17 (based on 1/2 hour of staff time valued at \$25 per hour with related overhead at 35% of the value of (cont)

Timetable:

Action Date FR Cite

End Review 12/31/85

Small Entity: No

Additional Information: ABSTRACT CONT: staff time). The annual cost is approximately \$16,390 based on an estimated 670 applications a year. Based on an informal survey of respondents we estimate that the cost of completing rule 12f-1 applications on average is \$41.

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB87

58. 9 RULE 12F-2 - CHANGES IN SECURITIES ADMITTED TO UNLISTED TRADING PRIVILEGES

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c(b); 15 USC 78w

CFR Citation: 17 CFR 240.12d1-1; 17 CFR 240.12d1-3; 17 CFR 240.12d1-4; 17 CFR 240.12d1-5; 17 CFR 240.12d2-1(a); 17 CFR 240.12d2-1; 17 CFR 240.12d2-1; 17 CFR 240.12f-3; 17 CFR 240.12f-4; 17 CFR 240.12f-

Abstract: Rule 12f-2 under the Securities Exchange Act of 1934 ("Act") was originally adopted in 1934 pursuant to Sections 12(f) and 23(a) of the Act. Rule 12f-2 requires that a national securities exchange report certain changes in a security admitted to unlisted trading privileges on such exchange. In general, the national security exchange would do so by filing Form 27 (17 CFR 249.27) which would provide the Commission with the name of the exchange filing the notice, the name of the issuer, a description of the security, and a brief summary of the changes effected in the security. The notices provided by Rule 12f-2 and Form 27 are designed to provide the Commission with information which is consistent with the maintenance of fair and orderly markets and the protection of investors, and generally to update

the Commission's records regarding such security. We estimate the operational costs of a typical application to amount to approximately \$17 (based on 1/2 hour of staff time valued at \$25 per hour with related overhead at 35% of staff time). Because the limited information required by the form is readily available, we estimate the cost of completing Form 27 to be (cont)

Timetable:

Date Action FR Cite **End Review** 12/31/85

Small Entity: No

Additional Information: ABSTRACT CONT: approximately \$27. No alternatives are being considered.

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB88

59. • RULE 12F-3 - TERMINATION OR SUSPENSION OF UNLISTED TRADING **PRIVILEGES**

Priority: Undetermined

Legal Authority: 15 USC 781(e); 15 USC 78l(f); 15 USC 78w

CFR Citation: 17 CFR 240.12f-1; 17 CFR 240.12f-2; 17 CFR 240.12f-3; 17 CFR 249.28

Abstract: Rule 12f-3 ("rule") addresses the problem of how the termination or suspension of unlisted trading privileges in a particular security traded on a national securities exchange may be initiated by the parties involved. The rule provides that: (1) the issuer of the security, a broker-dealer creating or making a market in the security, or other interested person may file an application for termination or suspension of unlisted trading privileges together with certain information about the applicant, the issuer, and the security; and (2) the national securities exchange on which the security is traded may in accordance with its rules terminate or suspend the security and must promptly file a Form 28 (17 CFR 249.28) notifying the Commission of such action. No alternatives are being considered.

Timetable:

Action Date FR Cite **End Review** 12/31/85

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB89

60. ● RULE 12F-4 -- EXEMPTION OF SECURITIES ADMITTED TO UNLISTED TRADING PRIVILEGES FROM SECTIONS 13, 14 AND 16

Priority: Undetermined

Legal Authority: 15 USC 781(f); 15 USC

CFR Citation: 17 CFR 240.12f-1; 17 CFR 240.12f-2; 17 CFR 240.12f-6

Abstract: Rule 12f-4 ("rule") addresses the problem of subjecting securities admitted to unlisted trading privileges on a national securities exchange to the filing requirements of Section 13, 14, and 16 of the Securities Exchange Act of 1934 ("Act"). The rule exempts any security admitted to unlisted trading privileges on a national securities exchange from the filing requirements of Section 13, 14, and 16 of the Act unless: (1) the security or another security of the same issuer is listed and registered on a national securities exchange or registered under Section 12(g)(1) of the Act or (2) the issuer is subject to the filing requirements of Section 15(d) of the Act. No alternatives are being considered.

Timetable:

Action FR Cite Date **End Review** 12/31/85

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB90

61. ● RULE 12F-6 - CONTINUANCE OF UNLISTED TRADING PRIVILEGES ON MERGED EXCHANGES

Priority: Undetermined

Legal Authority: 15 USC 781(e); 15 USC 78I(f); 15 USC 78w

CFR Citation: 17 CFR 240.12f-1; 17 CFR 240.12f-2

Abstract: Rule 12f-6 ("rule") of the Securities Exchange Act of 1934 addresses the problem of avoiding an interruption in unlisted trading privileges in a security where a national securities exchange that has unlisted trading privileges in such security is absorbed by another exchange. The rule provides that in event of such an absorption, the unlisted trading privileges may be continued on the surviving national securities exchange. No alternatives are being considered.

Timetable:

Action	Date	FR Cite
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End Review 12/31/85

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB93

62. © RULE 17AB2-1 --REGISTRATION OF CLEARING AGENCIES

Priority: Undetermined

Legal Authority: 15 USC 78q2-1 CFR Citation: 17 CFR 240.17Ab2-1

Abstract: Rule 17Ab2-1 requires applications for registration or exemption as a clearing agency as defined in Section 3(a)(23), or related amendments, to be filed on Form CA-1. If such an application was filed by November 24, 1975, the rule provided that the applicant is exempt from the requirements of Rule 17A(b) for described activities until the Commission grants or denies registration, or exempts the applicant. The rule also authorizes the Commission to register an applicant but exempt it from one or more requirements of Section 17A(b)(3)(A)-(I) for up to eighteen months. However, within nine months of such registration, the Commission must either fully register the applicant without exemption or institute proceedings to determine whether to deny registration. The rule also provides that filing an amendment extends the Commission's period for action by ninety days. In addition, if information contained in Form CA-1 Items 1-3 becomes

inaccurate, incomplete or misleading, the clearing agency must correct the information promptly. Finally, applications, as well as amendments and related documents, constitute "reports" or "applications" within the meaning of Section 17.17A.19.or (cont)

Timetable:

Action Date FR Cite
End Review 12/31/85

Small Entity: No

Additional Information: ABSTRACT CONT: 32(a) of the Act.

Agency Contact: John F. Connolly, Staff Attorney, Securities and Exchange Commission, Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2413

RIN: 3235-AB83

63. • RULE 19C-1 -- GOVERNING CERTAIN OFF-BOARD AGENCY TRANSACTIONS BY MEMBERS OF NATIONAL SECURITIES EXCHANGES

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c(b); 15 USC 78w

CFR Citation: 17 CFR 240.19c-1

Abstract: Rule 19c-1 ("rule") under the Securities Exchange Act of 1934 requires that a member of a national security exchange be permitted to effect over-the-counter agency transactions in securities listed or admitted to unlisted trading privileges on such an exchange with any other person not also represented as agent by that member (excluding only in-house agency cross transactions). The purpose of this rule is to provide certain persons, including third market brokers such as Instinet, a fair opportunity to compete. No other alternatives are being considered.

Timetable:

Action	Date	FR Cite
End Review	12/31/85	

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB91

64. FORM 27 - CHANGES IN SECURITIES ADMITTED UNLISTED TRADING PRIVILEGES

Priority: Undetermined

Legal Authority: 15 USC 78I(e); 15 USC 78I(f); 15 USC 78W

CFR Citation: 17 CFR 240.12f-2

Abstract: Form 27 provides the Commission with notice (pursuant to 17 CFR 240.12f-3(b)) of certain changes in a security admitted to unlisted trading privileges on a national securities exchange. Such notice to the Commission is necessary for the Commission to carry out its regulatory oversight responsibilities and is consistent with the maintenance of fair and orderly markets and the protection of investors. No alternatives are being considered.

Timetable:

Action	Date	FR Cite
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End Review 12/31/85

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB92

65. FORM 28 -- NOTIFICATION OF CHANGES IN SECURITIES ADMITTED TO UNLISTED TRADING PRIVILEGES

Priority: Undetermined

Legal Authority: 15 USC 78I(3); 15 USC 78I(1); 15 USC 78W

CFR Citation: 17 CFR 240.12f-3; 17 CFR 240.12f-2

Abstract: Form 28 provides the Commission with notice (pursuant to 17 CFR 240.12f-3(b)) of termination or suspension by a national securities exchange of unlisted trading privileges in any security. Such notice to the Commission is necessary for the Commission to carry out its regulatory oversight responsibilities.

Timetable:

I IIII CELLIOI C.	MARKET PLANTS	
Action	Date	FR Cite
End Review	12/31/85	

Small Entity: No

Existing Regulations Under Review

Agency Contact: Thomas C. Etter, Ir., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2826

RIN: 3235-AB94

66. P FORM CA-1 - APPLICATION FOR REGISTRATION OR FOR EXEMPTION FROM REGISTRATION AS A CLEARING AGENCY AND FOR AMENDMENT TO REGISTRATION PURSUANT TO THE SECURITIES **EXCHANGE ACT OF 1934**

Priority: Undetermined

Legal Authority: 15 USC 78q-1(b)

CFR Citation: 17 CFR 240.17Ab2-1

Abstract: Rule 17Ab2-1 requires applications for registration or for exempt ion from registration as a clearing agency, as defined in Section 3(a)(23) of the Exchange Act, to be made on Form CA-1. Reference to Form CA-1 includes the form and any required schedules, exhibits, or attachments. Information provided on Form CA-1 is used to determine whether applicants for registration have met the statutory standards of Section 17A(b) (3). These standards include requirements that clearing agencies: (1) safeguard securities and funds in its custody or control; (2) assure fair representation of shareholders (or members) and participants in the selection of its directors and in its

administration; (3) have rules designed to promote accurate clearance and settlement of securities transactions. and (4) in general, have rules protecting investors and the public interest.

Timetable:

Action	Date	FR Cite
End Review	12/31/85	TOTAL PROPERTY.

Small Entity: No

Agency Contact: John F. Connolly, Staff Attorney, Securities and Exchange Commission, Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549. 202 272-2413

RIN: 3235-AB82

SECURITIES AND EXCHANGE COMMISSION (SEC)

FR Cite

Completed Actions

COMPLETED RULEMAKINGS

67. PROPOSED RULES AND GUIDE FOR DISCLOSURES CONCERNING RESERVES FOR UNPAID LOSSES AND LOSS ADJUSTMENT EXPENSES FOR PROPERTY-CASUALTY UNDERWRITERS.

Priority: Undetermined

CFR Citation: 17 CFR 210.5-04; 17 CFR 210.7-05; 17 CFR 210.12-18; 17 CFR 210.12-19; 17 CFR 229.60; 17 CFR 231

Date

Completed:

Reason

1000			200	- 00 O II O
Final Action Final Rules and	11/27/84	49	FR	47594
Guide Adopted Final Action Effective	12/15/84	49	FR	47594
Small Entity: Ur	ndetermined	1		

Agency Contact: Jeremiah Harrington 202 272-2130

RIN: 3235-AA75

68. DIRECTORS, EXECUTIVE OFFICERS, PROMOTERS, AND CONTROL PERSONS

CFR Citation: 17 CFR 229.401(f); 17 CFR 229.401(g)

Completed:

Reason	Date	FR	Cite
Final Action Final Action Effective	08/16/84 01/01/85	2035	32762 32762

Small Entity: Yes

Agency Contact: Betsy Callicott Goodell 202 272-2589

RIN: 3235-AB50

69. CONSENTS TO SERVICE

Priority: Undetermined CFR Citation: 17 CFR 230

Reason	Date	FR Cite
Final Action The staff has discontinued this project.	02/13/85	

Agency Contact: Martin Meyrowitz 202 272-3250

RIN: 3235-AA56

Small Entity: Yes

70. RULE 137, 138, & 139 -**DEFINITION OF "OFFER FOR SALE"** AND "OFFER TO SELL" IN SECTIONS 2(10) AND 5(C) IN RELATION TO CERTAIN PUBLICATIONS

Priority: Undetermined

CFR Citation: 17 CFR 230.137; 17 CFR 230.138; 17 CFR 230.139

Completed:

Reason	Date	FR	Cite
Final Action	09/20/84	49 FR	37569
Final Action	10/25/84	49 FR	37569

Small Entity: No

Agency Contact: Patricia B. Magee 202 272-2589

RIN: 3235-AB10

71. TEMPORARY RULES AND FORMS FOR THE PILOT ELECTRONIC DISCLOSURE SYSTEM

Priority: Agency Determination

CFR Citation: 17 CFR 230.499; 17 CFR 239.62; 17 CFR 239.63; 17 CFR 239.64; 17 CFR 240.12b-37; 17 CFR 249.444; 17 CFR 249.445; 17 CFR 249.446; 17 CFR 260.0-12; 17 CFR 269.5; 17 CFR 269.6; 17 CFR 269.7

Completed:

Reason	Date	900	FR	Cite
Final Action	06/27/84	49	FR	28044
Small Entity:	Undetermined			

Agency Contact: Patricia M. Jayne 202 272-2589

RIN: 3235-AA77

72. PROPOSED FORM F-5 AND OTHER **RULES RELATING TO DISCLOSURE** IN CONNECTION WITH BUSINESS COMBINATIONS INVOLVING FOREIGN COMPANIES

Priority: Undetermined

CFR Citation: 17 CFR 239.35; 17 CFR 240.12g; 17 CFR 240.12g3-2(d)(2); 17 CFR 240.15c2-8; 17 CFR 240.15d-3; 17 CFR 240.15d-5

Completed Actions

Completed:	W. T	
Reason	Date	FF

Final Action The 02/13/85 staff has discontinued this project.

Small Entity: Undetermined

Agency Contact: Martin Meyrowitz 202 272-3250

RIN: 3235-AB59

73. SECURITIES EXCHANGE ACT RULE 3B-1 — DEFINITION OF "LISTING"

Priority: Undetermined

CFR Citation: 17 CFR 240.12d1-3; 17 CFR 240.12d1-4; 17 CFR 240.12d1-5; 17 CFR 240.12d2-1; 17 CFR 240.12d2-2; 17 CFR 240.12f-1; 17 CFR 240.12f-2; 17 CFR 240.12f-3; 17 CFR 240.12f-4; 17 CFR 240.12f-6; 17 CFR 240.12g-2

Completed:

Reason	Date	FR Cite
End Review	01/27/85	

Small Entity: No

Agency Contact; Brandon C. Becker 202 272-2889

RIN: 3235-AB55

74. RULE 11AA2-1 - DESIGNATION OF NATIONAL MARKET SYSTEM SECURITIES

Priority: Undetermined

CFR Citation: 17 CFR 240.11Aa2-1

Completed:

Reason	Date	FR Cite
Final Action Final Action Effective	12/18/84 01/22/85	50 FR 730

Small Entity: Undetermined

Agency Contact: Andrew E. Feldman 202 272-2388

RIN: 3235-AB52

75. SECURITIES EXCHANGE ACT RULE 15C2-11-INITIATION OR RESUMPTION OF QUOTATIONS WITHOUT SPECIFIED INFORMATION

Priority: Undetermined

CFR Citation: 17 CFR 240.15c2-11

Completed	

R Cite

Reason	Date		FR	Cite
Final Action	11/08/84	49	FR	45117
Final Action Effective	01/14/85	49	FR	45117

Small Entity: Undetermined

Agency Contact: Nancy J. Burke 202

272-2848

RIN: 3235-AA48

76. RULE 17AD-2(E)

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-2(e)

Completed:

Reason	Date		FR	Cite
Final Action	10/05/84	49	FR	40573
Final Action Effective	10/05/84	49	FR	40573

Small Entity: Undetermined

Agency Contact: Sandra Sciole 202 272-2775

RIN: 3235-AB13

77. FORM N-SAR - SEMI-ANNUAL REPORT FOR REGISTERED INVESTMENT COMPANIES

Priority: Undetermined

CFR Citation: 17 CFR 240.13a-1; 17 CFR 240.15d-1; 17 CFR 270.30a-1; 17 CFR 270.30a-2; 17 CFR 274.101; 17 CFR 274.102; 17 CFR 240.12b-25; 17 CFR 249.322; 17 CFR 270.30e1-3

Completed:

Reason	Date		FR	Cite
Final Action	01/11/85	50	FR	1442
Final Action Effective	04/30/85			

Small Entity: Yes

Agency Contact: Gene A. Gohlke 202 272-2024

RIN: 3235-AB18

78. UTILIZING PRIVATE ENTITIES IN INVESTMENT COMPANY EXAMINATIONS AND IMPOSING EXAMINATION FEES

Priority: Undetermined

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Discontinued The staff has	01/02/85	MAN THE STREET
decided not to recommend any further		
action.		

Small Entity: Undetermined

Agency Contact: Mary S. Podesta 202 272-2107

RIN: 3235-AA42

79. EXEMPTION FOR CUSTODY OF INVESTMENT COMPANY ASSETS OUTSIDE THE UNITED STATES

CFR Citation: 17 CFR 270.7d-1,(Revision); 17 CFR 270.17f-4(b), (Revision); 17 CFR 270.17f-5

Completed:

Reason	Date		FR	Cite
Final Action	09/07/84	99	FR	36080
Final Action Effective	09/14/84			

Small Entity: Undetermined

Agency Contact: Elizabeth M. Knoblock 202 272-3036

RIN: 3235-AB48

80. RULE 2A19-1 CERTAIN PERSONS NOT DEEMED INTERESTED PERSONS; DEFINITION OF REGULAR BROKER OR DEALER

Priority: Undetermined

CFR Citation: 17 CFR 270.2a-5; 17 CFR 270.2a19-1; 17 CFR 270.10b-1; 17 CFR 274

Completed:

Reason	Date	FR Cite
Final Action	10/12/84 4	9 FR 40569
Final Action Effective	11/12/84	

Small Entity: Undetermined

Agency Contact: Elizabeth M. Knoblock 202 272-3036

RIN: 3235-AA11

81. RULE 3A-5 (PROPOSED AS A REVISION TO RULE 6C-1) EXEMPTION FOR SUBSIDIARIES ORGANIZED TO FINANCE THE OPERATIONS OF DOMESTIC OR FOREIGN COMPANIES

Priority: Undetermined

CFR Citation: 17 CFR 270.3a-5

Completed Actions

Completed:		
Reason	Date	FR Cite
Final Action	12/13/84	THE STATE OF THE S
Final Action Effective	12/14/84	

Small Entity: No

Agency Contact: William C. Gibbs,

Esq. 202 272-2147 RIN: 3235-AA13

82. RULE 10B-1-- DEFINITION OF REGULAR BROKER OR DEALER

Priority: Undetermined

CFR Citation: 17 CFR 270.10b-1

Completed:

Reason	Date	FR	Cite
Final Action	10/12/84	49 FR	40569
Final Action	11/12/84		

Small Entity: No

Agency Contact: Elizabeth M. Knoblock 202 272-3036

RIN: 3235-AB39

83. PROPOSED RULE 22D-6 UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

CFR Citation: 17 CFR 270.22d-6

Completed:

Reason	Date	FR Cite
Final Action	02/21/85	o vito
Small Entitue	Von	

Small Entity: Yes

Agency Contact: Elizabeth M. Knoblock, Esq. 202 272-3036

RIN: 3235-AA17

84. RULE 204-2 UNDER INVESTMENT ADVISERS ACT OF 1940 ("ADVISER'S ACT") — BOOKS AND RECORDS TO BE MAINTAINED BY INVESTMENT ADVISERS

Priority: Undetermined

CFR Citation: 17 CFR 275.204-2

mp		

completed.		
Reason	Date	FR Cite
Final Action	01/11/85	
Final Action Effective	01/17/85	50 FR 2542

Small Entity: Undetermined

Agency Contact: Mary S. Podesta 202

272-2079

RIN: 3235-AA18

COMPLETED REVIEWS

85. RULE 3A12-5 — EXEMPTION OF CERTAIN INVESTMENT CONTRACT SECURITIES FROM SECTIONS 7(C) AND 11(D)(1)

Priority: Undetermined

CFR Citation: 17 CFR 240.3a12-5

Completed:

Reason	Date	FR Cite
End Review	01/23/85	IT A STATE OF
Small Entity	No	

Small Entity: No

Agency Contact: Colleen Curran

Harvey 202 272-2848

RIN: 3235-AB56

86. RULE 11D1-1 — EXEMPTION OF CERTAIN SECURITIES FROM SECTION 11(D)(1)

Priority: Undetermined

CFR Citation: 17 CFR 240.11d1-1

Completed:

Reason	Date	FR Cite
End Review	01/21/85	no still

Small Entity: No

Agency Contact: Colleen Curran

Harvey 202 272-2848

RIN: 3235-AB54

87. RULE 15C2-4 — TRANSMISSION OR MAINTENANCE OF PAYMENTS RECEIVED IN CONNECTION WITH UNDERWRITINGS

Priority: Undetermined

CFR Citation: 17 CFR 240.15c2-4

Completed:

Reason	Date	FR Cite
End Review	01/25/85	
Small Entity:	Undetermined	

Agency Contact: Nancy J. Burke 202

272-2848

RIN: 3235-AB57

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

88. ● RULE 1-01. APPLICATION OF REGULATION S-X

Priority: Undetermined

CFR Citation: 17 CFR 210.1-01

Timetable:

Action	Date	FR Cite
End Review	12/20/84	THE REAL PROPERTY.
Small Entity	: Undetermined	

Agency Contact: Robert Burns, Chief Counsel, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2130

RIN: 3235-AB64

89. ● RULE 1-02. DEFINITION OF TERMS USED IN REGULATION S-X

Priority: Undetermined

CFR Citation: 17 CFR 210.1-02

Timetable:

Action	Date	FR Cite
End Review	12/20/84	
Small Entity:	Undetermined	

Agency Contact: Robert Burns, Chief Counsel, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2130

RIN: 3235-AB66

[FR Doc. 85-8892 Filed 04-28-85; 8:45 am]

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